

DELEGATED REPORT

SUBJECT: CITRICORP PTY LTD - MATERIAL CHANGE OF USE - MEDIUM IMPACT INDUSTRY (PACKING SHED) - LOT 323 ON SP276124 & LOT 324 ON SP297023 - 4-6 & 8 EFFLEY STREET, MAREEBA - MCU/18/0023

DATE: 10 August 2018

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Citricorp Pty Ltd	ADDRESS	4-6 & 8 Effley Street, Mareeba
DATE LODGED	3 August 2018	RPD	Lot 323 on SP276124 & Lot 324 on SP297023
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Medium Impact Industry (Packing Shed)		

FILE NO	MCU/18/0023	AREA	Lot 323 - 2.353ha Lot 324 - 1.496ha
LODGED BY	Planz Town Planning	OWNER	Lot 323 - Lindsay Australia Limited Lot 324 - Mareeba Shire Council
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Industry zone (Heavy Industry Precinct)		
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	Citricorp Pty Ltd	ADDRESS	4-6 & 8 Effley Street, Mareeba
DATE LODGED	3 August 2018	RPD	Lot 323 on SP276124 & Lot 324 on SP297023
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Medium Impact Industry (Packing Shed)		

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 - Medium Impact Industry (Packing Shed)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9032 A-DA-01 Rev A	Cover Sheet & Site Location Plan	McVeigh	05/06/18
9032 A-DA-02 Rev A	Overall Site Plan	McVeigh	05/06/18
9032 A-DA-03 Rev A	Ground Floor Plan	McVeigh	05/06/18
9032 A-DA-04 Rev A	Overall Roof Plan	McVeigh	05/06/18
9032 A-DA-05 Rev A	Overall Elevations	McVeigh	05/06/18
9032 A-DA-06 Rev A	Overall Sections	McVeigh	05/06/18

(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

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.

Where bulk bins are used and are to be serviced on site, certification by a Registered Professional Engineer of Queensland (RPEQ) must be provided to Council prior to the issue of a building permit which demonstrates that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear.
4. Infrastructure Services and Standards
 - 4.1 Access

An industrial access crossover 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) Prior to building works commencing the applicant must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer.
- (c) The Stormwater Management Plan and Report must include provisions to intercept and control stormwater flows along driveways.
- (d) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and Report.
- (e) All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

The applicant/developer must ensure the development is provided with a minimum of thirty (35) on-site car parking spaces which are available solely for the parking of vehicles associated with the use of the premises.

All car parking spaces and internal driveways must be concrete or asphalt sealed, line-marked and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer. Blue metal gravel, concrete or asphalt is to be laid for any low traffic truck turning area at the rear of the building.

All car parking spaces and internal driveways must be constructed in compliance with the following standards, to the satisfaction of Council's delegated officer:

- Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
- Australian Standard AS1428:2001 – Design for Access and Mobility.

A sign must be erected in proximity to the access driveway indicating the availability of on-site parking.

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 approved site layout plan.
- (b) Plant species used must be selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant 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) Council will, at its cost, install a water service connection 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) A Trade Waste Permit will 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.

(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.

