

DELEGATED ASSESSMENT REPORT

REFER TO:	Council's Delegate	
REPORT BY:	Katie Parsons	
DECISION DUE BY:	11 September 2018	Doc ID: 11766767 File No: 1073331-1

APPLICATION DETAILS

Application Number and Proposed Development:	MCUI/3/2018 - Service station, Food and drink outlet and Child care centre
Lodgement Date:	6 February 2018
Type of Approval sought:	4 Development Permit
Site Address:	17-25 Park Ridge Road, PARK RIDGE QLD 4125
Real Property Description:	Lot 16 SP 119024
Site Area:	9194.00m ²
Owner Details:	PARK RIDGE 88 PTY LTD (TRUSTEE)
Applicant Details:	PARK RIDGE 88 PTY LTD
Submissions closed:	8 June 2018
Number of Properly Made Submissions:	0

PLANNING CONSIDERATIONS

Regional Plan:	South East Queensland Regional Plan 2017
Planning Scheme:	<i>Logan Planning Scheme 2015 v5.1</i>
Zone (Precinct):	Emerging Community Zone
Local Plan (Precinct):	
Assessment Benchmarks:	6.2.3 Emerging community zone code 9.4.2 Filling and excavation code 9.4.3 Infrastructure code 9.4.4 Landscape code 9.4.5 Management of emissions and hazardous activities code 9.4.7 Servicing, access and parking code
Overlays:	<p>0201B (BIODIV) SECONDARY VEGETATION MANAGEMENT AREA Biodiversity (Vegetation Management Area)</p> <hr/> <p>0301C (BH) MEDIUM BUSHFIRE HAZARD AREA Bushfire Hazard</p> <hr/> <p>0301D (BH) IMPACT BUFFER BUSHFIRE HAZARD AREA Bushfire Hazard</p> <hr/> <p>0204B (BIODIV) MATTERS OF LOCAL ENVIRONMENTAL SIGNIFICANCE Biodiversity Matters of Environmental Significance</p>

Applicable Preliminary Approval:	Not Applicable
Category of Assessment:	Impact

REPORT OVERVIEW

EXECUTIVE SUMMARY

Council is in receipt of an impact assessable application for a Development Permit for a **Material Change of Use** to establish a Service station, Food and drink outlet and Child care centre at Lot 16 SP 119024, 17-25 Park Ridge Road, PARK RIDGE QLD 4125.

The proposed development is to be located on a lot within the Emerging community zone of the Logan Planning Scheme 2015. A Service station, Food and drink outlet and Child care centre are not anticipated uses within this zone and as such as subject to Impact assessment. The proposed development is for a Service station with a floor area of 210m², a Food and drink outlet with a maximum floor area of 250m² and a Child care centre with the capacity for 112 licenced places with a floor area of 896m² and play area measuring 784m².

Pursuant to the *Planning Act 2016*, this application was publicly notified for sixteen (16) business days from 18 May 2018 to 8 June 2018. Council did not receive any submissions during the public notification period.

The development was assessed against the relevant codes from the *Logan Planning Scheme 2015* which requires the timely conversion of non-urban land to be suitable for an urban purpose and is consistent with the outcomes sought by the *Logan Planning Scheme 2015* and in particular the Strategic Framework.

Accordingly, it is recommended that this application be approved with conditions.

REPORT DETAIL

BACKGROUND

On 5 June 2017, a Pre-lodgement Meeting (PLM/148/2017) was held at Council to discuss a proposed Child care centre, Service station, Shop, Fast food and Drive-through coffee shop.

On 29 June 2017, Council provided written advice in response to a request for a Pre-lodgement Meeting (PLM/199/2017).

On 28 August 2017, a Pre-lodgement Meeting (PLM/242/2017) was held at Council to discuss a proposed Service Station, Shop, Food and Drink Outlet & Child Care.

SITE DESCRIPTION

The subject site is described as Lot 16 SP 119024 with an area of 9194.00m² (Refer to **Figure 1: Subject Site - Surrounding Development Context**). The subject site is predominantly square in shape with a frontage of approximately 82 metres to Park Ridge Road and a frontage of approximately 100 metres to Mount Lindesay Highway. The site slopes from 68.5 metres AHD along the middle of the site falling to 67 metres AHD at the north-western road boundary of the site. The subject site is currently improved by an existing dwelling house. The site is sparsely vegetated.

