



PLANNING AND REGULATORY COMMITTEE MEETING

MINUTES

22 MAY 2018

The Committee Recommendations contained within these Minutes
were adopted at the Council meeting on 29 May 2018

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**REPORT OF THE PLANNING AND REGULATORY COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 22 MAY 2018 COMMENCING AT 9.02AM**

1 OPENING**2 PRESENT**

Members Present:

Councillor C E Smith (Chairperson)
The Mayor, Councillor M F Strelow
Councillor N K Fisher
Councillor C R Rutherford
Councillor M D Wickerson

In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)
Mr E Pardon – Chief Executive Officer
Mr T Cullen – General Manager Advance Rockhampton/Acting General
Manager Aviation Services
Mr S Gatt – Manager Planning and Regulatory Services
Ms T Fitzgibbon – Coordinator Development Assessment
Ms K Moody – Coordinator Environmental Health
Mr B Diplock – Senior Planning Officer
Mr J Trevett-Lyall – Planning Officer
Ms C Steinberger – Media Officer
Ms L Leeder – Senior Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE**4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****COMMITTEE RESOLUTION**

THAT the minutes of the Planning and Regulatory Committee held on 1 May 2018 be taken as read and adopted as a correct record.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson
MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE

File No: 10097
Attachments: 1. Business Outstanding Table
Authorising Officer: Colleen Worthy - General Manager Community Services
Author: Colleen Worthy - General Manager Community Services

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Planning and Regulatory Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Planning and Regulatory Committee be received.

Moved by: Councillor Fisher
Seconded by: Councillor Wickerson
MOTION CARRIED

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/77-2017/A - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/77-2017 FOR A MATERIAL CHANGE OF USE FOR A FOOD AND DRINK OUTLET

File No: D/77-2017/A

Attachments: 1. Locality Plan
2. Floor Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Nishu Ellawala - Acting Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Jonathon Trevett-Lyall - Planning Officer

SUMMARY

Development Application Number: D/77-2017/A

Applicant: The Little Olive Catering Group

Real Property Address: Lot 0 on GTP60042 and Lot 5 on GTP60042, Parish of Murchison

Common Property Address: 116 William Street and 124 William Street, Rockhampton

Planning Scheme Zone: Low-Medium Density Residential Zone

Type of Approval: Development Incentives Application for Development Permit D/77-2018 for a Material Change of Use for a Food and Drink Outlet

Date of Decision: 21 November 2017

Application Lodgement Fee: \$2,513.00

Infrastructure Charges: Nil

Infrastructure charges incentive: Precinct 2 unchanged GFA – 0%
Amount of discount: Nil

Incentives sought: Refund of Development Application Fees

9:04AM Councillor Rutherford attended the meeting

COMMITTEE RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for a Food and Drink Outlet, on land located at 116 William Street and 124 William Street, Rockhampton, described as Lot 0 on GTP60042 and Lot 5 on GTP60042, Parish of Murchison, Council resolves to Approve the following incentives:

- a) A refund of development application fees to the amount of \$2,513.00.

Moved by: Mayor Strelow
Seconded by: Councillor Rutherford
MOTION CARRIED

8.2 D/17-2018 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (ONE LOT INTO TWO LOTS)

File No: D/17-2018

Attachments: 1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Colleen Worthy - General Manager Community Services
Nishu Ellawala - Acting Manager Planning and Regulatory Services

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/17-2018

Applicant: Timothy Roy Flynn and Prue Ellen Flynn

Real Property Address: Lot 3 on RP887484, Parish of Wiseman

Common Property Address: Lot 3 Alton Downs - Nine Mile Road, Alton Downs

Area of Site: 15.842 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Rural Zone (Alton Downs Precinct)

Planning Scheme Overlays: Not Applicable

Existing Development: Rural Land

Existing Approvals: Not Applicable

Approval Sought: Development Permit for Reconfiguring a Lot (one lot into two lots)

Level of Assessment: Impact Assessable

Submissions: Nil

Infrastructure Charges Area: Charge Area 3

Application Progress:

<i>Application Lodged:</i>	14 February 2018
<i>Confirmation Notice issued:</i>	27 February 2018
<i>Submission period commenced:</i>	16 March 2018
<i>Submission period end:</i>	10 April 2018
<i>Last receipt of information from applicant:</i>	16 April 2018
<i>Statutory due determination date:</i>	6 June 2018

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into two lots), made by Timothy and Prue Flynn, on land located at Lot 3 Alton Downs - Nine Mile Road, Alton Downs, formally described as Lot 3 on RP887484, Parish of Wiseman, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the issue of the Survey Plan Approval Certificate, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the issue of the Survey Plan Approval Certificate, unless otherwise stated.
- 1.5 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.6 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Proposed Lots 83 and 84	180945-01 (Sheet 1 of 1)	4 February 2018

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works.