(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

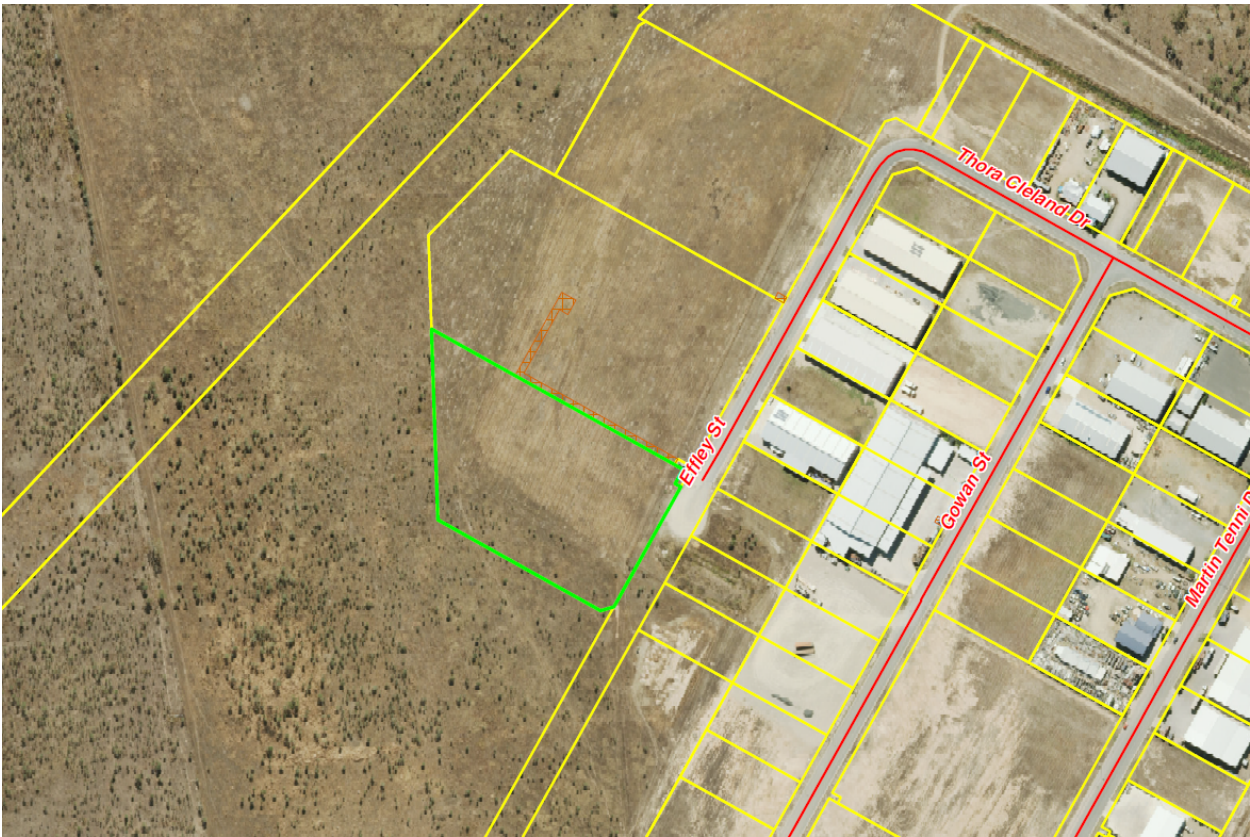
The subject land comprises 2 adjoining allotments situated at 4-6 and 8 Effley Street, Mareeba, and described as Lot 323 on SP276124 and Lot 324 on SP297023.

The extent to which Lot 323 on SP276124 (4-6 Effley Street) forms part of the application is for the purpose of facilitating direct access between the established Lindsay Transport depot on Lot 323 and the proposed new development on Lot 324.

Lot 324 has an area of 1.496 hectares and is zoned Industry under the Mareeba Shire Council Planning Scheme 2016.

