MINUTES OF PLANNING & DEVELOPMENT COMMITTEE MEETING NO 3
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS,
77 TAVISTOCK STREET, TORQUAY, HERVEY BAY
ON WEDNESDAY 11 MAY, 2011 COMMENCING AT 9.35AM

PRESENT:

Councillor Julie Arthur
Councillor Sue Brooks
Councillor David Dalgleish
Councillor Linda Harris
Councillor Debbie Hawes
Councillor Mick Kruger
Councillor Belinda McNeven (Chairperson)
Councillor Les MucKan
Councillor Anne Nioa

Councillor Dalgleish was not present when the meeting commenced.
Councillor MucKan was not present when the meeting commenced.

STAFF IN ATTENDANCE:

Director Community & Development, Mr Peter Smith
Executive Manager Development Assessment, Mr Michael Ellery
Executive Manager Strategic Planning, Ms Rosalyn Acworth
Senior Development Engineer, Mr John McLennan
Principal Officer Corporate Communication & Marketing, Mr Kevin Corcoran
Meeting Secretary, Mrs Julie Schoonderwoerd

In the absence of Councillor Hovard, Chairperson of the Planning and Development Committee, the Director Community & Development Services opened the meeting and called for nominations for Chairperson of the meeting.

Councillor Arthur nominated Councillor Kruger who declined the nomination.

Councillor Brooks nominated Councillor McNeven who accepted the nomination.

RESOLUTION (Brooks / Nioa)

That Councillor McNeven chair the Meeting.

Carried Unanimously
P&D 3/22/05/11

Councillor McNeven occupied the Chair.

P&D 1 **APOLOGIES**

RESOLUTION (Nioa / Arthur)

That the apologies from:

Councillor Dalgleish who would attend later in the meeting,
Councillor MucKan who would attend later in the meeting,
Councillor O'Connell absent on Council business, and
Councillor Hovard, absent on leave,

be accepted.

Carried Unanimously
P&D 3/23/05/11

P&D 2 **DISCLOSURE OF INTERESTS**

Nil

P&D 3 CONFIRMATION OF MINUTES OF MEETINGS

P&D 3.1 Planning and Development Committee Meeting No. 2 – 13 April, 2011

RESOLUTION (Hawes / Kruger)

That the Minutes of Planning and Development Committee Meeting No. 2 held on 13 April, 2011, be confirmed.

Carried Unanimously
P&D 3/24/05/11

P&D 4 PUBLIC PARTICIPATION (AGENDA ITEMS ONLY)

Nil

P&D 5 OFFICERS' REPORTS – DEVELOPMENT ASSESSMENT

P&D 5.1 Application for Development Permit - Material Change of Use - Extension to a Community Facility (Historical Museum) at 2-8 Burrum Street Howard – Fraser Coast Regional Council

RESOLUTION (Harris / Brooks)

That the application by Fraser Coast Regional Council for a Development Permit for a Material Change of Use for an Extension to a Community Facility (Historical Museum), located at 2-8 & 10 Burrum Street, Howard being Lot 11 on RP 87817 and Lot 910 on H 2177, be approved generally in accordance with the following plans:

Plan / Document Number	Plan / Document name	Date
-	'Burrum Street Howard, Relocation of Two Buildings', prepared by the applicant	Received 4 February 2011

This approval is subject to the following conditions, which must be met prior to the commencement of the use, or at such other time as may be specified in any particular condition.

General

1. Submit to the Assessment Manager an amended site plan, to scale, accurately locating the relocated miners huts. When approved, such plans will form part of the endorsed plans for this permit.

2. Undertake the development in accordance with Council's Planning Scheme Policy 2- Development Manual and Planning Scheme Policy 15- Development Procedures.

3. Meet the costs of all development works including any necessary alteration, relocation of services, public utility mains or installations as costs of the development including accurately locating all existing services before any development works commence.

Vehicle Parking

4. Maintain the existing three (3) carparking spaces and landscaping located on Lot 910.

Stormwater

5. Ensure downpipes discharge water clear away from any structures and any land application area and are directed to a legal point of discharge.

6. Dispose of stormwater from the building in a manner so as not to cause erosion or nuisance to adjoining properties. The intermediate use of a rainwater tank is acceptable.

7. Ensure refuse disposal and storage areas are screened by a solid fence of a minimum height of 1.8 metres, and or by such other measures as approved by the Executive Manager, Development Assessment.