The surrounding area is characterised by large residential lots of a rural nature containing single dwelling houses to the east, Jedfire Park and the Park Ridge Shopping Centre immediately to the north, Park Ridge Primary and Pre-School immediately to the south and Mount Lindesay Highway service road to the west.

Figure 1: Subject Site - Surrounding Development Context



DESCRIPTION OF PROPOSAL

The proposed development seeks to establish a Service station, Food and drink outlet and Child care centre on the subject premise. The Service station and Food and drink outlet will be located in the northern portion of the subject site, and the Child care centre will be located along the southern boundary of the site. (Refer to **Figures 2-3: Proposed Plans of Development**)

The proposed uses are described as follows:

Service station (including an ancillary Shop)

- Gross Floor Area: 210m²
- Maximum building height:
 - 8.15 metres (building)
 - 5.5 metres (fuel canopy)
- Vehicle parking: 11 spaces

Food and drink outlet (including drive through facility)

- Gross Floor Area: 250m²
- Maximum building height: 4.65m
- Vehicle parking: 25 spaces

Child care centre

- Gross Floor Area: 896m²
- Outdoor play area: 784m²
- Maximum building height: 5.13m
- Vehicle parking: 23 spaces

Vehicular access to the site will be via Park Ridge Road, left in and left out, and the Mount Lindesay Highway service road, left in and left out. A pedestrian path along the both the Park Ridge Road and Mount Lindesay Highway service road frontages will provide pedestrian access to the site.

The proposed development will have a combined Gross Floor Area of 1357m² and a site cover of 25.7 per cent. An area of 1028m², along the eastern boundary will remain vacant for a possible future development.

The proposed hours of operation for the Service station and Food and drink outlet are 24 hours, 7 days a week. The proposed hours of operation for the Child care centre are 6.00am - 7.00pm.

Landscaping will be provided throughout the site, with adequate buffer planting along the road frontages to provide screening.

