

**DELEGATED REPORT**

**SUBJECT:** EUCAI PTY LTD - MATERIAL CHANGE OF USE - LOW IMPACT INDUSTRY (EXTENSION TO EXISTING AUTO ELECTRICIAN AND MECHANICAL SERVICES) - LOT 51 ON NR804457 - 4 WALLACE DRIVE, MAREEBA - MCU/20/0011

**DATE:** 20 August 2020

**REPORT OFFICER'S TITLE:** Senior Planner

**DEPARTMENT:** Corporate and Community Services

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**APPLICATION DETAILS**

APPLICATION		PREMISES	
APPLICANT	Eucai Pty Ltd	ADDRESS	4 Wallace Drive, Mareeba
DATE LODGED	17 August 2020	RPD	Lot 51 on NR804457
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Low Impact Industry (extension to existing auto electrician and mechanical services)		

FILE NO	MCU/20/0011	AREA	2227m2
LODGED BY	Freshwater Planning Pty Ltd	OWNER	Eucai Pty Ltd
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Industry Zone - Trades and Services Precinct		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

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**ATTACHMENTS:** 1. Proposal Plan/s

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**EXECUTIVE SUMMARY**

*Council is in receipt of a development application described in the above application details.*

*The application is code assessable and was not required to undergo public notification.*

*It has been assessed against the relevant statutory planning instruments, including the Regional Plan and the Planning Scheme and does not conflict with any relevant planning instrument.*

*Draft conditions were provided to the Applicant/ care of their consultant and have been agreed.*

*It is recommended that the application be approved in full with conditions.*

**OFFICER'S RECOMMENDATION**

1. That in relation to the following development application:

<b>APPLICATION</b>		<b>PREMISES</b>	
<b>APPLICANT</b>	Eucai Pty Ltd	<b>ADDRESS</b>	4 Wallace Drive, Mareeba
<b>DATE LODGED</b>	17 August 2020	<b>RPD</b>	Lot 51 on NR804457
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use - Low Impact Industry (extension to existing auto electrician and mechanical services)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(A) **APPROVED DEVELOPMENT:** Development Permit for Material Change of Use - Low Impact Industry (extension to existing auto electrician and mechanical services)

(B) **APPROVED PLANS:**

<b>Plan/Document Number</b>	<b>Plan/Document Title</b>	<b>Prepared by</b>	<b>Dated</b>
2500 S1	Proposed Extension	PD Designs	August 2020
2500 S2	Proposed Extension	PD Designs	August 2020

(C) **ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)**

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:

- found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- to ensure compliance with the following conditions of approval.

2. Timing of Effect

- 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
- 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.

### 3. General

- 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
- 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
- 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
- 3.4 Waste Management

On site refuse storage area must be provided and be screened from view from adjoining properties and road reserve by 1 metre wide landscaped screening buffer, 1.8m high solid fence or building.

### 4. Infrastructure Services and Standards

#### 4.1 Access

The existing industrial access crossovers servicing the site from Wallace Drive must be maintained to FNQROC Development Manual standards for the life of the development, to the satisfaction of Council's delegated officer.

#### 4.2 Stormwater Drainage/Water Quality

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

#### 4.3 Landscaping & Fencing

- 4.3.1 The landscaping of the site must be maintained generally in accordance with the approved plan, and irrigated, mulched and maintained to the satisfaction of Council's delegated officer.
- 4.3.2 Prior to the commencement of the use, the applicant/developer must erect a 1.8 metre high solid screen fence constructed of colorbond (of

neutral colour) or other suitable material approved by Council, along the entire length of the northern side boundary.

#### 4.4 Water Supply

- (a) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).
- (b) A water service connection must be provided to the subject land in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

#### 4.5 Sewerage Connection

- (a) Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer is required to extend or upgrade the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).
- (b) The developer must connect the proposed development to Council's reticulated sewerage system in accordance with FNQROC Development Manual Standards (as amended) to the satisfaction of Council's delegated officer.

### (D) ASSESSMENT MANAGER'S ADVICE

- (a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.
- (b) A Trade Waste Permit may be required prior to the commencement of use.
- (c) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

- (d) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

- (e) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely

to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from [www.environment.gov.au](http://www.environment.gov.au).

(f) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the “cultural heritage duty of care”). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

(E) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect);

(F) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Development Permit for Building Work

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work

## THE SITE

The subject land is described as Lot 51 on NR804457 and is situated at 4 Wallace Drive, Mareeba.

The land has an irregular shape with an area of 2,227m<sup>2</sup> and a frontage of approximately 59 metres to Wallace Drive. Wallace Drive is bitumen sealed from kerb to kerb with an approximate width of 8 metres.

