

DELEGATED REPORT

SUBJECT: OUTBACK TRUCKSTOPS PTY LTD - MATERIAL CHANGE OF USE - SERVICE STATION (UNMANNED TRUCK REFUELLING FACILITY) - LOTS 66 & 67 ON SP198060 - 23-25 GOWAN STREET, MAREEBA - MCU/18/0021

DATE: 21 August 2018

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Outback Truckstops Pty Ltd	ADDRESS	23-25 Gowan Street, Mareeba
DATE LODGED	3 August 2018	RPD	Lots 66 & 67 on SP198060
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Service Station (Unmanned Truck Refuelling Facility)		

FILE NO	MCU/18/0021	AREA	Lot 66 - 2,178m ² Lot 67 - 2,093m ²
LODGED BY	TFA Project Group	OWNER	Mareeba Shire Council
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Industry zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS: 1. Proposal Plan/s

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:

APPLICATION		PREMISES	
APPLICANT	Outback Truckstops Pty Ltd	ADDRESS	23-25 Gowan Street, Mareeba
DATE LODGED	3 August 2018	RPD	Lots 66 & 67 on SP198060
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Service Station (Unmanned Truck Refuelling Facility)		

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 - Service Station (Unmanned Truck Refuelling Facility)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
18175-MR-A01 A	Proposed Site Layout B-Double Truck Paths	TFA Project Group	03.07.18
18175-MR-A02 A	Proposed Site Layout B-Double Truck Paths	TFA Project Group	03.07.18
18175-MR-A03 A	Proposed Site Layout	TFA Project Group	03.07.18
18175-MR-A04 A	Proposed Site Elevation	TFA Project Group	03.07.18
18175-MR-A05 A	Proposed Signage Details	TFA Project Group	03.07.18
18175-MR-A06 A	Proposed Oily Water Holding Plan	TFA Project Group	03.07.18
18175-MR-B01 A	Ablutions Block Drainage & Reticulation Plan	TFA Project Group	03.07.18

(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

Any 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

Industrial access crossovers must be constructed (from the edge of the road pavement to the property boundary of the subject lot) in accordance with the FNQROC Development Manual, 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) The development is to be carried out generally in accordance with the Oily Water Management Statement dated 20 July 2018.
- (c) All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.3 Internal Driveways

All internal driveways must be constructed, surfaced (reinforced concrete, asphalt, two coat bitumen or concrete pavers as per Table 9.4.3.3C of the Parking and Access Code) and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

4.4 Landscaping

- (a) Prior to the commencement of the use, a landscape plan must be prepared for the site and submitted to Council's delegated officer for consideration and approval. The plan is to include landscaping generally in accordance with the Landscaping Code.
- (b) All plant varieties must generally be in accordance with Planning Scheme Policy No. 6 - Landscaping and preferred plan species.
- (c) The landscaping of the site must be carried out in accordance with the endorsed landscaping plan, and irrigated, mulched and maintained to the satisfaction of Council's delegated officer.

4.5 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 lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

4.6 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) Water Meters/Water Service Connection

Prior to the water service connection works commencing and the installation of the meters by Council, an application for a Plumbing Compliance Permit is required to be submitted with detailed hydraulic drawings. The cost of the required water connection and meter (capping of any existing meter may be required) will be determined based upon the approved hydraulic drawings at the time of lodgement of a Water Quotation Request.

- (c) A Trade Waste Permit will be required prior to the commencement of use.

- (d) 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.

- (e) 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.

- (f) 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.

- (g) 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.

(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

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work
- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

THE SITE

The subject site is situated within the Mareeba Industrial Park and comprises the following allotments:

- Lot 66 on SP198060, area of 2,178m², frontage of 33 metres to Gowan Street
- Lot 67 on SP198060, area of 2,093m², frontages of 22 metres to Gowan Street and 66 metres to Keegan Street

The site has a combined frontage of 55 metres to Gowan Street and 66 metres to Keegan Street. Both streets are asphalt sealed from kerb to kerb.

The site is generally rectangular in shape, clear of vegetation, flat and drains to the kerb. The subject site is connected to all urban services. All adjoining allotments are zoned Industry (Precinct C).



Map Disclaimer:

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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 - Service Station (Unmanned Truck Refuelling Facility) in accordance with the plans shown in **Attachment 1**.

"A material change of use is proposed to erect a new unmanned truck refuelling facility over the site. The facility will operate 24 hours per day, seven days per week and payment of diesel fuel will be made via swipe card technology.

The facility will be for the refuelling of heavy vehicles only and, as a result, only diesel fuel (combustible and nonflammable) and the related AdBlue product (non-combustible / non-flammable) will be available.

The facility will involve the following main features:

- *1 x 85kL above-ground, self-bunded tank for the storage of diesel (combustible and non-flammable) and AdBlue (non-combustible / non-flammable);*
 - *Diesel tank 75,000L;*

- *AdBlue tank 10,000L (AdBlue is a diesel exhaust fluid used in modern trucks to reduce oxides / nitrogen levels);*
- *1 x ablutions block to be connected to Council's waste water infrastructure and existing on site water supply;*
- *Fuel dispensing area allowing for up to two heavy vehicles to refuel at any one time;*
- *Fuel dispensing area to be located on a concrete hardstand rollover bunded area;*
- *Fuel dispensing area to be drained to an enclosed oily water treatment separator;*
- *Site access and on-site manoeuvrability will cater for B-Doubles being the largest anticipated heavy vehicle accessing the site;*
- *General on-site manoeuvring areas will consist of a new all weathered gravel surface and new concrete bunded area;*
- *Erection of one 6m high pylon sign on the Keegan Street frontage and entry only / exit only signage close to the accesses points; and*
- *Approximately eight trucks per day anticipated.*

Vehicular access to the site will be via one ingress only access point off Keegan Street and one egress only access point off Gowan Street.