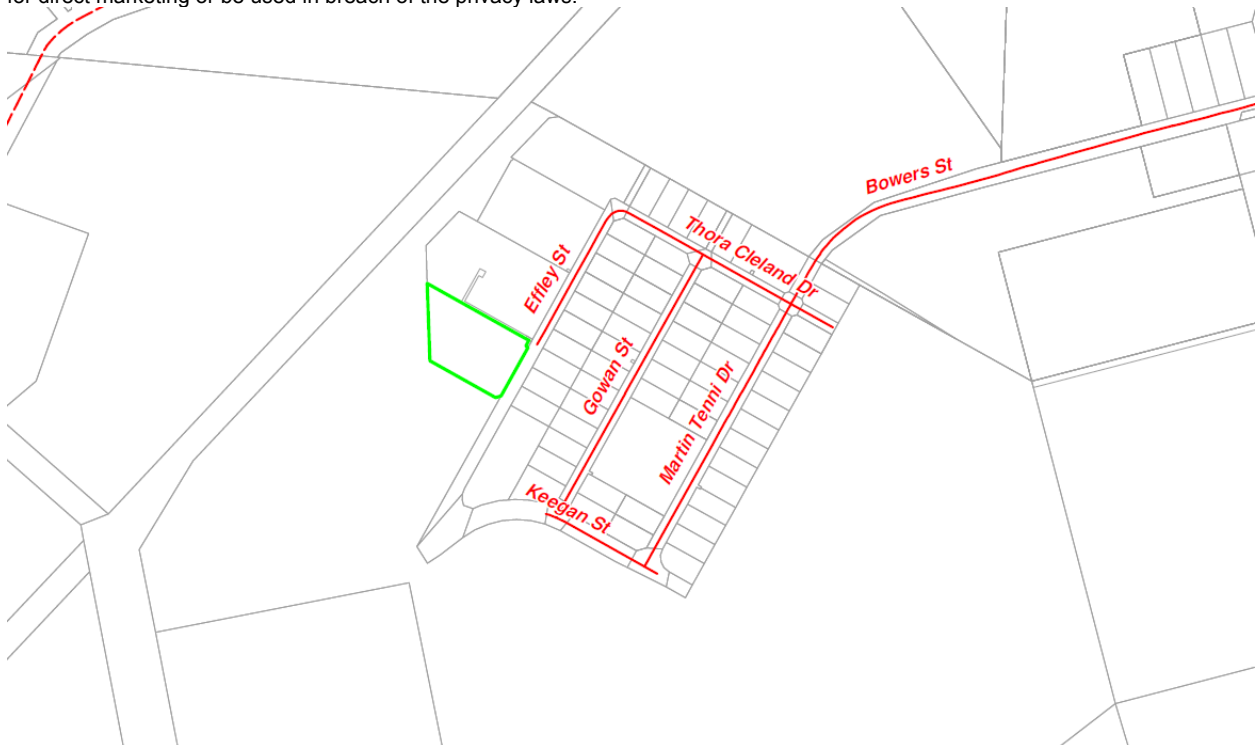
The site has a frontage of 84 metres to Effley Street which will be constructed to asphalt sealed standard with kerbing on both sides.

The site is irregular in shape, cleared of vegetation, flat and drains to the north-east. The subject site is connected to all urban services.



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 - Medium Impact Industry (Packing Shed) in accordance with the plans shown in **Attachment 1**.

The proposal is to construct a 1,960m² (56.3m x 35m) packing shed, with attached 735m² open roofed area and 228m² office. The packing shed is for Citricorp Pty Ltd and will be used to pack mandarins grown in Dimbulah.

The subject land has been chosen by Citricorp Pty Ltd due to cooperative work agreements arranged with the surrounding businesses of Lindsay Australia Limited and Visy Packaging. Mandarins will be packed on site with boxes sourced from Visy Packaging (Lot 322) before being transported next door to Lindsay Australia Limited (Lot 323), where it will be stored in refrigerated storage prior to being exported to both local and national markets.

The design of the development allows for direct vehicle movement into the Lindsay premises, hence the inclusion of Lot 323 as part of this application.

The packing shed is intended to operate for peak harvesting season for mandarins (approximately one month of the year). The packing shed will have a staff of 60 people onsite, most of whom will be backpackers getting to/from the site via a courtesy bus provided by the grower.

A total of 35 parking spaces and 1 HRV space are to be provided. A single 10m wide crossover onto Effley Street will be constructed as part of this development. The internal driveway arrangement will allow access to all car parking spaces and also into the adjoining Lindsay Australia site.

Approximately 400m² of landscaping strips are proposed along the front and side boundaries.

The development can easily connect to this existing infrastructure and water, electricity, drainage and telecommunications infrastructure are planned to be connected to the site.