Figure 2: Proposed Plan of Development - Site Plan

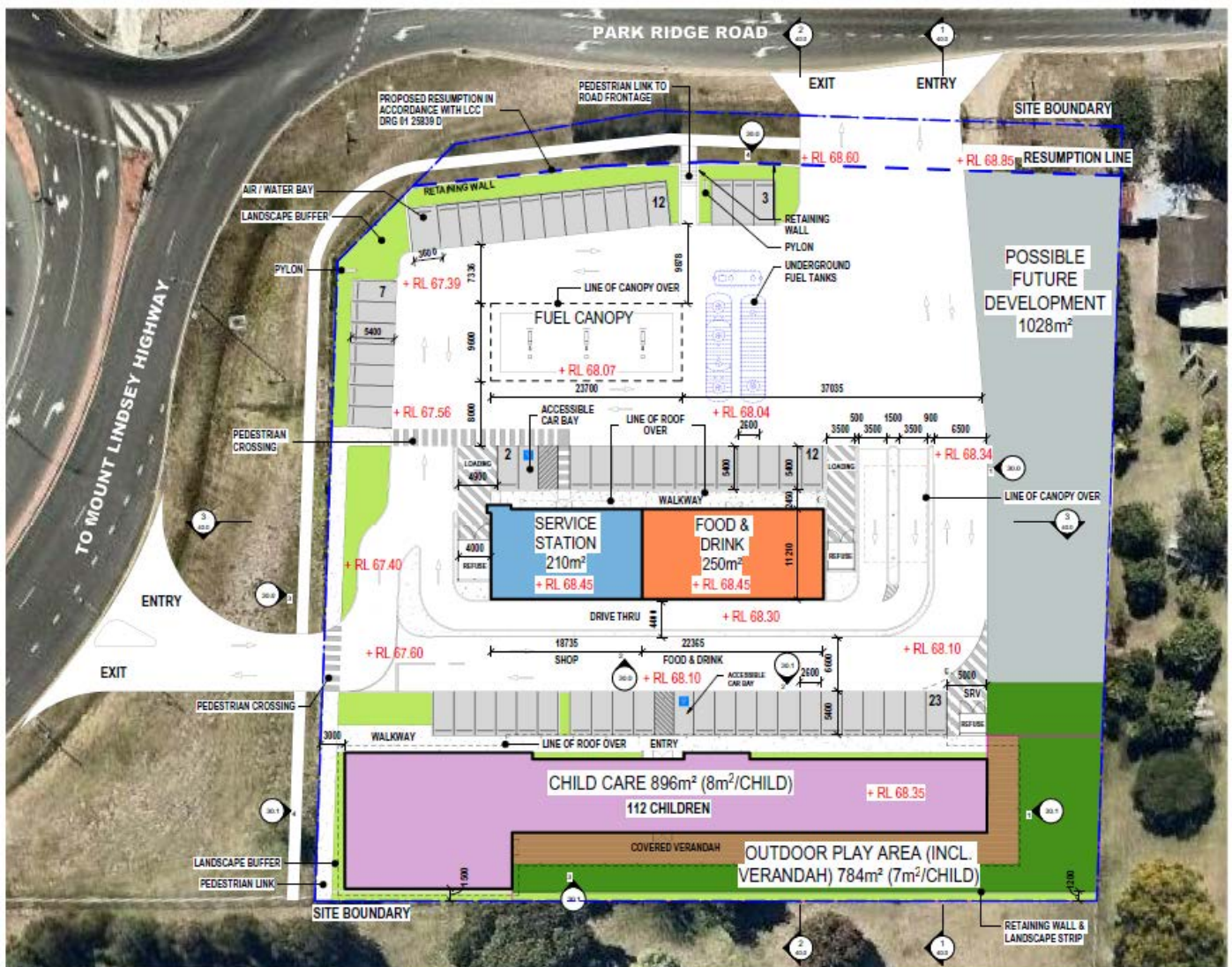
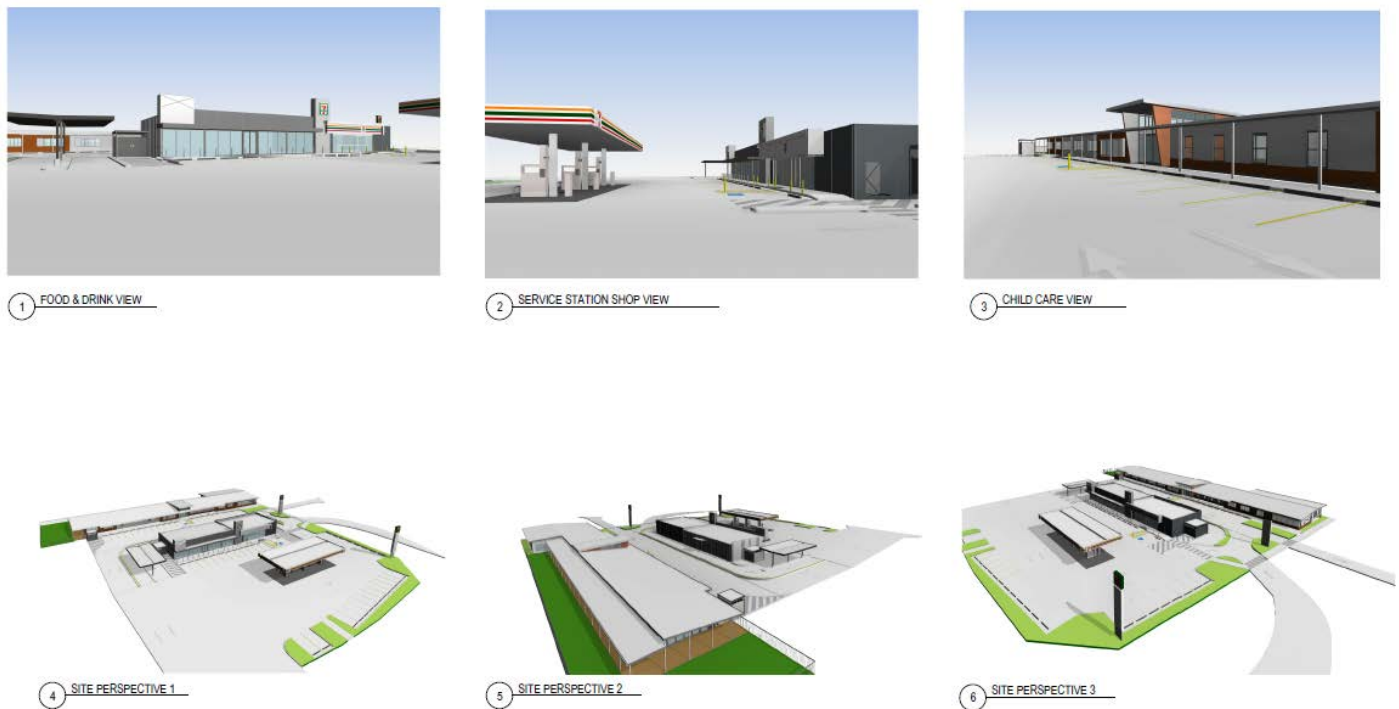


