



# **PLANNING AND REGULATORY COMMITTEE MEETING**

## **MINUTES**

**28 MAY 2019**

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**REPORT OF THE PLANNING AND REGULATORY COMMITTEE MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 28 MAY 2019 COMMENCING AT 9.00AM**

## **1 OPENING**

## **2 PRESENT**

### Members Present:

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

### In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)  
Mr E Pardon – Chief Executive Officer  
Mr S Gatt – Manager Planning and Regulatory Services  
Ms T Fitzgibbon – Coordinator Development Assessment  
Ms K Moody – Coordinator Health and Environment  
Mr J McCaul – Coordinator Development Assessment  
Mr M Paudyal – Senior Development Engineer  
Mr B Diplock – Planning Officer  
Ms G Dwyer – Media Officer  
Ms L Leeder – Senior Committee Support Officer

## **3 APOLOGIES AND LEAVE OF ABSENCE**

Leave of Absence for the meeting was previously granted to Councillor Cherie Rutherford.

## **4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **COMMITTEE RESOLUTION**

THAT the minutes of the Planning and Regulatory Committee held on 14 May 2019 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**

Nil

## **7 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 8 OFFICERS' REPORTS

### 8.1 D/17-2019 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A HIGH IMPACT INDUSTRY

**File No:** D/17-2019

**Attachments:**

1. Locality Plan
2. Site Plan
3. Elevation Plan

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Steven Gatt - Acting General Manager Community Services  
Colleen Worthy - General Manager Community Services

**Author:** Brandon Diplock - Planning Officer

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#### SUMMARY

*Development Application Number:* D/17-2019

*Applicant:* Watpac Construction Pty Ltd c/- PSA Consulting (Australia) Pty Ltd

*Real Property Address:* Lot 1 on CP888744 and Lot 1 on RP603369, Parish of Archer

*Common Property Address:* 484 Lakes Creek Road, Koongal

*Area of Site:* 13.11 hectares

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* High Impact Industry Zone (Lakes Creek Precinct)

*Planning Scheme Overlays:* Biodiversity Overlay  
Bushfire Hazard Overlay (Medium & Buffer)  
Coastal Protection Overlay  
Flood Hazard Overlay  
Steep Land Overlay

*Existing Development:* Abattoir

*Existing Approvals:* D/382-2013  
D/243-2014

*Approval Sought:* Development Permit for a Material Change of Use for High Impact Industry

*Level of Assessment:* Impact Assessable

*Submissions:* Nil

*Referral Agency(s):* Department of State Development, Manufacturing, Infrastructure and Planning

*Infrastructure Charges Area:* Charge Area 1

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*Application Progress:*

<i>Application Lodged:</i>	<i>12 March 2019</i>
<i>Acknowledgment Notice issued:</i>	<i>14 March 2019</i>
<i>Submission period commenced:</i>	<i>5 April 2019</i>
<i>Submission period end:</i>	<i>1 May 2019</i>
<i>Government Agency Response:</i>	<i>11 March 2019</i>
<i>Last receipt of information from applicant:</i>	<i>2 May 2019</i>
<i>Statutory due determination date:</i>	<i>19 June 2019</i>

**COMMITTEE RECOMMENDATION****RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for High Impact Industry, made by Watpac Construction Pty Ltd c/- PSA Consulting (Australia) Pty Ltd, on land located at 484 Lakes Creek Road, Koongal, described as Lot 1 on CP888744 and Lot 1 on RP603369, Parish of Archer, 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 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
  - 1.3.1 Plumbing and Drainage Works; and
  - 1.3.2 Building Works:
    - (i) Building Works.
- 1.4 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 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>
Flood Study Report	6670, Rev 1	8 March 2019
Site Plan	DA-001	18 February 2019
Ground Level Plan	DA-100	18 February 2019
Floor Plan	DA-101	18 February 2019
Elevations	DA-200	18 February 2019
Sections	DA-300	18 February 2019
Sections	DA-301	18 February 2019

2.2 An electronic copy of the hydraulic / hydrological model used in the submitted Flood Study Report must be submitted to Council prior to the commencement of the use. The models are required so that Council is able to undertake a review where necessary and also to update Council's model.