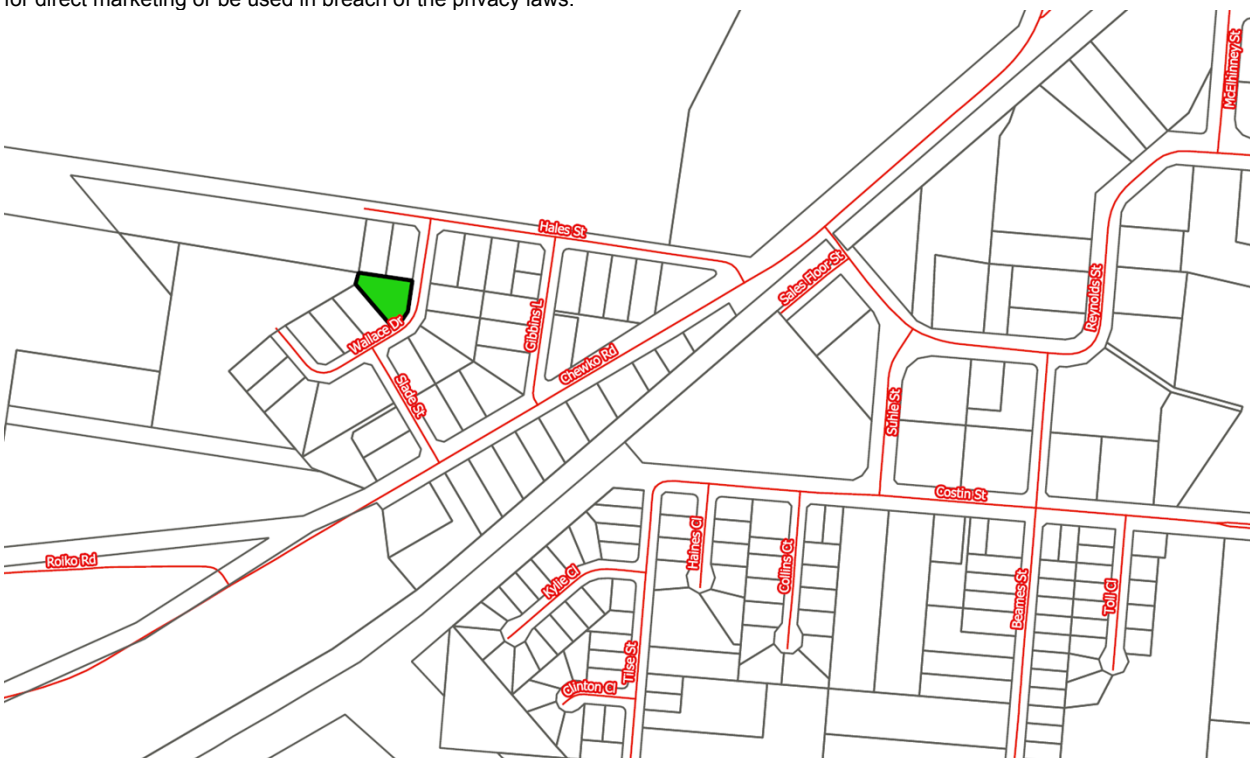
The site contains an existing industrial building which houses an auto electrician and mechanical workshop. The site is accessed from the existing road network, being Wallace Drive.

The site is zoned Industry and has connections to all urban services. Land to the south and east is developed for various industrial purposes. Land adjoining to the north is zoned Low Density Residential and is within the Stables Precinct.



**Map Disclaimer:**

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.



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## BACKGROUND AND CONTEXT

Nil

## PREVIOUS APPLICATIONS & APPROVALS

Nil

## DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use - Low Impact Industry (extension to existing auto electrician and mechanical services) in accordance with the plans shown in **Attachment 1**.

The site contains the existing industrial uses of 761 m<sup>2</sup> (inclusive of awnings). The proposal is to add an additional 110 m<sup>2</sup> of office space to the existing industrial building located towards the Wallace Drive street frontage and is considered to compliment the existing industrial building.

The 110 m<sup>2</sup> extension to the existing industrial building is proposed to include the following:

- Entry
- Lobby Area
- Reception
- Meeting Room
- Offices; and
- Amenities (disabled)

The proposal provides for a new clearly identifiable entrance to the building along with the provision of a disabled parking space and disabled amenities. The extension provides for a calculatable gross floor area (GFA) of 90m<sup>2</sup> as per defined by the Mareeba Shire Planning Scheme.

No change to the existing functioning of the site will occur other than providing a new entry and offices fronting the site.

The proposed extension will utilise the existing access crossovers from Wallace Drive, with no change to the existing accesses envisaged with the extension. The new disabled parking space will be sited proximate to the new building entrance and located on the existing concrete hardstand.

The proposal will retain, maintain and enhance the existing landscaping provided along the frontage of the site.

The balance of the site is existing and is provided with either hardstand compacted gravel or concrete hardstand.