Figure 3: Proposed Plan of Development - Perspectives



PLANNING CONSIDERATIONS

This application is Impact Assessable and has been assessed, in accordance with s45 of the *Planning Act 2016* against the following:

- the Logan Planning Scheme 2015;
- all relevant temporary local planning instrument;
- the South East Queensland Regional Plan 2017;
- the State Planning Policy, part E, to the extent part E is not identified in the planning scheme;
- all relevant variation approvals;
- the Local Government Infrastructure Plan;
- the Planning regulation.

South East Queensland Regional Plan 2017

The subject site is located within the "Urban Footprint" of the *South East Queensland Regional Plan 2017*.

The intent of the Urban Footprint is to identify "... land within which the region's urban development needs to 2041 can be accommodated in a way consistent with the goals, elements and strategies of *ShapingSEQ*". This proposal is consistent with same.

State Planning Policy

The State Planning Policy provisions are currently reflected within the Logan Planning Scheme 2015 v 5.1.

Structure Plan

There are no declared Structure Plans within the Planning Scheme area.

Master Plan

There are no declared Master Plans within the Planning Scheme area.

A temporary local planning instrument

Not Applicable.

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Variation Approval

Not Applicable.

Logan Planning Scheme 2015

The following is an assessment of the application against the assessment benchmarks of the Logan Planning Scheme 2015.

Zone Code	Development Codes	Overlays
Emerging community zone code	Filling and excavation code Infrastructure code Landscape code Management of emissions and hazardous activities code Servicing, access and parking code	Biodiversity areas overlay code Bushfire hazard overlay code

Zone Code

Emerging community zone code

The purpose of the Emerging community zone is to identify land that is intended for an urban purpose in the future; protect land that is identified for an urban purpose in the future from incompatible uses; and provide for the timely conversion of non-urban land to land for urban purposes. The proposed development has assessed against all of the Acceptable Outcomes and Performance Outcomes from the Emerging community zone code. The proposed development complies with all of these outcomes with the exception of the following:

Land use	
<p>PO1 A use is for: (a) urban purposes after detailed land use and infrastructure planning has been completed; or (b) an interim use, being Animal husbandry, Animal keeping, Caretaker's accommodation, Cropping, Dual occupancy (auxiliary unit), Dwelling house, Home-based business, Park or Roadside stall, which does not prevent the land being used in the future for urban purposes.</p>	<p>A01 A use is for: (a) urban purposes after detailed land use and infrastructure planning has been completed; or (b) an interim use, being Animal husbandry, Animal keeping, Caretaker's accommodation, Cropping, Dual occupancy (auxiliary unit), Dwelling house, Homebased business, Park or Roadside stall, which does not prevent the land being used in the future for urban purposes.</p>
Applicant's Comments	
<p>Detailed community and economic needs analysis has been undertaken as part of this application. This analysis identified the appropriate need for the proposed uses. Please refer to Volume 3 – Economic and Community Need Report for further information.</p> <p>The site is located in a unique position at the junction of a busy feeder road and the on and off-ramps to the Mount Lindesay Highway. There is a high level of exposure at the frontage of the site to support the service station and food and drink outlet uses. The rear of the site adjoins a school ground, which forms some synergies with the proposed child care centre that will share its boundary.</p>	
Assessment	
<p>The subject site is identified as Specialised centre in the Park Ridge land use area within the Strategic Framework (Refer to Figure 5). The proposal complies with the Park Ridge land use area plan drafted by Council and therefore achieves Performance Outcome PO1 (a) as the development is for urban purposes and detailed land use and infrastructure planning has been undertaken.</p>	