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 a Major Regional Activity Centre in the Regional Plan. The Regional Plan Map 3- 'Areas of Ecological Significance' also identifies the site is:

- *Wetland Area of General Ecological Significance*

Note: The wetland area is considered to be a mapping discrepancy.

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Categories
	▪ 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
<p><i>Medium industry impact</i></p>	<p><i>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:</i></p> <ul style="list-style-type: none"> <i>• potential for noticeable impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise</i> <i>• potential for noticeable offsite impacts in the event of fire, explosion or toxic release</i> <i>• generates high traffic flows in the context of the locality or the road network</i> <i>• generates an elevated demand on the local infrastructure network</i> <i>• onsite controls are required for emissions and dangerous goods risks</i> <i>• the use is primarily undertaken indoors</i> <p><i>evening or night activities are undertaken indoors and not outdoors.</i></p>	<p><i>Spray painting and surface coating, wooden and laminated product manufacturing (including cabinet making, joining, timber truss making or wood working)</i></p> <p><i>Note—additional examples may be shown in SC1.1.2 industry thresholds.</i></p>	<p><i>Concrete batching, tyre manufacturing and retreading, metal recovery (involving a fragmentiser), textile manufacture, chemically treating timber and plastic product manufacture, service industry, low impact industry, high impact industry, special industry</i></p>

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 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.
Airport environs overlay code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Industrial activities code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Landscaping code	<p>The application can be conditioned to comply with the relevant acceptable outcomes contained within the code apart from the following:</p> <ul style="list-style-type: none"> ▪ Acceptable Outcome AO1 ▪ Acceptable Outcome AO2 <p>While the development does not comply with the abovementioned acceptable outcome, it is considered that the higher order performance outcome can be achieved.</p> <p>Further details are provided as the end of this report.</p>

Parking and access code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
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 following development codes is discussed below. Where the development cannot comply with an acceptable outcome, if higher order performance outcome can be achieved then an application can be deemed compliant.

Landscaping Code

PO1

Development, other than in the Rural zone, includes landscaping that:

- (a) contributes to the landscape character of the Shire;*
- (b) compliments the character of the immediate surrounds;*
- (c) provides an appropriate balance between built and natural elements; and*
- (d) provides a source of visual interest.*

AO1

Development, other than in the Rural zone, provides:

- (a) a minimum of 10% of the site as landscaping;*
- (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species;*
- (c) for the integration of retained significant vegetation into landscaping areas;*
- (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual.*

Comment

Lot 324 has an area of 1.496 hectares and 10% equates to 1,496m².

Landscaping strips are proposed along the site's Effley Street frontage, the southern boundary and approximately 25 metres of the site's northern boundary.

The proposed extent of landscaping is consistent with the neighbouring Lindsay Transport and Visy developments.

The proposed landscaping satisfies PO1.

PO2

Development, other than in the Rural zone, includes landscaping along site frontages that:

- (a) creates an attractive streetscape;*
- (b) compliments the character of the immediate surrounds;*
- (c) assists to break up and soften elements of built form;*
- (d) screen areas of limited visual interest or servicing;*
- (e) provide shade for pedestrians; and*
- (f) includes a range and variety of planting.*

AO2

Development, other than in the Rural zone, includes a landscape strip along any site frontage:

- (a) with a minimum width of 2 metres where adjoining a car parking area;*
- (b) with a minimum width of 1.5 metres in all other locations; and*
- (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.*

Comment

Landscaping strips are proposed along the site's Effley Street frontage, the southern boundary and approximately 25 metres of the site's northern boundary.

The proposed extent of landscaping is consistent with the neighbouring Lindsay Transport and Visy developments.

The proposed landscaping satisfies PO2.

Date Prepared: 10 August 2018

DECISION BY DELEGATE

DECISION

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

Dated the 14TH day of AUGUST 2018



BRIAN MILLARD
SENIOR PLANNER



ANTHONY ARCHIE
MANAGER DEVELOPMENT & GOVERNANCE

MAREEBA SHIRE
AS A DELEGATE OF THE COUNCIL