Carried Unanimously
MCU-111018
P&D 3/25/05/11

P&D 5 OFFICERS' REPORTS – DEVELOPMENT ASSESSMENT

P&D 5.2 Application for Development Permit - Material Change of Use - Outdoor Sales Premises at 91-93 Islander Road, Pialba - Stirling North Pty Ltd

RESOLUTION (Nioa / Arthur)

That the application by Stirling North Pty Ltd for a Development Permit for a Material Change of Use for an Outdoor Sales Premises (Vehicle Sales Premises and ancillary Mechanical Vehicle Workshop), located at 91-93 Islander Road, Pialba, being Lot 54 on SP168810, be approved, subject to conditions, which must be met prior to the commencement of the use, or at such other time as may be specified in any particular condition. These conditions must be implemented at no cost to Council or Wide Bay Water Corporation (WBWC) unless specified in any particular condition:

PRE-CONSTRUCTION

General

1. Submit and obtain approval from Council for amended development plans. Such development plans must include, but not be limited to, the following features:

(i) Identify the location and correct size of all buildings, structures and service areas on the site, and appropriate setbacks from property boundaries, landscaping areas and structures;

(ii) Identify the number and location of service bays for the proposed ancillary Mechanical Repair Workshop;

(iii) Identify a total of 13 car parking spaces to be dedicated to the use;

(iv) Identify the extent of proposed driveway, access and manoeuvring areas;

(v) Identify the location of screened on-site waste storage areas and appropriate turning paths for waste collection vehicles; and,

(vi) Identify the location of signage directing visitors to on-site car parking and office areas.

When approved, such plans will form part of the endorsed plans under this development approval.

2. Submit and obtain approval from Council for a Landscaping Plan. The Landscaping Plan must include but not be limited to the following detail:

(i) Provide appropriate landscaping in the existing grassed area identified on submitted plans to improve the visual appearance of the development when viewed from the Islander Road frontage;

(ii) Ensure all species used in landscaping areas are selected in accordance with Planning Scheme Policy No. 2 – Development Manual, are low maintenance landscape plantings that incorporate at least 70% local endemic plant species (selected from the schedules as contained in the Landscaping Code);

(iii) Provide a plan and schedule of all proposed trees, shrubs and groundcovers (other than lawn), including their botanical and common names, and details about their location and size at the time of planting, and upon maturity;

(iv) Provide details relating to the following;

(a) Pot sizes at the time of planting;

(b) Design of a fully reticulated and automated drip fed watering system;

(c) Incorporation of Water Sensitive Urban Design (WSUD) principles to ensure appropriate uptake of nutrients and minimise water consumption; and,

(d) Measures to ensure that plantings will be retained and managed to allow growth of trees to their mature size.

When approved, such plans will form part of the endorsed plans under this development approval.

3. Undertake the development in accordance with Council's Planning Scheme Policy 2 - Development Manual and Planning Scheme Policy 15 - Development Procedures.

4. Unless otherwise stated in a particular condition, all conditions must be completed prior to commencement of the proposed change of use of the site, unless otherwise agreed to by the Executive Manager, Development Assessment.

5. The developer must meet the costs of all development works including any necessary alteration or relocation of services, provision of upgrading of car parking works and all vehicular access works together with all public utility mains and/or installations.

6. The developer must accurately locate all existing services before any development works commence.

7. All works that will revert to Council control must be designed and supervised by a Registered Professional Engineer in accordance with Council Policy. The works will be required to comply with all Local Laws, Policies and Standards of Council current at the time of submission of the application for approval of Operational Works. No works associated with this permit may commence until an Operational Works Permit has been issued by Council.

CONSTRUCTION

Services

8. All utility service connections are to be wholly contained within the lot forming part of the proposal.

9. Disconnect the existing water connection and meter on the Islander Road frontage. All work to be performance by Wide Bay Water Corporation at the Developer's cost.

10. Extend the existing water service from Boat Harbour Drive, internally through the site to provide for fire fighting supply in accordance with the requirements of Wide Bay Water Corporation.

Stormwater

11. Construct internal and external stormwater drainage infrastructure to service the development site as required.

12. The stormwater drainage must be designed such that no restriction to developed stormwater flows from upstream properties or ponding of stormwater within upstream properties occurs or intensification of existing flows to downstream properties as a result of the development.

13. All stormwater runoff from the site must be treated by suitably designed and located stormwater quality improvement devices designed in accordance with best practice Water Sensitive Design Techniques (WSUD), located within the site boundaries.

14. Stormwater discharged from the site must meet the Water Quality Objectives (WQO) as defined under the Environmental Protection (Water) Policy 1997, dated March 2007 which includes all Hervey Bay coastal rivers and creeks. Part 3, Table 2, identifies the Water Quality Objectives (WQOs) to protect environmental values. The document and the accompanying plan are available in electronic form from the Environmental Values web page on the EPA website: http://www.epa.qld.gov.au.