The purpose of the turning path drawings is to illustrate how the largest anticipated vehicle (a BDouble) can safely access, manoeuvre throughout and exit the site in a forward gear. The majority of vehicles accessing the site are anticipated to be B-double heavy vehicles. Further, the turning path drawings indicates that the facility can accommodate up to two heavy vehicles refuelling at any one time.

The existing road network and site dimensions (site frontage and depth) of the proposed facility within the site, is considered to be sufficient for the scale and nature of the intended use without compromising the safety and function of the surrounding road network.

General on-site manoeuvring areas will consist of a new all weathered driveway surface and new concrete bunded area. This surface is considered to be supported within the Mareeba Industrial Park given the surrounding industrial uses which include all-weather gravel driveways and manoeuvring areas.

The proposed development will incorporate appropriate erosion and sediment control measures during construction as conditioned.

For further details of the all-weather gravel surface, refer to the proposed site layout plan in and Oily Water Management Statement (RPEQ Signed).

The proposal will include appropriate controls for oily water management so that the impacts on water quality in receiving waters is minimised.

Dispensing and unloading of fuel will occur in a bunded concrete slab with a centre sump pit connected to a collection chamber fitted with a Fox Environmental spill control valve (diversion valve). This device has a hydrocarbon sensor that detects the presence of fuel and in the event of a spill it will automatically direct the flow to an enclosed and roofed oily water holding tank with a minimum capacity of 10,000 litres, otherwise clean stormwater runoff will be discharged to the site's stormwater drainage network. Treated water will be discharged from the oily water treatment system to the Council's trade waste / sewer network.

For further information, refer to the proposed oily water holding plan (Drwg No. 18175-MR-A06) and the Oily Water Management Statement.

The proposed fuel storage includes one 85,000L above-ground, double-walled, self-bunded tank.

The tank will hold a total volume of 75,000L (approx.) of diesel fuel (combustible) and 10,000L (approx.) of AdBlue product (non-combustible / non-flammable) used for refuelling / fuel unloading purposes. Dispensers will be in-built into the side of the tank as shown on the relevant elevation drawings.

The tank is manufactured to comply with Australian Standard AS1692 (Steel tanks for flammable and combustible liquids) and, once installed, will comply with Australian Standard AS1940 (The storage and handling of flammable and combustible liquids).

For further details of the tank, refer to the DA drawings.

The proposed facility will include one pylon sign (6m in height) and a number of small entry / exit signs.

The proposed new signs are appropriately located within the property boundaries and will not comprise the character of the local area or the functioning of any pedestrian or motoring safety. Proposed signage will not be used for third party purposes.

The details of the signage, including their location over the site and relevant elevations, are included.

The ablutions block will comprise of one integrated toilet and shower facility. Access to the ablutions block will be via swipe card / key-tag and pre-arranged with the fuel provider as is the case with the use of the unmanned fuel facility.

The ablutions block will connect to the Council's sewer and water supply infrastructure as required.

For further details of the ablution block, including its location over the site, relevant elevations and floor plan refer to the DA drawings."

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

	Land Use Categories
Strategic Framework:	▪ Major Industry Area
Zone:	Industry zone (Heavy Industry Precinct)
Local Plan (Mareeba):	Industrial Park
Overlays:	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
Service station	<p><i>Premises used for the sale of fuel including petrol, liquid petroleum gas, automotive distillate and alternative fuels.</i></p> <p><i>The use may include, where ancillary, a shop, food and drink outlet, maintenance, repair servicing and washing of vehicles, the hire of trailers, and supply of compressed air.</i></p>		Car wash

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
- 9.3.2 Commercial activities code
- 9.4.1 Advertising devices 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 outcomes where no acceptable outcomes) 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 contained within the code.
Mareeba local plan code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Commercial activities code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Advertising devices code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Landscaping code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Parking and access code	The application complies with applicable acceptable/probable solutions/performance criteria. The development will be conditioned to comply with: <ul style="list-style-type: none"> ▪ AO3 Refer to planning discussion section of report.
Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes 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

A condition will be attached to any approval requiring all development works be designed and constructed in accordance with FNQROC Development Manual standards.

REFERRALS

This application did not trigger a referral under Schedule 10 of the *Planning Regulation 2017*.

Internal Consultation

Technical Services

PLANNING DISCUSSION

Compliance with the relevant acceptable outcomes/performance outcomes of the Parking and Access Code is discussed below. The development will be conditioned to comply with PO3 and AO3.

Parking and access code

PO3

Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to:

- (a) the intensity of anticipated vehicle movements;*
- (b) the nature of the use that they service; and*
- (c) the character of the surrounding locality.*

AO3

*Access, manoeuvring and car parking areas include pavements that are constructed in accordance with **Table 9.4.3.3C**.*

Comment

The applicant proposes that on-site manoeuvring areas consist of a new all weather gravel driveway and a new concrete bunded area.

