MINUTES OF PLANNING & DEVELOPMENT COMMITTEE MEETING NO 2
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS,
77 TAVISTOCK STREET, TORQUAY, HERVEY BAY
ON WEDNESDAY 14 MARCH, 2012 COMMENCING AT 9.32AM

PRESENT:
Councillor Barb Hovard (Chairperson)
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 Anne Nioa

STAFF IN ATTENDANCE:
Chief Executive Officer, Ms Lisa Desmond
Director Community & Development, Mr Peter Smith
Executive Manager Development Assessment, Mr Michael Ellery
Senior Planner, Mr Paul Rice
Executive Manager Strategic Planning, Ms Rosalyn Acworth
Principal Officer Corporate Communication & Marketing, Mr Kevin Corcoran
Meeting Secretary, Mrs Julie Schoonderwoerd

In opening and welcoming everybody to the Meeting, Councillor Hovard said that this was the final Planning and Development Committee Meeting for the term of this Council. She added that for Councillor Linda Harris it was a milestone because after 18 years in Council it was her final Council meeting.

P&D 1 **APOLOGIES**

RESOLUTION (Dalgleish / Hawes)

That the apology from Councillor O'Connell, who was absent attending a funeral, be accepted.

Carried Unanimously
P&D 2/87/03/12

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. 1 – 8 February, 2012**

RESOLUTION (Hawes / MucKan)

That the Minutes of Planning and Development Committee Meeting No. 1 held on 8 February, 2012, be confirmed.

Carried Unanimously
P&D 2/88/03/12

P&D 4 **PUBLIC PARTICIPATION (AGENDA ITEMS ONLY)**

Nil

P&D 5 OFFICERS' REPORTS – DEVELOPMENT ASSESSMENT

P&D 5.1 Application for Material Change of Use - Community Facility (Extension to Rural Fire Brigade) and Preliminary Approval - Building Works – Community Facility (Vehicle Storage and Staff Facilities)

RESOLUTION (MucKan / Dalgleish)

That Development Application MCU-121008 be determined as follows:

Description of Proposal:

Development Permit - Material Change of Use - Community Facility (Extension to Rural Fire Brigade) and
Preliminary Approval - Building Works – Community Facility (Vehicle Storage and Staff Facilities)

Decision:

Approved, subject to conditions

Details of Approval:

The following approvals are given:

	Sustainable Planning Regulation 2009, schedule 3 reference	**Development Permit**	**Preliminary Approval**
Carrying out building work assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		☐	☒
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		☒	☐

Approved Plans:

The approved plans and/or documents for this development approval are listed in the following table:

Plan / Document number	Plan / Document name	Date
Project 11685	'Plan Sheet' prepared by Shed Boss Maryborough	20 January 2012
Project 11686	'Plan Sheet' prepared by Shed Boss Maryborough	20 January 2012
Project 10441-11806-0	'Plan Sheet' prepared by Shed Boss Maryborough	15 February 2012
-	'Site Plan' prepared by Sandy Straits Rural Fire Station	Received by Council on 20 January 2012

Conditions imposed by the assessment manager:

PRE-CONSTRUCTION

General

1. Undertake the Development in accordance with Council's Planning Scheme, Planning Scheme Policies and Local Laws.

2. 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.

3. Determine the exact position of the on-site sewerage facility, prior to the commencement of building work and comply with the minimum horizontal separation distances as determined by the Queensland Plumbing and Drainage Code. The facility must be indicated on the site plan that is submitted for building approval.

4. Any necessary alterations to the existing on-site sewerage facility will require a plumbing application to be lodged with Council and approved before any work is commenced.

5. Potential Acid Sulfate Soils may exist near the surface. In this regard, as a minimum, all soil excavated must be treated with lime at a rate of 5kg/m^3 of soil.

CONSTRUCTION

Visual Amenity

6. Utilise building finishes that avoid excessive brightness, contrast, colour intensity and reflectivity. In this regard, the finished colours must utilise muted colours, which complement the natural environment and the existing building.

Environmental Protection

7. Do not undertake any works:

   a. Monday to Saturday: 6.30pm - 6.30am; and

   b. Sunday or public holiday – at any time.

8. 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.

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

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

11. Rectify all damage to Council infrastructure (including pavement damage) incurred as a result of the development works to the satisfaction of the Assessment Manager prior to the issuance of the structure's final certificate.

POST CONSTRUCTION

Lighting and Noise

12. Ensure that all publicly accessible areas are well lit at all times.

13. All outdoor lighting must meet the requirements of AS4282-1997 (Control of the obtrusive effects of outdoor lighting). In this regard, ensure illumination levels at a distance of 1.5 metres outside the site do not exceed 8 lux.