Boundary clearance	
<p>PO3 A building or structure has a boundary clearance that is consistent with the existing or desired character of the local area.</p>	<p>AO3 A building or structure has a minimum: (a) road boundary clearance of 10 metres; (b) side and rear boundary clearance of three metres.</p>
Applicant's Comments	
<p>The proposed development provides a side boundary to the east in excess of 10 metres. The setback to the child care centre to the south is approximately 7 metres along the majority of the boundary, however there is one section that has a setback of 1.5 metres. However, this is considered appropriate given that the site shares a boundary with a school oval to the south and there are no buildings in close proximity to this boundary.</p>	
Assessment	
<p>The proposed development proposes a road boundary clearance of 3.0 metres to the Mount Lindesay Highway service road, in lieu of the prescribed 10 metres and a side boundary clearance of 1.5 metres to the southern boundary, in lieu of the prescribed 3 metres.</p> <p>The reduced road boundary clearance adjoins an area where the road reserve is approximately 30 metres, as such the reduced setback will not impact negatively on the existing or desired streetscape and character of the local area. The proposed Child care centre building contributes positively to the immediate streetscape with a highly articulated, attractive and functional building and detailing. A landscape buffer will be provided between the proposed building and the boundary.</p> <p>The proposed reduced side boundary clearance along the southern boundary is considered generally consistent with the prescribed minimum with the exception of an approximate 20 metre length of the proposed Child care centre building. This boundary directly adjoins a void area of land located on the Park Ridge Primary and Pre-School to the south, as such the reduced boundary clearance is considered to be responsive to the surrounding sites.</p> <p>The proposal is considered to comply with Performance Outcome PO3.</p>	

Design	
<p>PO8 Development for urban purposes is consistent with the completed detailed land use and infrastructure planning.</p>	<p>AO4 No acceptable outcome provided.</p>
Applicant's Comments	
<p>The proposed development involves the introduction of a service station, food and drink outlet and child care centre. Therefore, it is considered development for urban purposes.</p> <p>Extensive land use, design and infrastructure planning was undertaken as part of this development, including identifying the community and economic need of both a service station and child care centre proposed. Please refer to Volume 3 – Economic and Community Need Report for further information.</p> <p>The proposal leverages off the unique location off the Mt Lindesay Highway on-ramps and off-ramps as well as the wider catchment, which is currently experiencing significant population growth.</p>	
Assessment	
<p>The proposal complies with the Park Ridge Land Use Area Plan drafted by Council (Figure 3.3 of the Logan Planning Scheme 2015 v 5.1) and therefore achieves Performance Outcome PO8 of the zone Code as the development is for urban purposes. The proposed uses are consistent detailed land uses for an urban purpose and infrastructure planning that has been undertaken.</p>	

Development Codes

Other Development Codes

Filling and excavation code

The purpose of the code is to protect premises, people and natural processes from adverse impacts associated with filling or excavation. Councils Engineering Assessment Officers have reviewed the proposed development and have recommended conditions to ensure compliance with this code.

Infrastructure code

The purpose of the Infrastructure code is to ensure that infrastructure is provided to service development. The proposed development achieves the purpose of the Code as the site can be serviced by all necessary infrastructure. Council's Engineering Assessment Officers have assessed the proposed development and have recommended conditions to ensure compliance with the code.

Stormwater management will be addressed using an on-site underground detention system to mitigate developed site runoff which also contains the stormwater quality improvement devices to treat the contaminated runoff prior to discharging off site.