The applicant considers the gravel surface to be supported within the Mareeba Industrial Park due to some surrounding established industrial uses already including all-weather gravel driveways and manoeuvring areas.

The applicant also highlights that there are no sensitive land uses within proximity to the proposed development and that the development will incorporate appropriate erosion and sediment control measures during construction.

Since the commencement of the Mareeba Shire Council Planning Scheme 2016 on 1 July 2016, all new development at the Mareeba Industrial Park have required sealed driveways.

The development will be conditioned to require construction (sealing) in accordance with Table 9.4.3.3C

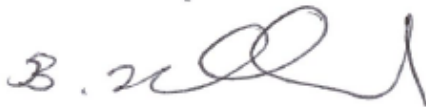
Date Prepared: 21 August 2018

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 21ST day of AUGUST 2018



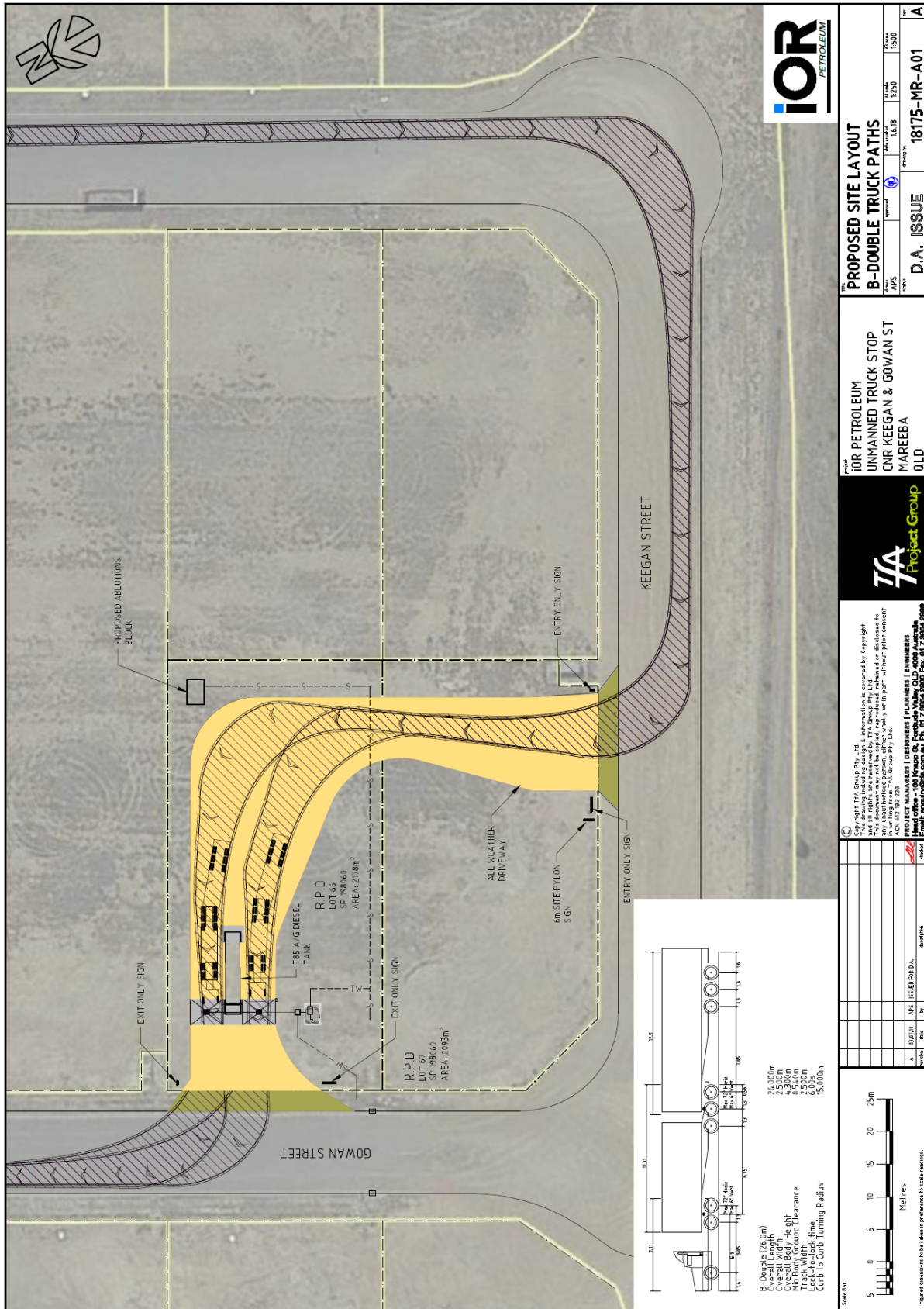
BRIAN MILLARD
SENIOR PLANNER



ANTHONY ARCHIE
MANAGER DEVELOPMENT & GOVERNANCE

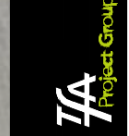
MAREEBA SHIRE
AS A DELEGATE OF THE COUNCIL