14. Ensure that the design of external lighting does not cause nuisance to traffic.

15. The proposed development must not make unreasonable noise as defined in the *Environmental Protection (Noise) Policy* 2008 under the *Environmental Protection Act* 1994.

Stormwater

16. Dispose of storm water from the structure in a manner so as not to cause erosion or nuisance to adjoining properties. In this regard, roof water drainage must be directed to a legal point of discharge. The intermediate use of a rainwater tank is acceptable.

Carried Unanimously
MCU-121008
P&D 2/89/03/12

P&D 5 OFFICERS' REPORTS – DEVELOPMENT ASSESSMENT

P&D 5.2 Application for Material Change of Use - Retirement Village - 74-98 Emerald Park Way, Urangan – Torbay Retirement Villages Limited

RESOLUTION (Dalgleish / MucKan)

That Development Application MCU-111190 be determined as follows:

Description of Proposal:

Development Permit - Material Change of Use - Retirement Village

Decision:

Approved subject to conditions

Details of Approval:

The following approvals are given:

	Sustainable Planning Regulation 2009, schedule 3 reference	**Development Permit**	**Preliminary Approval**
Material Change of Use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		☒	☐

Approved Plans:

The approved plans and/or documents for this development approval are listed in the following table:

Plan/ Document number	Plan/Document name	Date
1136-01 Issue DA1	Aged Care Facility – Site Plan	10 November 2011
1136-02 Issue DA1	Aged Care Facility – Existing and Proposed Ground Floor Plan	10 November 2011
1136-03 Issue DA1	Aged Care Facility – Existing and Proposed First Floor Plan	10 November 2011
1136-04 Issue DA1	Aged Care Facility – Existing and Proposed Elevations	10 November 2011
1136-05 Issue DA1	Aged Care Facility – Design development Maintenance/Workshop Plan/Elevation	10 November 2011

Conditions imposed by the assessment manager:

GENERAL

1. Undertake the Development in accordance with Council's Planning Scheme, Planning Scheme Policies and Local Laws.

2. Submit engineering drawings detailing all civil engineering site works, frontage works stormwater design and sewer design within and external to the site in an Operational Works application. The design of these works is to be approved by Council before any works commence on site. All such works are to be completed to Council's satisfaction prior to the commencement of the approved use.

STORMWATER

3. Design and construct internal and external stormwater drainage infrastructure to service the development. Ensure that all stormwater runoff from the site is treated within the site boundaries prior to release at the legal point of discharge. The design of the stormwater system must incorporate Water Sensitive Urban Design (WSUD) techniques in accordance with Council's Water Sensitive Urban Design Guidelines, October 2011.

4. Design the stormwater drainage such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development, as set out in Planning Scheme Policy 16 – Development Manual.

5. All works associated with the development shall not cause:

   - adverse affects external to the subject site arising from any increase in velocity, volume and/or redirection of flow;

   - increase in the duration of inundation outside the site where such increased inundation could cause loss or damage.

WATER

6. Consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all water reticulation associated with this development. Ensure the design has sufficient capacity to meet the demands for the development and to sustain any commercial fire stream requirement in the locality.

7. Connection of proposed infrastructure to existing or live mains must be undertaken by Wide Bay Water Corporation at the Developer's cost.

SEWER

8. Consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all external sewer works required to connect into the existing sewer infrastructure.

9. Connection of proposed infrastructure to existing or live mains must be undertaken by Wide Bay Water Corporation at the Developer's cost.

CAR PARKING AND ACCESS

10. Construct car parking spaces, associated access aisles and driveways to the dimensions detailed in Council's Planning Scheme Policies and Australian Standard AS 2890.1:2004. Provide manoeuvring areas to ensure that vehicles ingress and egress the property in a forward direction.

11. Parking areas and access lanes shall be kept available for these purposes at all times.

ENVIRONMENTAL PROTECTION

12. Submit to Council as part of an Operational Works application, a Construction Management Plan (CMP).

    The CMP must specify the following:

    (i) proposed construction vehicle transport route(s);

    (ii) proposed location/s of all areas on-site and/or off-site to be used for staff and contractor parking (including owner's permission where on other land), storage of materials and soil stockpile handling;

    (iii) measures to ensure the safe and orderly ingress and egress of vehicles to and from the site;

(iv) the means by which the direction of traffic flows to and from parking areas will be controlled both on-site and off-site to ensure no damage is caused to Council's road infrastructure in any adjoining streets including the pavement, kerb, channel, crossovers to adjoining properties and verges;

(v) lawful source and disposal sites of any fill or excavated material; and

(vi) measures to control dust and other emissions such as fumes, sediments, light or odour to avoid nuisance.

13. Keep the surrounding carriageways clean of any material carried onto the roadway by construction vehicles from the site. Any work carried out by Council to remove such material from the roadway will be at the Developer's expense and any such cost is payable prior to the issuing of the certificate of practical completion and /or endorsement of survey plans.