Landscaping

15. Undertake landscaping on the site in accordance with approved Landscaping Plan.

Footpath

16. Construct a 1.5 metre wide concrete footpath (or equivalent) along the Islander Road frontage in accordance with engineering drawings submitted to and approved by Council. The footpath is to be constructed to the standard set out in Council's Development Manual.

Vehicular Access

17. Demonstrate that a vehicular access is available to the site from Islander Road in accordance with Council Policy. Any new vehicular access works must comply with Council's Standard Drawing RO-8, Commercial Driveway Slab and Access.

Car Parking

18. Provide 13 on-site car parking spaces in accordance with Council's Parking and Access Code. No on-street car parking facilities are to be utilised.

19. Design and construct car parking spaces, associated access aisles and driveways to the dimensions detailed in Council's Planning Scheme Policies and Australian Standard AS2890.1. Provide manoeuvring areas to ensure that vehicles ingress and egress the property in a forward direction. Driveways, car parking and reversing areas are to be constructed to the standards defined in Council's development manual and car parking spaces are to be permanently marked. Provide at least one disabled visitor car space at ground level, conforming to AS1428 – Design for Access and Mobility.

20. All car parking and manoeuvring areas associated with the Mechanical Vehicle Workshop must be provided with an approved impervious seal approved by Council.

21. Erect appropriate signage to direct visitors to car parking and office areas.

Environmental Health

22. Contain airborne hazards and other emissions, such as ash, fumes, light, or odour from the building work on site and take all reasonable steps to prevent a release to neighbouring properties.

23. Contain all litter and building waste on the building site by the use of a skip or any other reasonable means during construction to prevent release to a neighbouring property.

24. Take all reasonable and practical measures to prevent pollutants from cutting, cleaning activities and waste concrete from entering gutters, drains and waterways.

25. Implement drainage, erosion and sediment control measures and maintain in a proper and efficient working order to ensure dirt and sediment remains on the construction site. Ensure erosion and sediment runoff does not contaminate stormwater at unacceptable levels.

Waste

26. Provide adequate facilities for storage and collection of waste and recyclable materials in accordance with Council's Waste Services Policy. Liaise directly with Council's Waste Services Coordinator with regard to the size and quantity of bins and the method and frequency of service. The access path for the collection vehicle must provide for adequate turning space such that the vehicle enters and exits the site in a forward direction.

Administration

27. All works that will revert to Council control are subject to a twelve month maintenance period during which time the Developer must be responsible for the maintenance of the works, the rectification of any design omissions or defects, and the repair of any construction defects that are subsequently found. Council requires the developer to secure the maintenance of the works by the submission of a bond valued at 5% of the total value of the works. The bond must be submitted in accordance with Council's policy.

28. Prior to acceptance of the works on maintenance, the supervising engineer must arrange for the collection and submission to Council of digital "as constructed" information for the works. The digital information must comply with Council's "Submission of Digital As Constructed Manual" and must be certified as specified in the Manual.

POST CONSTRUCTION

Environmentally Relevant Activity

29. An approval for an Environmentally Relevant Activity must be obtained prior to commencement of use of the Mechanical Repair Workshop.

Car Parking

30. Ensure parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking at all times.

Landscaping

31. Maintain landscaping on the site in accordance with the approved plans, and to the satisfaction of the Executive Manager, Development Assessment.

Infrastructure Contributions

32. Pay a Contribution toward Water Supply Infrastructure to Council in accordance with Planning Scheme Policy 4 or the policy current at the time of payment.

Carried Unanimously
MCU-111021
P&D 3/26/05/11

P&D 6 OFFICERS' REPORTS – STRATEGIC PLANNING

Nil

P&D 7 OFFICERS' REPORTS – OTHER ITEMS

P&D 7.1 Open Resolutions Report - April 2011

RESOLUTION (Hawes / Kruger)

That the report be received and noted.

Carried Unanimously
P&D 3/27/05/11

P&D 7 **OFFICERS' REPORTS – OTHER ITEMS**

9.41am **Councillor Dalgleish attended the Meeting during discussion of Item P&D 7.2 and was present for voting on the item.**

Councillor Nioa retired from the Meeting during discussion of Item P&D 7.2 to attend to other Council business and was not present for voting on the item.

P&D 7.2 **Response to Question on Notice – Home Based Businesses**

RESOLUTION (Kruger / Harris)

That the report be received and noted.

Carried Unanimously
P&D 3/28/05/11

P&D 8 **QUESTIONS ON NOTICE**

Nil

Councillor Brooks enquired if confidential item P&D 9.1 could be dealt with in Open Council.

The Executive Manager Development Assessment advised that an officer of the Department of Local Government and Planning had confirmed that Council was able to publicly release the report if it wished to do so.

RESOLUTION (Brooks / Dalgleish)

That the report listed as Confidential Item P&D 9.1 - Development Assessment Monitoring and Performance Program Annual Report – 2009-2010 be dealt with in Open Committee as Item P&D 5.3.