Landscape code

The purpose of the Landscape code is to enhance visual amenity of the built and natural environment. The proposed development achieves the purpose of the code and conditions have been recommended to ensure compliance with this code.

Management of emissions and hazardous activities code

The purpose of the code is to manage impacts of emissions on sensitive land uses and minimise the health and safety risks on the community from development involving hazardous materials. Council's Environment Officers have assessed the proposed development along with the submitted air quality assessment report, which addresses the impact of the service station and surrounding activities on the child care, and the Officers have recommended conditions to ensure compliance with the code.

Servicing, access and parking code

The purpose of the Servicing, Access and Parking code is to ensure that development satisfies the demand for parking and provides safe, functional and legible parking, access and servicing.

The development has been assessed against all of the Acceptable Outcomes and Performance Outcomes from the Servicing, Access and Parking code and complies with the exception of the following:

In accordance with the Servicing, access and parking code in the *Logan Planning Scheme 2015*, the proposed uses are required to provide the following minimum number of vehicle parking spaces:

- Service station: 2 spaces; plus 1 space per 25m² of GFA for a shop of less than 150m²; plus 1 spaces per 20m² of GFA of shop area exceeding 150m²; plus 1 space per 10m² of GFA for food and drink outlet; plus 5 spaces per vehicle service bay. The proposed development would require a minimum of 11 vehicle parking spaces based on these requirements.
- Food and drink outlet: 1 space per 10m² of GFA up to 400m² GFA, thereafter 1 space per 20m² GFA; plus 2 spaces per 10m² of GFA for an outdoor seating area. The proposed development would require a minimum of 25 vehicle parking spaces based on these requirements.
- Child care centre: 1 space per equivalent full time employee based on the maximum number of employees on the premises at any one time plus 1 space per 10 approved places for children. The proposed development would require a minimum of 23 vehicle parking spaces based on 11 full time employees and 112 children.

The Applicant has proposed a minimum of 59 vehicle parking spaces, as such the proposed development is fully compliant with the requirements for vehicle parking spaces.

Overlay Codes

Biodiversity areas overlay code

The purpose of the code is to connect biodiversity corridors, protect and enhance habitat values and ecosystem functions and protect scenic amenity values.

The Technical Services team have assessed the proposal against this overlay code and they have advised that the site is mapped as a secondary vegetation management area. There appears to be no more than 2 native trees on the site. Landscape and vegetated buffer requirements are considered to offset the trees to be cleared. The proposed development is considered to comply with the Acceptable Outcomes and Performance Outcomes of the Biodiversity areas overlay code.

Bushfire hazard overlay code

The purpose of the code is to protect people and premises in a Bushfire hazard area.

The Technical Services team have assessed the proposal against this overlay code and have provided a condition requesting a Bushfire Management Plan to be submitted to Council, prior to commencement of the use on site. This will ensure the proposed development complies with the applicable Performance Outcomes of the Bushfire hazard overlay code.

REFERRALS

Referral Agencies

The application did not require any external Referrals Agencies.

Internal Referrals

This application was referred to the following internal Council Branches/Units for consideration and approval conditions of development:

- Development Assessment (Engineering)
- Economic Development and Strategy (Infrastructure Charges Unit)
- Technical Services Team (Traffic/Transport)
- Technical Services Team (Landscape)
- Technical Services Team (Environment)
- Water Infrastructure Branch

PUBLIC NOTIFICATION

In accordance with Part 4 (Public Notification) of the Development Assessment Rules, the applicant has informed Council that public notification was undertaken in accordance with s53 of the *Planning Act 2016*.