14. Implement appropriate construction procedures including any necessary monitoring and the undertaking of appropriate building inspection reports if the use of vibratory compaction equipment (other than hand held devices) is to occur within 20 metres of any building or structure or where it could cause damage to any existing building or structure.

15. Implement and maintain drainage, erosion and sediment control measures in accordance with the approved Construction Management Plan in a proper and efficient working order to ensure dirt and sediment remains on the construction site. Stormwater must not be contaminated by unacceptable levels of erosion and sediment runoff.

16. Restrict the hours of construction to Monday to Saturday 6.30 a.m. to 6.30 p.m. unless otherwise approved in writing by the Executive Manager Development Assessment. Work must not be conducted from or on the premises outside the above hours or on Sundays or public holidays.

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

18. Dispose of building construction and demolition waste only at an approved waste disposal facility. It is an offence to dispose of waste at other than an approved site.

19. Do not burn any construction or demolition waste or vegetation on site.

20. Undertake construction in accordance with the approved Construction Management Plan.

Vegetation Removal

21. Restrict clearing of the site to the area shown on the endorsed Vegetation Management Plan approved as part of DA 513/3-051249. Any vegetation clearing must comply with the conditions of DA 513/3-051249.

22. Mark all existing vegetation required to be retained before any development starts on the site. Marked vegetation must not be removed, destroyed or lopped without the written consent of the Executive Manager Development Assessment.

23. Carry out all vegetation clearing in accordance with the approved Vegetation Management Plan.

24. Dispose of all vegetation that is required to be removed to facilitate development by way of chipping with a tub mulcher or similar. Other alternative methods of vegetation removal must be approved by the Executive Manager Development Assessment prior to the commencement of the works. No burning of any material is permitted on site.

25. Complete any rehabilitation works identified in the approved Vegetation Management Plan upon completion of all other necessary works for the site.

Landscaping

26. Submit a Landscape Plan, prepared in accordance with Planning Scheme Policy 16 - Development Manual, for approval prior to the approval of any related application for Operational Works incorporating:-

    (a) The area or areas set aside for landscaping;

    (b) The retention of existing trees where not required to be removed for construction of buildings, the drainage channel or associated infrastructure;

    (c) Low maintenance landscape plantings that incorporate local endemic plant species in accordance with Planning Scheme Policy 16;

    (d) Consideration of Crime Prevention through Environmental Design (CPTED) principles;

    (e) Details of any entry statements, letter boxes, fencing and similar structures; and

    (f) A schedule of all proposed trees, shrubs and ground cover, including the location and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface material in accordance with Planning Scheme Policy 16 as specified.

    When approved, such plan will form part of the endorsed plans under this permit.

27. Complete the landscaping shown on the endorsed plan prior to commencement of the use and properly maintain at all times to a standard satisfactory to the Executive Manager Development Assessment. All trees and plants that have died or are considered by Council to be in a deteriorating state 12 months after planting, are to be replaced and maintained for a further 12 months.

INFRASTRUCTURE AND SERVICES

28. All damage to Council infrastructure (including pavement damage) as a result of the development works is to be rectified to the satisfaction of Council prior to the issuing of the certificate of practical completion or approval of the plan of survey.

29. All road crossing conduits for services shall be thrust or tunnel bored to prevent damage to the road pavement unless approved otherwise by Council.

ADMINISTRATION

30. Meet the costs of all development works including any necessary alteration or relocation of services, public utility mains or installations. The Developer is responsible to accurately locate all existing services before any development works commence.

31. Lodge a bond in the amount of $10,000 in accordance with Planning Scheme Policy 16 - Development Manual (General Performance Bond), prior to the commencement of any building or operational work associated with the development. This bond (less any deductions for purposes defined in the Planning Scheme Policies) will be refunded when:

    (a) Works to revert to Council have been accepted “On Maintenance”, and

    (b) All Building and Operational Works on the site have been completed and a Final Certificate (if applicable) issued by Council.

32. 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 in accordance with Planning Policy 16.

33. 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.

Carried Unanimously
MCU-111190
P&D 2/90/03/12

P&D 5 OFFICERS' REPORTS – DEVELOPMENT ASSESSMENT

P&D 5.3 Application for Development Permit - Material Change of Use and Preliminary Approval - Building Works Assessable against the Planning Scheme - Extension to Outdoor Recreation Use at Saltwater Creek Road, Maryborough

RESOLUTION (Nioa / Harris)

That Development Application MCU-111088 be determined as follows:

Description of Proposal:

Development Permit - Extension to Outdoor Recreation (Clay Target Shooting)

Decision:

Approved subject to conditions

Details of Approval:

The following approvals are given:

	Sustainable Planning Regulation 2009, schedule 3 reference	**Development Permit**	**Preliminary Approval**
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		☒	☐
Carrying out building work assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		☐	☒

Preliminary Approval Affecting the Planning Scheme:

Not applicable

Approved Plans:

The approved plans and/or documents for this development approval are listed in the following table:

Plan / Document number	Plan / Document name	Date
-	'Site Plan', prepared by applicant	September 2010
-	'Floor Plan', prepared by applicant	September 2010
-	'Elevations', prepared by applicant	November 2010

Conditions imposed by the assessment manager:

PRE-CONSTRUCTION

General

1. Undertake the Development in accordance with Council's Planning Scheme, Planning Scheme Policies and Local Laws.

2. Meet the costs of all 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.

CONSTRUCTION

Environmental Protection

3. 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.