2.3 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.

2.4 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 Building Works.

### 3.0 ACCESS WORKS

3.1 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

3.2 The proposed emergency vehicle access track must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.

### 4.0 PLUMBING AND DRAINAGE WORKS

4.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.

4.2 All internal plumbing and drainage works must be designed and constructed in accordance with the *Plumbing and Drainage Act 2002*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

4.3 The development must be connected to Council's reticulated sewerage and water networks.

4.4 Internal Plumbing and Sanitary Drainage of existing buildings must be contained within the lot it serves.

4.5 All sanitary drainage works must comply with *Australian Plumbing and Drainage Standard AS3500* Part 2 section 3 and 4 for flood affected areas.

### 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.

5.2 Any vegetation cleared or removed must be:

- (i) mulched on-site and utilised on-site for landscaping purposes to Council's satisfaction; or



- (ii) removed for disposal at a location approved by Council, within sixty (60) days of clearing. Any vegetation removed must not be burnt.

## 6.0 ENVIRONMENTAL

- 6.1 An Erosion Control and Stormwater Control Management Plan prompt prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.

## 7.0 ENVIRONMENTAL HEALTH

- 7.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 7.2 Noise emitted from the activity must not cause an environmental nuisance.
- 7.3 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 7.4 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

## 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 Partnerships website [www.datsip.qld.gov.au](http://www.datsip.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. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice.

**RECOMMENDATION B**

THAT in relation to the application for a Development Permit for a Material Change of Use for High Impact Industry, made by Watpac Construction Pty Ltd c/- PSA Consulting (Australia) Pty Ltd, on land located at 484 Lakes Creek Road, Koongal, described as Lot 1 on CP888744 and Lot 1 on RP603369, Parish of Archer, Council resolves to issue an Infrastructure Charges Notice for the amount of \$53,312.00.

**Moved by:** Mayor Strelow

**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

**8.2 DECISIONS UNDER DELEGATION - APRIL 2019**

**File No:** 7028  
**Attachments:** Nil  
**Authorising Officer:** Steven Gatt - Acting General Manager Community Services  
Colleen Worthy - General Manager Community Services  
**Author:** Tarnya Fitzgibbon - Coordinator Development Assessment

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**SUMMARY**

*This report outlines the properly made development applications received in April 2019 and whether they will be decided under delegation or decided by Council.*

**COMMITTEE RECOMMENDATION**

THAT this report into the applications lodged in April 2019 be received.

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

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**8.3 MONTHLY OPERATIONS REPORT FOR PLANNING & REGULATORY SERVICES - APRIL 2019****File No:** 1464**Attachments:** 1. Monthly Operations Report for Planning & Regulatory Services - April 2019**Authorising Officer:** Colleen Worthy - General Manager Community Services**Author:** Steven Gatt - Acting General Manager Community Services

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**SUMMARY**

*The Monthly Operations Report for the Planning & Regulatory Services Section for April 2019 is presented for Councillors information.*

**COMMITTEE RECOMMENDATION**

THAT the Planning & Regulatory Services Monthly Operations Report for April 2019 be 'received'.

**Moved by:** Councillor Smith**Seconded by:** Councillor Wickerson**MOTION CARRIED****COMMITTEE RECOMMENDATION**

THAT Council convene a roundtable with the Department of Parks and Wildlife on the subject of feral animals at Fraser Park.

**Moved by:** Councillor Fisher**Seconded by:** Councillor Smith**MOTION CARRIED**

## **9 NOTICES OF MOTION**

Nil

## **10 URGENT BUSINESS\QUESTIONS**

## 11 CLOSURE OF MEETING

There being no further business the meeting closed at 9:27am.

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SIGNATURE

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CHAIRPERSON

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DATE