## REGIONAL PLAN DESIGNATION

The subject site is included within the Urban Footprint land use category in the Far North Queensland Regional Plan 2009-2031. Mareeba is identified as a Major Regional Activity Centre in the Regional Plan. The Regional Plan Map 3- 'Areas of Ecological Significance' does not identify the site as being of any significance.

## PLANNING SCHEME DESIGNATIONS

Strategic Framework:	<b>Land Use Category</b>
Zone:	<ul style="list-style-type: none"> <li>Industry Area</li> </ul>
Precinct:	Industry Zone
Overlays:	Trades and Services Precinct
	Airport Environs Overlay

## Planning Scheme Definitions

The proposed use is defined as:-

Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
Low impact industry	<p>Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:</p> <ul style="list-style-type: none"> <li>negligible impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise</li> <li>minimal traffic generation and heavy-vehicle usage</li> <li>demands imposed upon the local infrastructure network consistent with surrounding uses</li> <li>the use generally operates during the day (e.g. 7am to 6pm)</li> <li>offsite impacts from storage of dangerous goods are negligible</li> </ul>	<p>Repairing motor vehicles, fitting and turning workshop</p> <p>Note—additional examples may be shown in SC1.1.2 industry thresholds.</p>	<p>Panel beating, spray painting or surface coating, tyre recycling, drum re conditioning, wooden and laminated product manufacturing, service industry, medium impact industry, high impact industry, special industry</p>

	<ul style="list-style-type: none"> <li>the use is primarily undertaken indoors.</li> </ul>		
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## RELEVANT PLANNING INSTRUMENTS

Assessment of the proposed development against the relevant planning instruments is summarised as follows:-

### (a) Far North Queensland Regional Plan 2009-2031

Separate assessment against the Regional Plan is not required because the Mareeba Shire Council Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the planning scheme area.

### (b) State Planning Policy

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

### (c) Mareeba Shire Council Planning Scheme 2016

#### Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

- 6.2.5 Industry zone code
- 7.2.2 Mareeba local plan code
- 8.2.2 Airport environs overlay code
- 9.3.5 Industrial activities code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.5 Works, services and infrastructure code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable outcomes (or performance outcome where no acceptable outcome applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Industry zone code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Mareeba local plan code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Airport environs overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Industrial activities code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.

Landscaping code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Parking and access code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.

### (e) Planning Scheme Policies

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

All development works will be conditioned to be designed and constructed in accordance with the FNQROC Development Manual.

### (f) Adopted Infrastructure Charges Notice

The application only provides for a new entry and offices at the frontage of the established shed.

The proposed development will not materially change the existing activities on the site and there will be no increase in demand on Council infrastructure.

## REFERRALS

This application did not trigger referral to a referral agency.

### Internal Consultation

Technical Services

## PLANNING DISCUSSION

Nil


**Date Prepared:** 20 August 2020

## DECISION BY DELEGATE

## DECISION

Having considered the Senior Planner's report detailed above, I approve, as a delegate of Council, the application subject to the conditions listed in the report.