PROPOSAL PLANS



PROPOSED SITE LAYOUT
B-DOUBLE TRUCK PATHS
 APIS number: 18175-MR-A01
 D.A. ISSUE

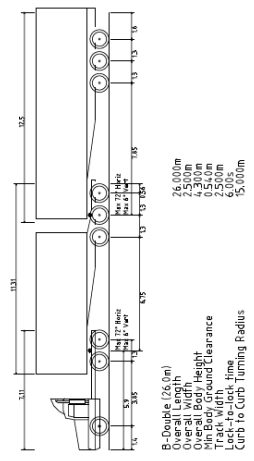
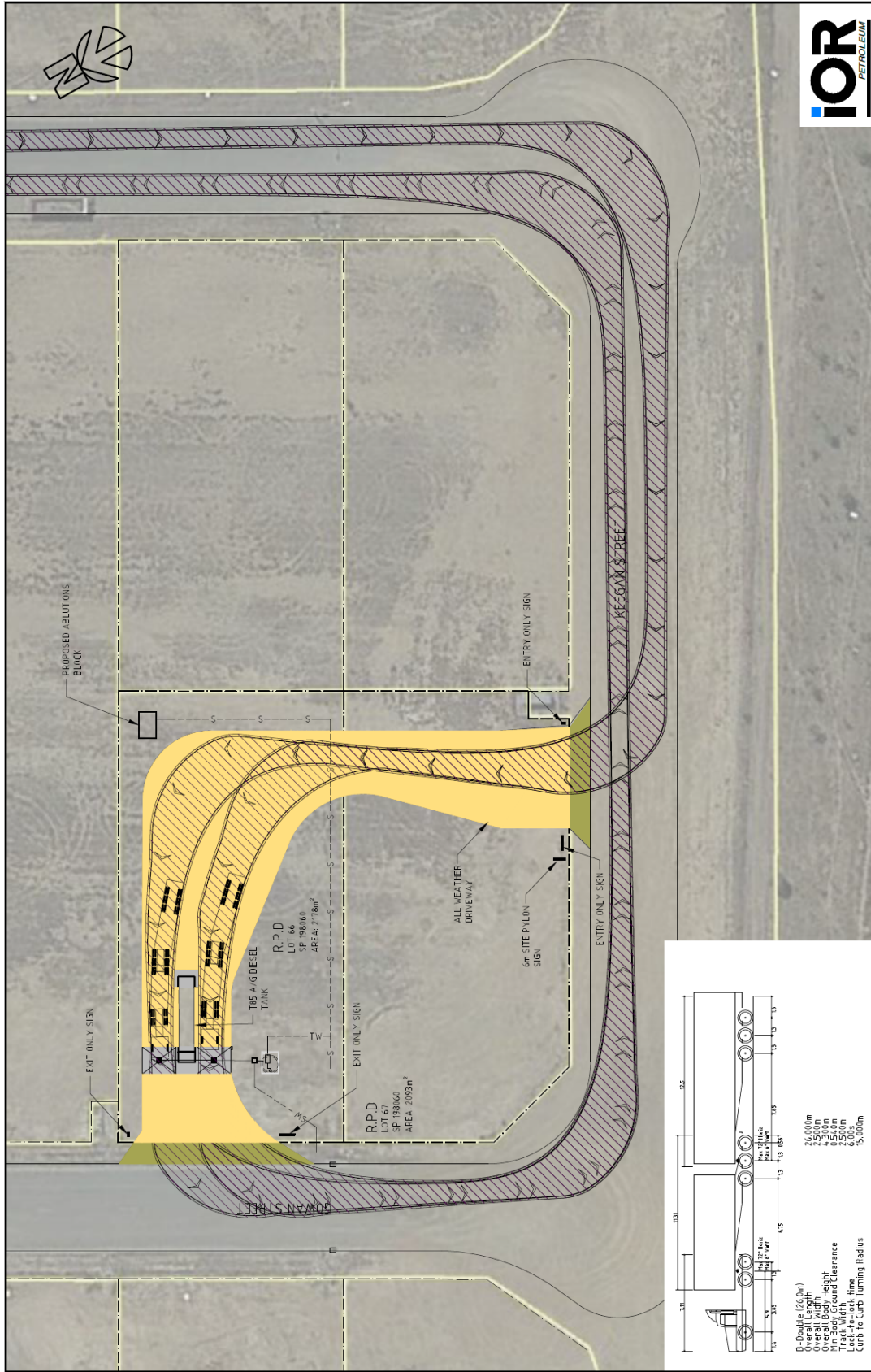
IOR PETROLEUM
 UNMANNED TRUCK STOP
 CNR KEEGAN & GOWAN ST
 MAREEBA QLD