Carried Unanimously
P&D 3/29/05/11

P&D 5 **OFFICERS' REPORTS – DEVELOPMENT ASSESSMENT (CONTD.)**

9.50am **Councillor MucKan attended the meeting during Item P&D 5.3 and was present for voting on the item.**

P&D 5.3 **Development Assessment Monitoring and Performance Program Annual Report – 2009-2010**

RESOLUTION (Kruger / Brooks)

That the Development Assessment Monitoring and Performance Program Annual Report 2009-2010 released by Growth Management Queensland be received and noted.

Carried Unanimously
P&D 3/30/05/11

Minute's Silence – Shane McGowan

Councillor Kruger referred to the recent sudden passing of Council's Executive Manager Building Services, Shane McGowan, whose funeral had taken place yesterday. He said that he and a number of Council officers had attended the service which had been held at Maroochydore. Councillor Kruger requested that the Meeting observe a minute's silence in recognition of Shane and the contribution he had made to the Fraser Coast Regional Council.

All present stood and observed a minute's silence in Shane's memory.

P&D 9 **CONFIDENTIAL**

RESOLUTION (Arthur / Harris)

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:

P&D 9.1 – **Development Assessment Monitoring and Performance Program Annual Report – 2009-2010 -** 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) **(*THIS ITEM WAS DEALT WITH IN OPEN COMMITTEE - REFER ITEM P&D 5.3 – PAGES 10/11*)**

P&D 9.2 – **Adoption of Fraser Coast Regional Council Planning Scheme Policy 16 – Development Manual -** 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)

9.56am **Councillor Nioa returned to the Meeting during discussion of Item P&D 9.2.**

9.58am **Councillor MucKan retired from the Meeting during discussion of Item P&D 9.2 to attend to other Council business.**

10.04am **Councillor MucKan returned to the Meeting during discussion of Item P&D 9.2.**

Carried Unanimously
P&D 3/31/05/11

RESUMPTION OF PLANNING & DEVELOPMENT COMMITTEE MEETING

RESOLUTION (Nioa / Arthur)

That the Meeting resume in open Committee.

Carried Unanimously
P&D 3/32/05/11

P&D 9 **CONFIDENTIAL**

P&D 9.2 **Adoption of Fraser Coast Regional Council Planning Scheme Policy 16 – Development Manual**

MOVED (Kruger / Harris)

That Council:

(a) pursuant to Chapter 3, Part 5 of the *Sustainable Planning Act 2009,* adopts the modified Planning Scheme Policy No 16 – Development Manual, as amended, in Attachment 3, for the Hervey Bay City Planning Scheme, the Maryborough City Plan, the Planning Scheme for the Shire of Tiaro (as administered by FCRC) and the Planning Scheme for the Shire of Woocoo; and

(b) notifies the adopted Planning Scheme Policy 16 – Development Manual as taking effect on Friday, 13 May 2011.

AMENDMENT (Brooks / -)

That Council:

(a) pursuant to Chapter 3, Part 5 of the *Sustainable Planning Act 2009,* adopts the modified Planning Scheme Policy No 16 – Development Manual, as amended, in Attachment 3, for the Hervey Bay City Planning Scheme, the Maryborough City Plan, the Planning Scheme for the Shire of Tiaro (as administered by FCRC) and the Planning Scheme for the Shire of Woocoo including an amendment to 3.1 Pathways to include a pathway of minimum width 1.2m on one side of access places and access streets; and

(b) notifies the adopted Planning Scheme Policy 16 – Development Manual as taking effect on Friday, 13 May 2011.

LAPSED FOR WANT OF A SECONDER

The **MOTION** (Kruger/Harris) on being **PUT** was **CARRIED 8/1**.

RESOLUTION (Kruger / Harris)

That Council:

(a) pursuant to Chapter 3, Part 5 of the *Sustainable Planning Act 2009,* adopts the modified Planning Scheme Policy No 16 – Development Manual, as amended, in Attachment 3, for the Hervey Bay City Planning Scheme, the Maryborough City Plan, the Planning Scheme for the Shire of Tiaro (as administered by FCRC) and the Planning Scheme for the Shire of Woocoo; and

(b) notifies the adopted Planning Scheme Policy 16 – Development Manual as taking effect on Friday, 13 May 2011.

P&D 3/33/05/11

Councillor Brooks requested her vote against be recorded.

There being no further business the Meeting closed at 10.28am.

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CHAIRPERSON
PLANNING & DEVELOPMENT COMMITTEE

Confirmed at Planning and Development Committee Meeting No. 4 of the Fraser Coast Regional Council held on 8 June, 2011.

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MAYOR