MINUTES OF COMMUNITY & DEVELOPMENT COMMITTEE MEETING NO 11
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS IN HERVEY BAY,
77 TAVISTOCK STREET, TORQUAY
ON WEDNESDAY 8 DECEMBER, 2010 COMMENCING AT 1.20PM

PRESENT:
Councillor Barb Hovard (Chairman)
Councillor Julie Arthur
Councillor Sue Brooks
Councillor David Dalgleish
Councillor Linda Harris
Councillor Debbie Hawes
Councillor Mick Kruger
Councillor Belinda McNeven
Councillor Les MucKan
Councillor Gerard O'Connell

STAFF IN ATTENDANCE:
Acting Chief Executive Officer, Ms Lisa Desmond
Director Community & Development, Mr Peter Smith
Director Infrastructure & Environment, Mr Wayne Sweeney
Executive Manager Strategic Planning, Ms Rosalyn Acworth
Special Projects Officer, Strategic Planning, Ms Cathrine Bennett
Planner, Mr Damien Frey
Senior Planner, Ms Lee-Anne Manski
Acting Executive Manager Development Assessment, Mr Adam Yem
Senior Planner, Mrs Terry Frey
Executive Manager Community & Culture, Ms Debra Moore
Media Officer, Mrs Jan Rolston
Meeting Secretary, Mrs Julie Schoonderwoerd

C&D 1 APOLOGIES

RESOLUTION (O'Connell / Dalgleish)

That the apology from Councillor Nioa who is absent due to illness be accepted.

Carried Unanimously
C&D 11/141/12/10

C&D 2 DISCLOSURE OF INTERESTS

Councillor Kruger declared he had a Conflict of Interest in Item C&D 9.4.

C&D 3 PUBLIC PARTICIPATION (AGENDA ITEMS ONLY)

Nil

C&D 4 OFFICERS' REPORTS – DEVELOPMENT ASSESSMENT

Nil

C&D 5 OFFICERS' REPORTS – STRATEGIC PLANNING

C&D 5.1 Resolution to Prepare Fraser Coast Regional Council Planning Scheme and Priority Infrastructure Plan

RESOLUTION (O'Connell / McNeven)

That Council resolves to prepare a Fraser Coast Regional Council Planning Scheme (including a Priority Infrastructure Plan) in accordance with Part 5, Section 117 of the Sustainable Planning Act 2009.

Carried Unanimously
C&D 11/142/12/10

C&D 5 OFFICERS' REPORTS – STRATEGIC PLANNING

C&D 5.2 Submission Regarding the Interim Consultation Report of the Infrastructure Charges Taskforce November 2010

RESOLUTION (Kruger / O'Connell)

That Council instructs the Chief Executive Officer to lodge a submission on its behalf, based on the comments contained within the Officer's report (DOCS #1982655).

Carried Unanimously
C&D 11/143/12/10

CONFLICT OF INTEREST

Councillor Kruger declared a possible conflict of interest in Item C&D 6.1 because he was an honorary member of one of the Rotary Clubs.

RECOMMENDATION (Hawes / McNeven)

That Councillor Kruger did not have a conflict of interest in Item C&D 6.1.

Carried Unanimously
C&D 11/144/12/10

C&D 6 OFFICERS' REPORTS – COMMUNITY & CULTURE

C&D 6.1 Summary of Hervey Bay Service Clubs

RECOMMENDATION (Arthur / O'Connell)

That Council support further investigations into the suitability of Lot 158 SP181751 Barron Court, Urangan as a location for Hervey Bay based service clubs when required.

Carried Unanimously
C&D 11/145/12/10

Councillor Kruger voted for the recommendation.

C&D 7 OFFICERS' REPORTS – OTHER REPORTS

Nil

P&D 8 QUESTIONS ON NOTICE

P&D 8.1 Application Fees / Headworks Charges – Home Based Businesses

As a question on notice, Councillor McNeven requested information on the application fees and headworks charges for home based businesses and the different process and classification for home based businesses and home activities.

C&D 9 **CONFIDENTIAL**

MOTION (Kruger)

Council resolves that under the *Local Government (Operations) Regulation 2010* the Meeting be closed to the public for the purpose of discussing the following items:

C&D 9.1 – **Proposed Maryborough City Plan Amendments and New Planning Scheme Policies - Resolution to Adopt the Amended Maryborough City Plan and Planning Scheme Policies -** Section 72(1)(h) (other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage)

C&D 9.2 – **Proposed Amendment to the Amenity and Aesthetics Considerations for Development (Amenity and Aesthetic Impact of Particular Building Work) Council Policy -** Section 72(1)(h) (other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage)

C&D 9.3 – **Transport Infrastructure Contributions for Vehicle Sales Premises -** Section 72(1)(h) (other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage)

C&D 9.4 – **Request for Reduction of Infrastructure Contributions – DA 514/3-082164 – 192-212 Urraween Road, Urraween -** Section 72(1)(h) (other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage)

C&D 9.5 – **Proposed Development – Other Residential (11 Units) – Located at 309 Lennox Street, Maryborough – R and A Nicholson c/- Urban Planet Town Planning Consultants -** Section 72(1)(h) (other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage)

Carried Unanimously
C&D 11/146/12/10

RESUMPTION OF PLANNING & DEVELOPMENT COMMITTEE MEETING

MOTION (Brooks / MucKan)

That the Meeting resume in open Committee.