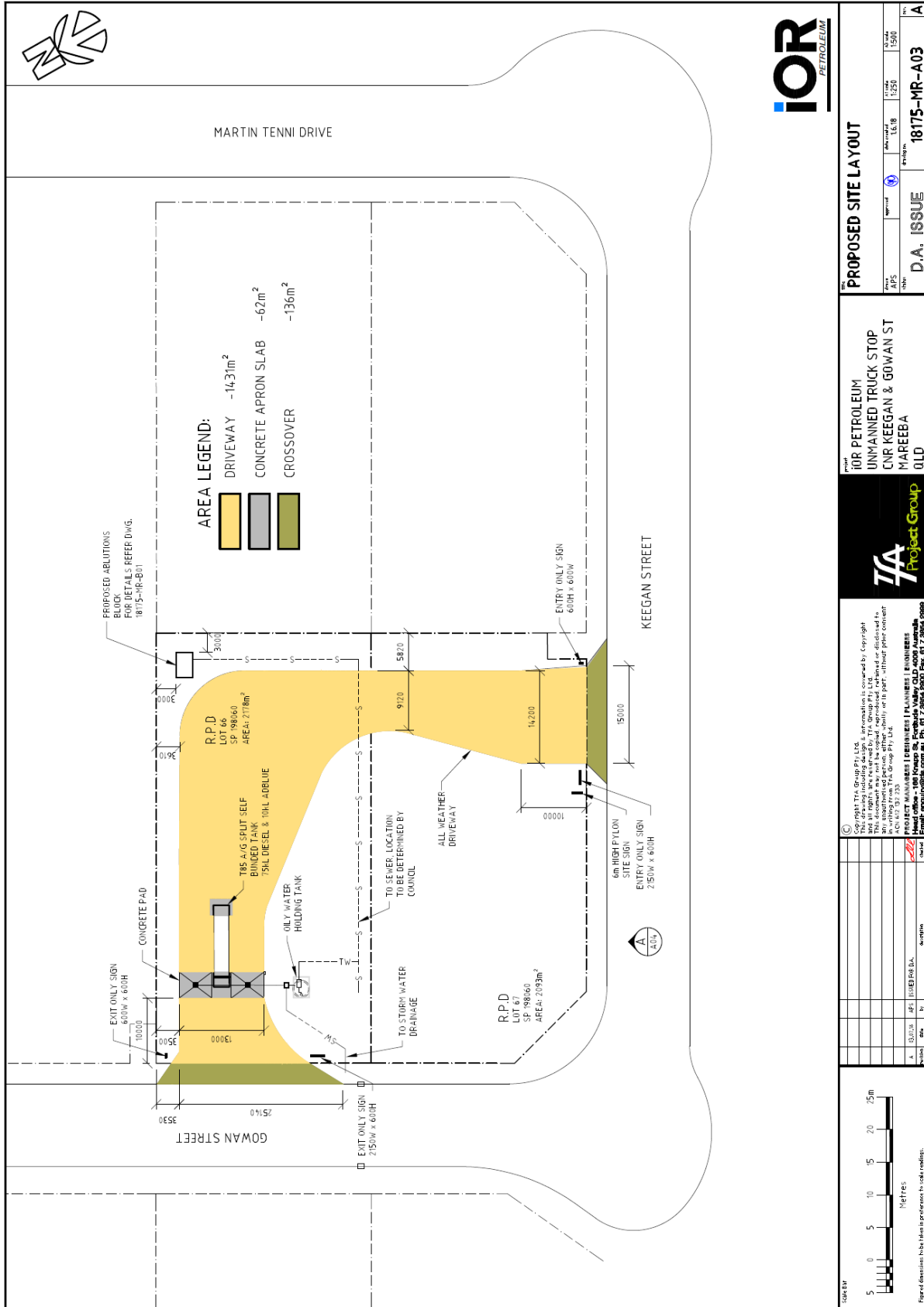
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NO.	DATE	BY	FOR	DESCRIPTION
1	08/11/11	APR	FOR	FOR D.A.
2	08/11/11	APR	FOR	FOR D.A.

Scale: 1:100
 0 5 10 15 20 25m
 Metres
 Figure of dimensions to be taken in accordance to code loadings.



	PROPOSED SITE LAYOUT B-DOUBLE TRUCK PATHS RPS Sheet No: 16.18 Date: 15/05/2018	IOR PETROLEUM UNMANNED TRUCK STOP CNR KEEGAN & GOWAN ST MAREEBA QLD	D.A. ISSUE 18175-MR-A02 No: 1500 Rev: 1500
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PROPOSED SITE LAYOUT