4. 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.

5. 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.

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

7. Do not undertake works:

   a) on a Sunday or public holiday, at any time; or

   b) on a Saturday or business day, before 6.30 am or after 6.30 pm.

8. Ensure any filling or other development works undertaken on the site are carried out so as not to cause the ponding of water on any adjoining lands or the blockage or interference with any natural watercourse.

Sewerage

9. On-site sewerage facilities must be designed, installed and maintained in accordance with the *Plumbing and Drainage Act* 2002. Any proposed building work to be carried out on premises with an existing on-site sewerage facility must comply with the required separation distances specified in the Queensland Plumbing and Wastewater Code.

Vegetation Removal

POST-CONSTRUCTION

General

10. Rectify all damage to Council infrastructure (including pavement damage) incurred as a result of the development works to the satisfaction of the Assessment Manager prior to the issuance of the structure's final certificate.

Car Parking and Access

11. Restrict car parking to the area located north-west of the 'Existing Building' and 'Proposed Verandah', as identified on the approved 'Site Plan', dated September 2010. Car parking is not to be located south of these buildings at any time.

12. Parking areas and access lanes must be kept available for these purposes at all times.

Noise Impacts

13. Limit all operations that exceed specified noise limits to those times approved by Council.

Lighting

14. Ensure that the design of external lighting of the premises does not cause a nuisance to adjoining residences. In this regard, any artificial lighting provided on site must not produce illumination levels exceeding 8 lux at a distance of 1.5 metres outside of the site.

Carried Unanimously
MCU-111088
P&D 2/91/03/12

P&D 6 OFFICERS' REPORTS – STRATEGIC PLANNING

Nil

P&D 7 OFFICERS' REPORTS – OTHER ITEMS

Nil

P&D 8 QUESTIONS ON NOTICE

Nil

Councillor Hovard said that before moving into confidential, she would ask Councillors to cast their minds back to the post-amalgamation development meetings when the gallery would be full of unhappy development people who were frustrated by Council, but today that frustration was gone. She said that it was a credit to the Chief Executive Officer, the Director, and especially the development team, that Council had travelled so far and had the confidence of the development industry in the main. Councillor Hovard said that she would like to pay tribute to that team for the work that they had done and the great projects that were in hand to accelerate the approvals and make life easier for Council's clients. She said that she wished to thank the staff for supporting her during her time as Chairperson of the Planning and Development Committee.

Councillor McNeven said that having chaired the Development Services Committee as it was from 2004 to 2008, on behalf of Council, Councillors had appreciated the work that Councillor Hovard had put into the role of Chairperson. She said that she knew it was not always the easiest job, but Councillor Hovard had done a good job and would take away fond memories.

P&D 9 CONFIDENTIAL

RESOLUTION (Nioa)

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 – **Fraser Coast Planning Scheme – Progress update and Minutes of Planning Scheme Councillor and Executive Workshops No. 5 and 6 -** 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
P&D 2/92/03/12

RESUMPTION OF PLANNING & DEVELOPMENT COMMITTEE MEETING

RESOLUTION (Hawes)

That the Meeting resume in open Committee.

Carried Unanimously
P&D 2/93/03/12

P&D 9 CONFIDENTIAL

P&D 9.1 Fraser Coast Planning Scheme – Progress update and Minutes of Planning Scheme Councillor and Executive Workshops No. 5 and 6

RESOLUTION (McNeven / Arthur)

That Council:

A. Receive and note the report;

B. Confirm the minutes of the Planning Scheme Councillor and Executive Meeting No. 5 (Attachment 1 of Confidential Report DOCS #2114954); and

C. Confirm the minutes of the Planning Scheme Councillor and Executive Meeting No. 6 (Attachment 2 of Confidential Report DOCS #2172680).

Carried Unanimously
P&D 2/94/03/12

There being no further business the Meeting closed at 9.54am.

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CHAIRPERSON
PLANNING & DEVELOPMENT COMMITTEE

Confirmed at Ordinary Meeting No. 5 of the Fraser Coast Regional Council held at Maryborough on Wednesday 21 March, 2012.

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MAYOR