3.0 PLUMBING WORKS

- 3.1 Internal Plumbing of existing building (shed) located within proposed Lot 84 must be contained within the lot it serves.

4.0 ALLOTMENT DRAINAGE WORKS

- 4.1 All allotment runoff from each proposed lot must be discharged such that it must not restrict, impair or change the natural flow of runoff water or cause a nuisance or worsening to surrounding land or infrastructure.

5.0 SITE WORKS

- 5.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.

6.0 ELECTRICITY

- 6.1 Electricity services must be provided to each lot in accordance with the standards and requirements of the relevant service provider.

- 6.2 Evidence must be provided that electricity services are available to each lot in accordance with the standards and requirements of the relevant service provider, prior to the issue of the Survey Plan Approval Certificate.

7.0 TELECOMMUNICATIONS

- 7.1 Telecommunications services must be provided to each lot in accordance with the standards and requirements of the relevant service provider.

- 7.2 Evidence that each lot is provided with telecommunications services from the relevant service provider must be provided to Council, prior to the issue of the Survey Plan Approval Certificate.

Note: The *Telecommunications Act 1997* (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required.

Note: For telecommunications services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra or a "Notice of Practical Completion" where such services are provided by the NBN.

8.0 ASSET MANAGEMENT

- 8.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.

- 8.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

9.0 OPERATING PROCEDURES

- 9.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Alton Downs – Nine Mile Road.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and

Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au.

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Plumbing and Drainage Works

For any future development proposed on Lots 83 and 84, the construction of internal sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act* and including the provision of On-site sewerage and disposal in accordance with the *Queensland Plumbing and Wastewater Code* and *Council's Plumbing & Drainage Policies*.

For any future development proposed on Lots 83 and 84, the construction of internal plumbing works must be in accordance with regulated work under the *Plumbing and Drainage Act* and *Council's Plumbing and Drainage Policies*. Including the provision of adequate on-site water storage for domestic and fire fighting purposes and may include bore, dams, water storage tanks or a combination of each. The water storage must be easily accessible having regard to pedestrian and vehicular access.

NOTE 5. Access Works

For any future development proposed on Lot 83, the construction of access works must be in accordance with *Capricorn Municipal Development Guidelines* and *Australian Standard AS2890 "Parking facilities"*.

For any future development proposed on Lot 84, the existing access must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*.

Rural addressing must be provided to each lot in accordance with Council's Local Law for Roads.

A permit (Operation Works (access works) or else Works in Road Reserve) must be obtained for the works within road reserve.

RECOMMENDATION B

That in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into two lots), made by Timothy and Prue Flynn, on land located at Lot 3 Alton Downs - Nine Mile Road, Alton Downs, formally described as Lot 3 on RP887484, Parish of Wiseman, Council resolves to issue an Infrastructure Charges Notice for the amount of \$7,000.00.

Moved by: **Councillor Smith**

Seconded by: **Councillor Wickerson**

MOTION CARRIED

8.3 DECISION UNDER DELEGATION - APRIL 2018

File No: 7028
Attachments: Nil
Authorising Officer: Colleen Worthy - General Manager Community Services
Nishu Ellawala - Acting Manager Planning and Regulatory Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report outlines the properly made development applications received in April 2018 and whether they will be decided under delegation or decided by Council.

COMMITTEE RECOMMENDATION

THAT this report into the applications lodged in April 2018 be received.

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED

8.4 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - APRIL 2018

File No: 1464

Attachments: 1. Monthly Operations Report - April 2018
2. Traffic Light Report - April 2018

Authorising Officer: Colleen Worthy - General Manager Community Services

Author: Nishu Ellawala - Acting Manager Planning and Regulatory Services

SUMMARY

The Monthly Operations Report for the Planning and Regulatory Services Section for April 2018 is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Planning and Regulatory Services Monthly Operations Report for April 2018 be 'received'.

Moved by: Councillor Smith

Seconded by: Councillor Wickerson

MOTION CARRIED

9 NOTICES OF MOTION

Nil

10 URGENT BUSINESS\QUESTIONS

10.1 PARKING DURING MAJOR EVENTS

File No: 8041

Responsible Officer: Steven Gatt – Manager Planning and Regulatory Services

SUMMARY

The Mayor, Councillor Strelow seeking a proactive approach by Council in relation to parking during major events.

COMMITTEE RECOMMENDATION

THAT Council officers prepare an overview report with recommendations which would reduce impacts of significant events at the Showgrounds on the Wandal community and retail precinct, which may involve temporary changes to the parking regime or other alternatives as suggested.

Moved by: Mayor Strelow

Seconded by: Councillor Rutherford

MOTION CARRIED UNANIMOUSLY

11 CLOSURE OF MEETING

There being no further business the meeting closed at 9.33am.

SIGNATURE

CHAIRPERSON

DATE