Carried Unanimously
C&D 11/147/12/10

CONFLICT OF INTEREST

Councillor Kruger declared a conflict of interest in Item C&D 9.4 because he had received an electoral donation from the developer.

RECOMMENDATION (Dalgleish / Hawes)

That Councillor Kruger did have a conflict of interest in Item C&D 9.4.

Carried Unanimously
C&D 11/148/12/10

Councillor Kruger retired from the Meeting for any discussions relating to Item C&D 9.4.

MOTION (McNeven / Hawes)

That the Meeting resume in Confidential to consider Items C&D 9.4 and C&D 9.5.

Carried Unanimously
C&D 11/149/12/10

RESUMPTION OF PLANNING & DEVELOPMENT COMMITTEE MEETING

MOTION (Hawes / Arthur)

That the Meeting resume in open Committee.

Carried Unanimously
C&D 11/150/12/10

C&D 9 CONFIDENTIAL

C&D 9.1 Proposed Maryborough City Plan Amendments and New Planning Scheme Policies - Resolution to Adopt the Amended Maryborough City Plan and Planning Scheme Policies

RESOLUTION (Arthur / O'Connell)

That Council:

(A) pursuant to Schedule 1, Part 3, 19 (1)(a) of the *Integrated Planning Act 1997*, adopt the proposed amendments to the Maryborough City Plan, as per Attachment 4, and:

i. notify the adoption of the amended planning scheme pursuant to Schedule 1, Section 20 of the *Integrated Planning Act 1997*; and

ii. give the Department of Infrastructure and Planning a copy of the notice and five (5) certified copies of the planning scheme, pursuant to Schedule 1, Section 21 of the *Integrated Planning Act 1997*; and,

(B) pursuant to section 117(1) of the *Sustainable Planning Act 2009* adopt the new Planning Scheme Policy 6.7 – City Centre Building Height and Planning Scheme Policy 6.8 – Koala Impact Assessment, as per Attachment 4, and:

i. notify the adoption of the new Planning Scheme Policies pursuant to Section 117(1) of the *Sustainable Planning Act 2009;*

ii. give the properly made submitter to Planning Scheme Policy 6.8 – Koala Impact Assessment and the Minister a copy of the Submissions Report, pursuant to section 117(1) of the *Sustainable Planning Act 2009;* and

iii. give the chief executive officer a copy of the notice and three (3) certified copies and one electronic copy of the Planning Scheme policies pursuant to section 117(1) of the *Sustainable Planning Act 2009.*

Carried Unanimously
C&D 11/151/12/10

C&D 9 **CONFIDENTIAL**

C&D 9.2 **Proposed Amendment to the Amenity and Aesthetics Considerations for Development (Amenity and Aesthetic Impact of Particular Building Work) Council Policy**

RESOLUTION (Kruger / Dalgleish)

That the Amenity and Aesthetics Policy, titled 'Amenity and Aesthetics Considerations for Development (Amenity and Aesthetic Impact of Particular Building Work) Council Policy' be amended pursuant to Attachment 1.

Carried Unanimously
C&D 11/152/12/10

C&D 9 **CONFIDENTIAL**

C&D 9.3 **Transport Infrastructure Contributions for Vehicle Sales Premises**

RESOLUTION (O'Connell / Dalgleish)

That the revised methodology for calculating transport infrastructure contributions for vehicle sales premises and landscaping supplies within the Hervey Bay City Planning Scheme area be implemented as outlined in the officers report, subject to an applicant entering into an infrastructure agreement with the Council prior to issuance of a development permit.

Carried Unanimously
C&D 11/153/12/10

C&D 9 **CONFIDENTIAL**

Councillor Kruger retired from the meeting and did not participate in voting on Item C&D 9.4.

C&D 9.4 **Request for Reduction of Infrastructure Contributions – DA 514/3-082164 – 192-212 Urraween Road, Urraween**

RESOLUTION (Dalgleish / O'Connell)

That Council delegate authority to the Chief Executive Officer to enter into an Infrastructure Agreement with the applicant in accordance with Option 2 of the confidential report (DOCS #1966370) to guarantee performance of the matters listed.

Carried 9/1
514/3-082164
C&D 11/154/12/10

NOTE: Due to exceptional circumstances in the timeframe for adopting the associated planning documents Council determines the roll in provisions to be appropriate, and accordingly requires full payment of contributions for all stages, and commencement of Stage 1 by December 2011.

Councillor Kruger returned to the Meeting.

C&D 9 **CONFIDENTIAL**

C&D 9.5 **Proposed Development – Other Residential (11 Units) – Located at 309 Lennox Street, Maryborough – R and A Nicholson c/- Urban Planet Town Planning Consultants**

RESOLUTION (Dalgleish / MucKan)

That Council grant delegated authority for the Chief Executive Officer to progress the appeal to approval, subject to the requirements of the Maryborough City Plan and associated planning scheme policies.

Carried (10/1)
6/MI/LENNOX309
C&D 11/155/12/10

There being no further business the Meeting closed at 3.06pm.

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CHAIRPERSON
COMMUNITY & DEVELOPMENT COMMITTEE

Received as a report, amended where necessary and recommendations adopted at the Special Meeting of the Fraser Coast Regional Council held on 15 December, 2010.

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MAYOR