DATE	ISSUE	SCALE
18/05/2018	1:250	1:500
16/18	1:250	1:500

D.A. ISSUE 18175-MR-A03 A

PROJECT
IOR PETROLEUM UNMANNED TRUCK STOP
 CNR KEEGAN & GOWAN ST
 MAREEBA QLD

TRA Project Group

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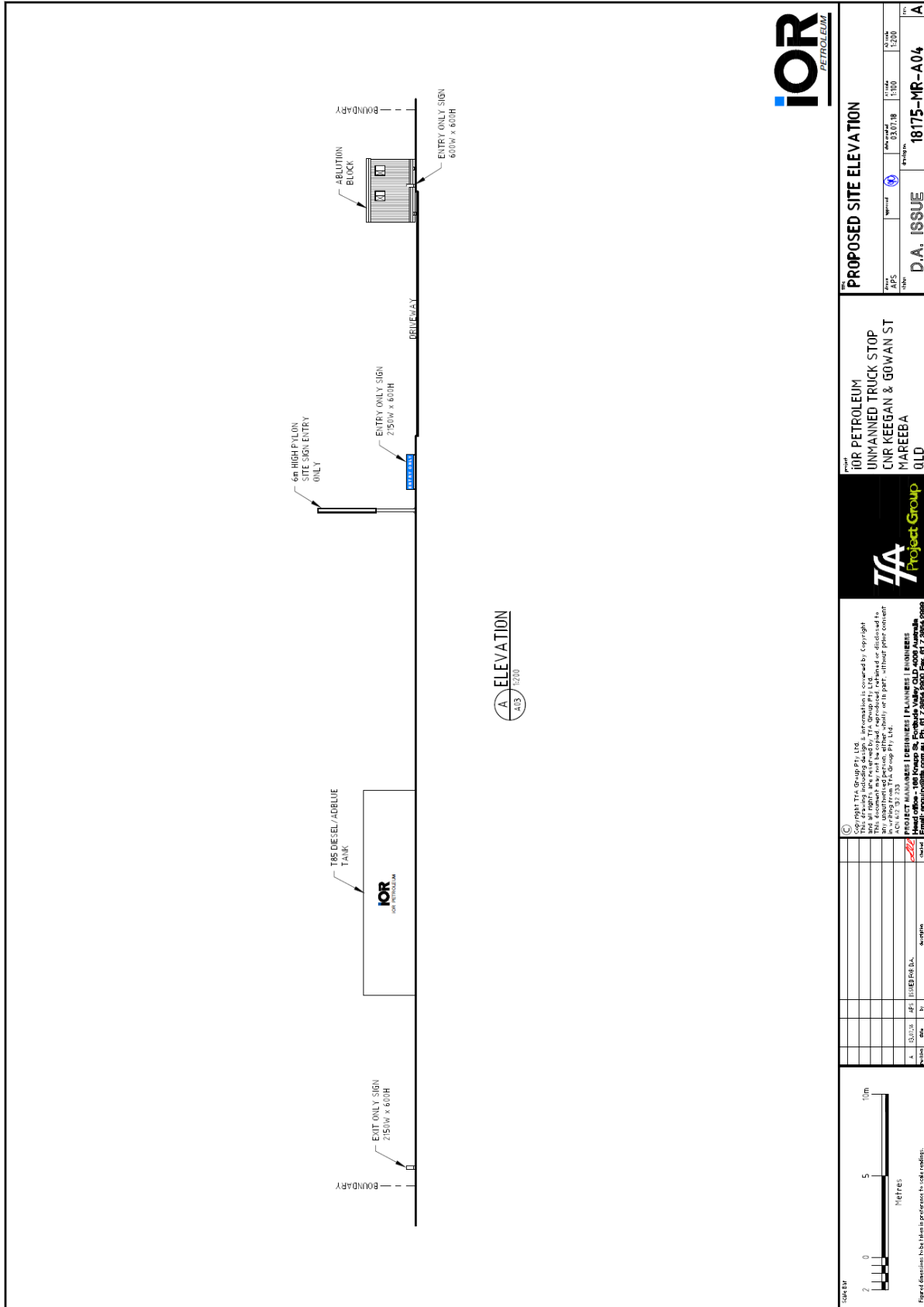
DATE	ISSUE	SCALE
18/05/2018	1:250	1:500

Scale 1:500

0 5 10 15 20 25m

Metres

Plotted dimensions to be taken in preference to scale readings.



PROPOSED SITE ELEVATION	
Issue	1:200
APS	1:100
Date	13/07/18
Author	18175-MR-A04
Issue	A