Dated the 20<sup>TH</sup> day of AUGUST 2020



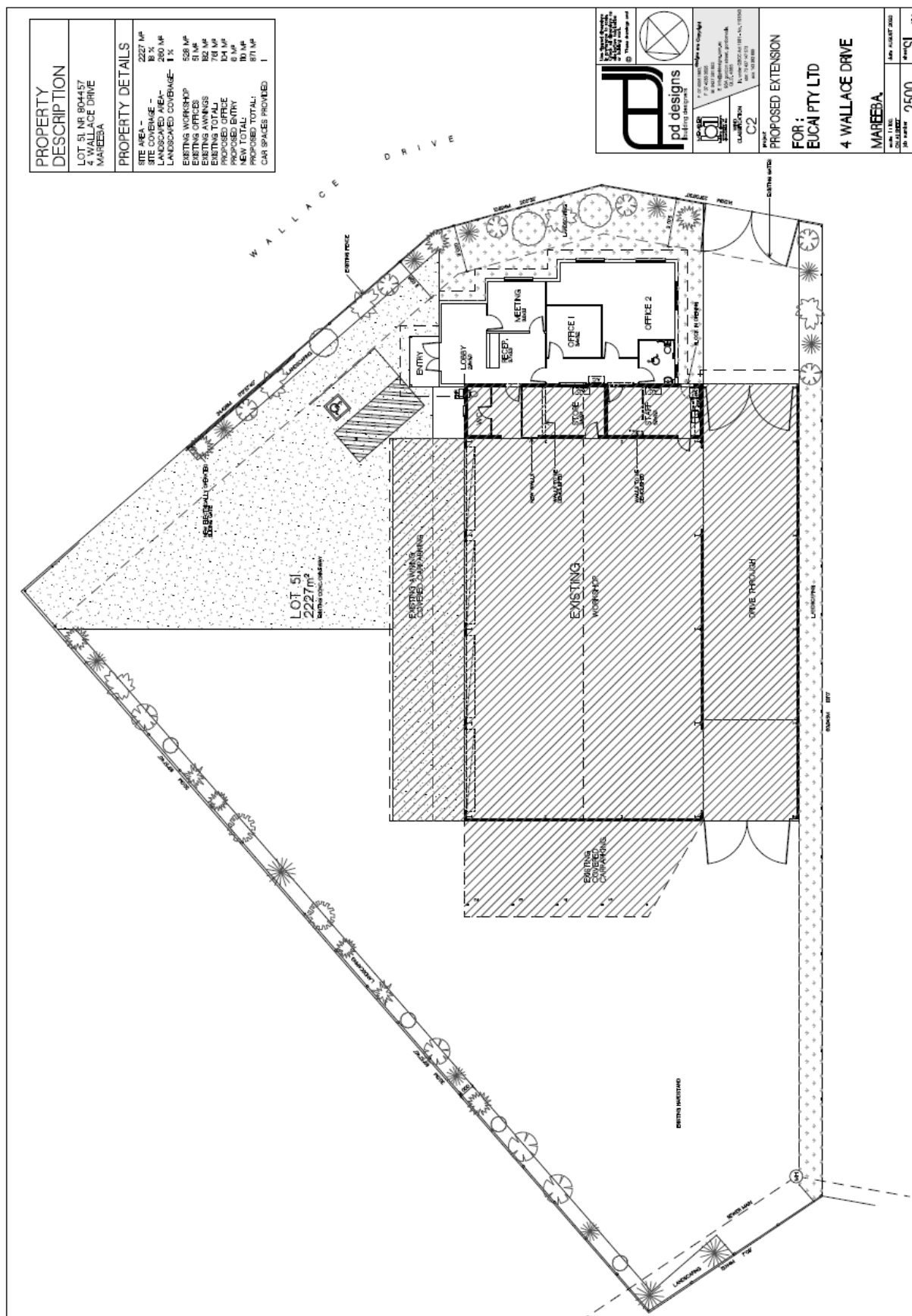
**BRIAN MILLARD**  
**SENIOR PLANNER**

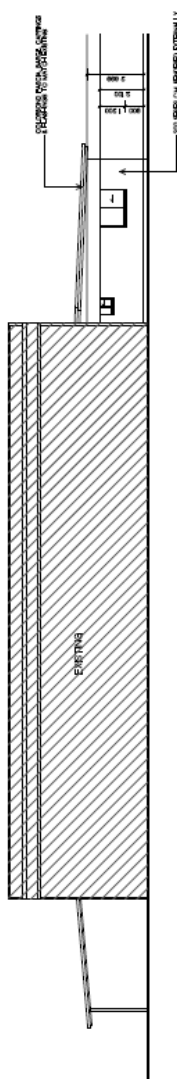


**ANTHONY ARCHIE**  
**MANAGER DEVELOPMENT & GOVERNANCE**

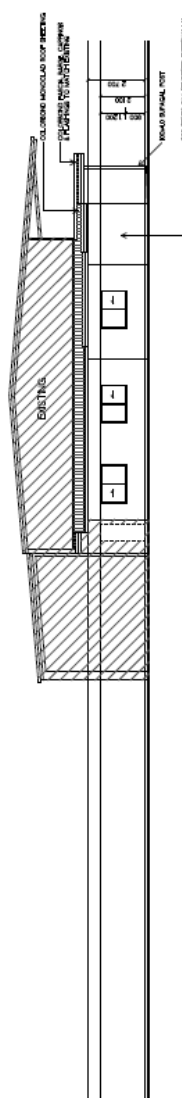
MAREEBA SHIRE  
AS A DELEGATE OF THE COUNCIL

## PROPOSAL PLANS

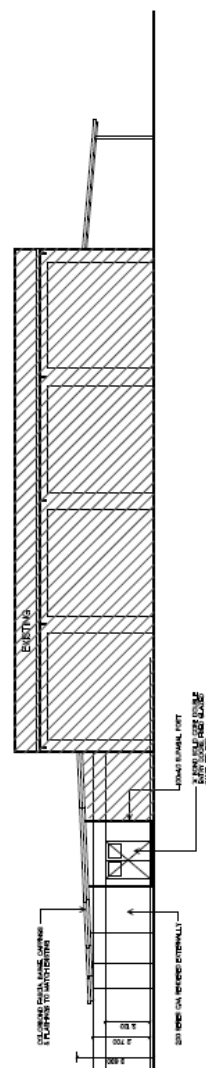




ELEVATION 



ELEVATION 2



ELEVATION ③