PROJECT
IOR PETROLEUM
UNMANNED TRUCK STOP
CNR KEEGAN & GOWAN ST
MAREEBA
QLD

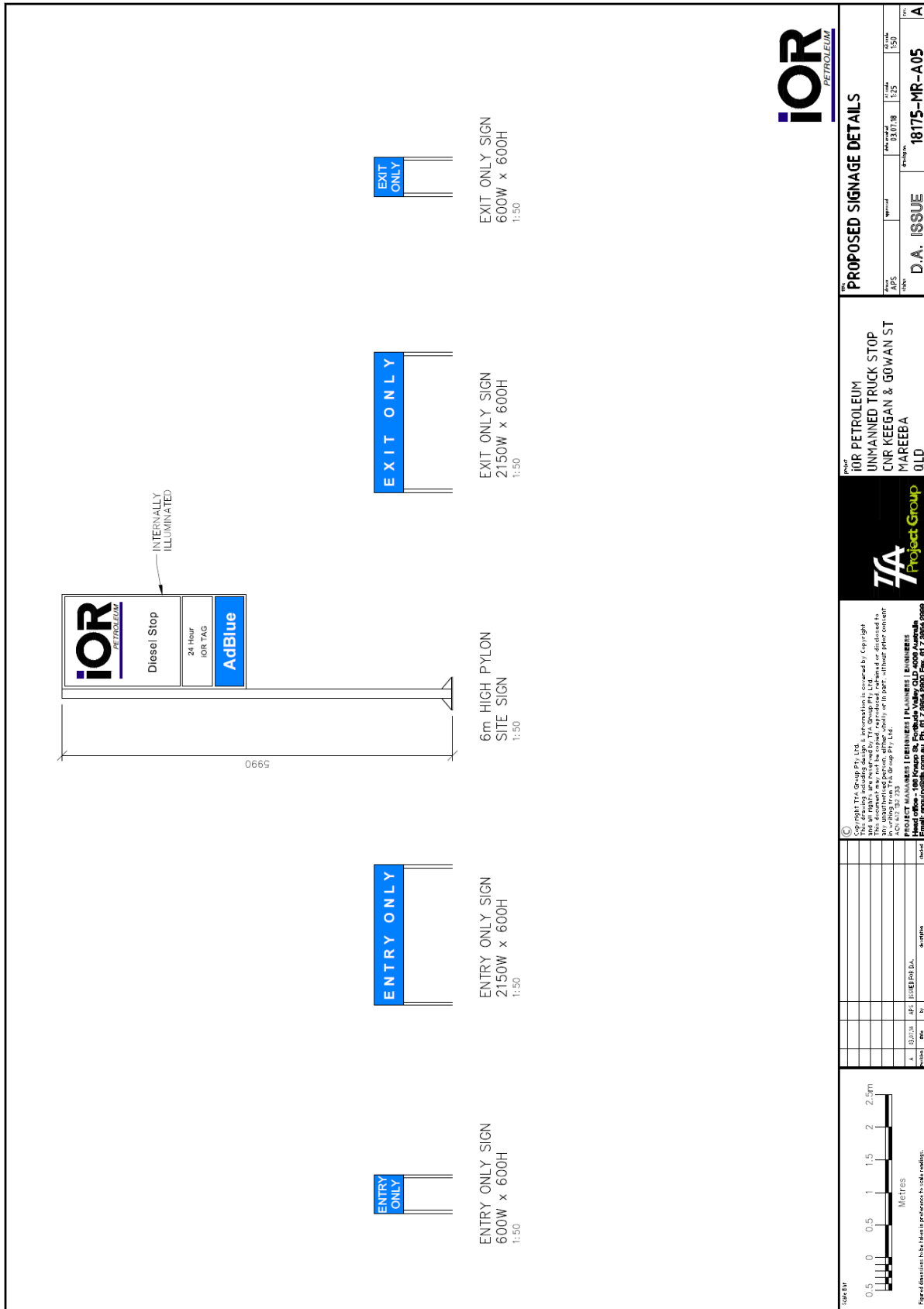
TFA Project Group

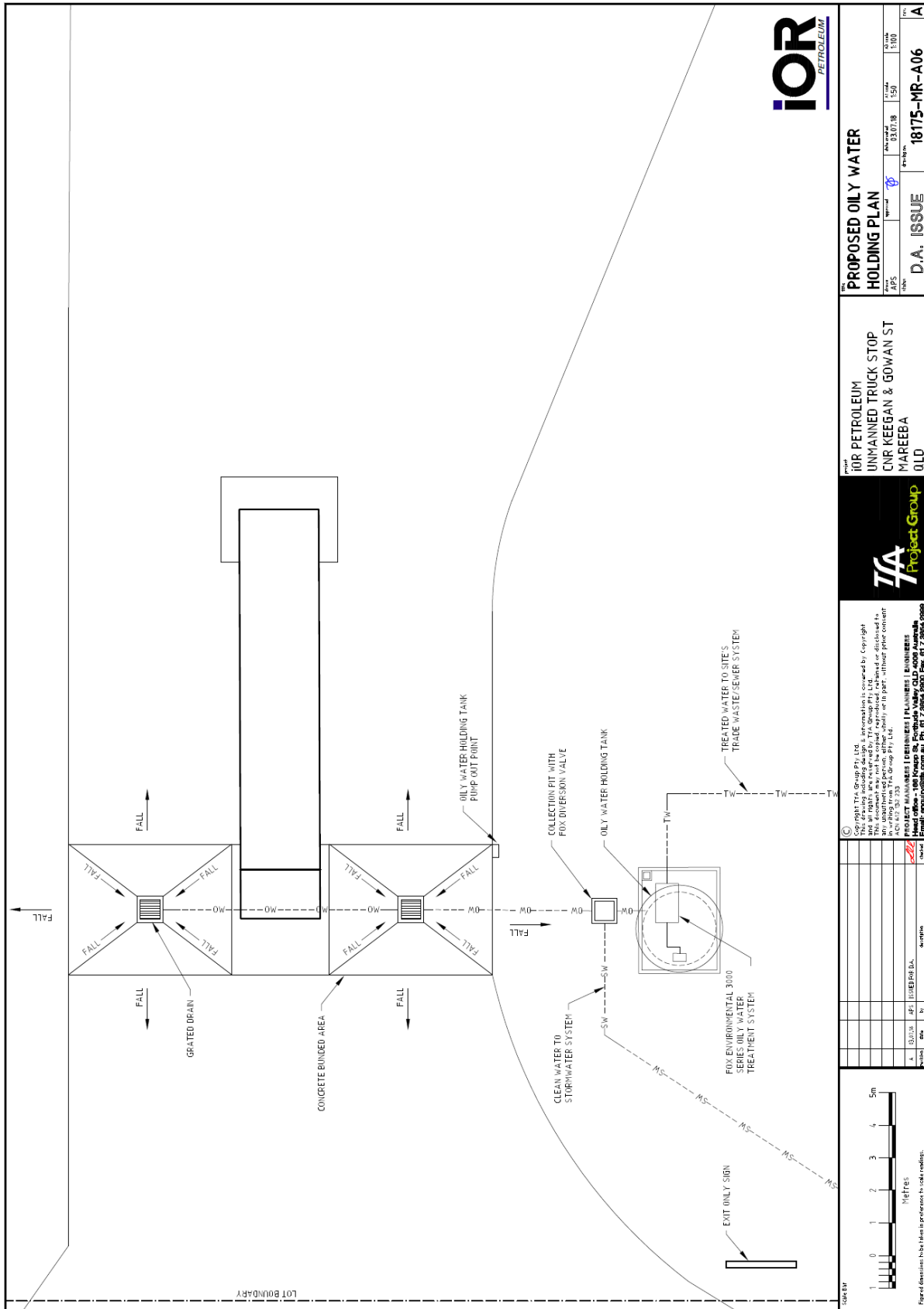
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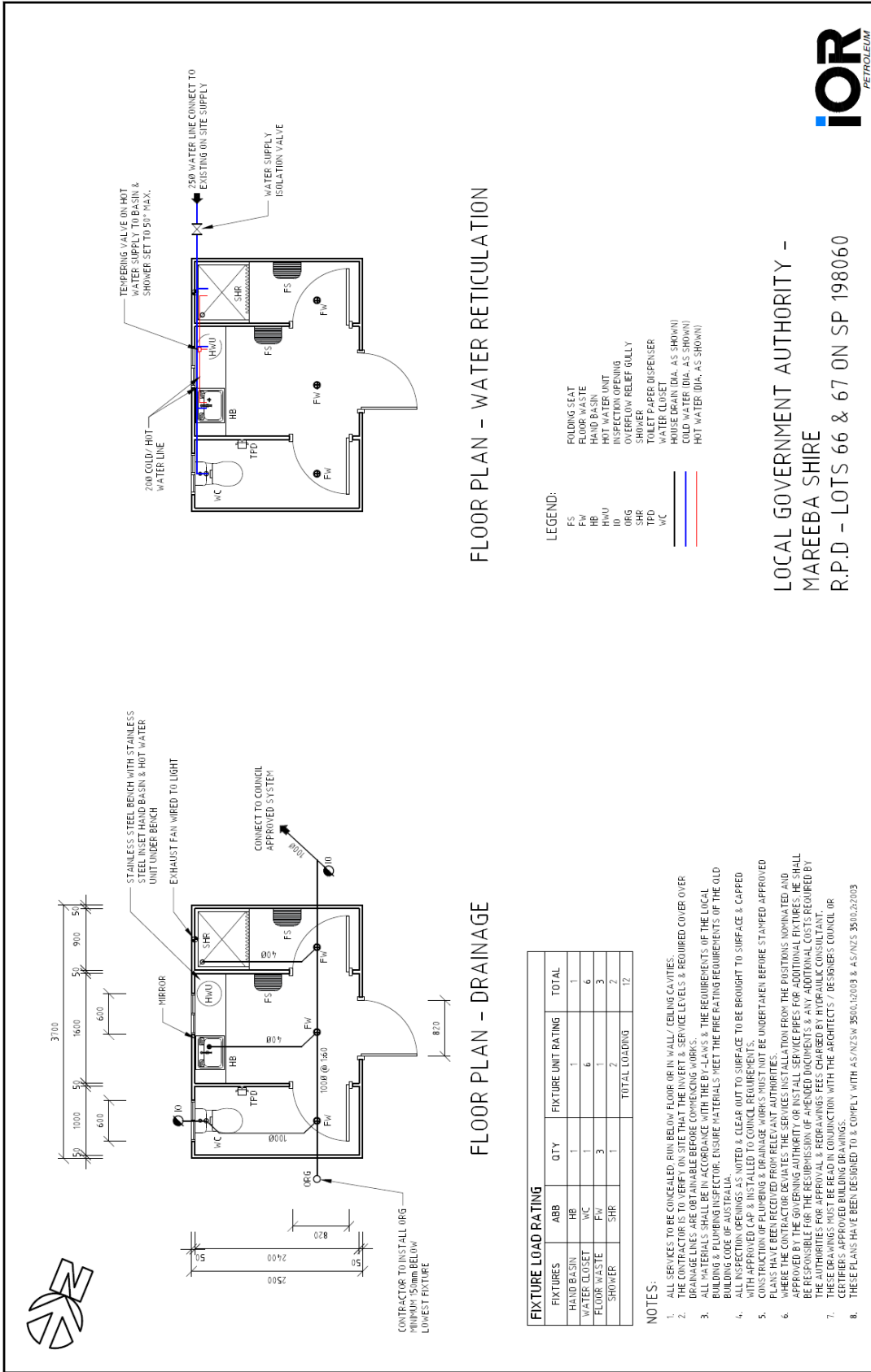
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Author	Checked
Drawn	Checked
Revised	Checked
Scale	Checked
Project No.	Checked
Client	Checked
Site	Checked
Area	Checked
Volume	Checked
Sheet	Checked

Scale 1:50
 0 5 10m
 METRES
 Planned dimensions to be taken in accordance to code readings.







Project
IOR PETROLEUM
UNMANNED TRUCK STOP
CNR KEEGAN & GOWAN ST
MAREEBA
QLD

Client
MAREEBA
QLD

Project
ABLUTIONS BLOCK
DRAINAGE & RETICULATION PLAN

Issue
D.A. ISSUE

Project No.
18175-MR-B01

Scale
1:100

Author
ECC

Check
ECC

Date
15/08/2018

Scale
1:100

Author
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