Start Date: 18/05/2018

End Date: 08/06/2018

Date of Final Notice: 09/06/2018

Number of Properly Made Submissions: 0

STRATEGIC FRAMEWORK

The proposed development has been assessed against Element-Future urban area (3.3.3) and Element-Specialised centre (3.5.7)

Element-Future urban area 3.3.3

The proposed development requires assessment against Section 3.3.3.1.of the Strategic Framework, which states that Park Ridge, in the area identified on Figure 3.2-Park Ridge plan area (Refer to **Figure 4: Park Ridge plan area**) is developed in accordance with:

- (a) *The integrated and orderly pattern of land use and infrastructure networks identified on Figure 3.3-Park Ridge land use area (Refer to **Figure 5: Park Ridge land use area**) to provide:*

- (i) a residential community of over 30,000 people;
 - (ii) over 13,000 jobs;
 - (iii) a district centre, a local centre and up to eight neighbourhood centres;
 - (iv) a range of infrastructure;
 - (v) environmental areas and corridors;
 - (vi) an integrated movement network;
- (b) The sequence of development:
- (i) identified on Figure 3.4–Park Ridge development sequencing area; or
 - (ii) identified on a plan for the area approved by the local government that:
 - (A) provides for the orderly and efficient provision and integration of land use and infrastructure;
 - (B) ensures the integrated provision of all infrastructure networks.

The Applicant has submitted an Economic Impact and Needs Assessment that sought to justify a demand for the proposed uses within the area. The Economic Impact and Needs Assessment demonstrates that a substantial net community benefit will result from the proposed development. The proposed development will provide an improvement in the range of retail facilities available to the local residential community and the provision of a greater number of child care facilities, particularly in close proximity to an existing school. The proposed development will create additional employment, both during the construction period and on an ongoing basis once the proposed development is operational.

The proposed development has the ability to connect the Council's sewerage network, by way of extending Council's existing sewerage infrastructure from the property located opposite the subject site on Park Ridge Road (20-34 Park Ridge Road). An existing water main within Park Ridge Road will be used as the water supply connection point. The proposed development is considered to provide access to a range of infrastructure.

The proposed development is serviced by an existing integrated movement network, Park Ridge Road (to the north of the subject site) is identified as an urban Arterial Dual Carriageway and Mount Lindesay Highway (to the west of the subject site) is identified as a State-Controlled Highway. Land dedication along Park Ridge Road will be required as part of the development, in order to satisfy Logan City Council Planning Scheme Policy 2015 Local Government Infrastructure Plan Mapping and Tables – Table SC 3.2.4 – Movement network schedule of works, Map reference 1.

The proposed development will be consistent with the Park Ridge Land Use Area Plan (Refer to Figure 5). Therefore the proposal is considered to comply with the outcomes sought by the *Logan Planning Scheme 2015* and in particular the Strategic Framework.

Element-Specialised centre (3.5.7)

Logan has a hierarchy and network of interrelated centres, including Specialised centres that complement and are subordinate to the principal centres, major centres, district centres and local centres. Section 3.5.7.1 of the Strategic Framework identifies the characteristics of Specialised centres.

The proposed development is identified on the Park Ridge land use area plan (Refer to **Figure 5**) as Specialised centre zone.

Specialised centres are described as follows:

- (1) *Specialised centres:*
 - (a) complement principal centres, major centres and district centres;
 - (b) are more preferable locations for centre activities than out of centre locations;
 - (c) accommodate a specific range of uses;
 - (d) do not accommodate supermarkets or other convenience Retail activities;
 - (e) comprise six distinct precincts where uses, design, place making, and movement network create its character being:
 - (i) Albert River tourism precinct;

- (ii) Highway business precinct;
- (iii) Loganholme tourism precinct;
- (iv) Low impact office precinct;
- (v) Old Chatswood Road precinct;
- (vi) Underwood business precinct.

The proposed uses of Service station, Food and drink outlet and Child care centre are all consistent and Code assessable land uses in accordance with the Specialised centre table of assessment in the *Logan Planning Scheme 2015*.

The proposed uses do accord as a preferable location more suited to a centre location and can therefore meet the specific outcomes of the Specialised centre in the Strategic Framework. The uses proposed have been demonstrated to complement existing centres as shown in the Economic Impact Assessment (the Report). Specifically the Report indicates that growth for the fuel market will demand additional service stations within its main trade area in addition to catering for the existing passing traffic. The proposed shop within the service station would offer a limited range of goods compared to major shopping centres, with all purchases ancillary to the service station. As a result there would be no impact on the hierarchy of centres as the uses are smaller in scale than other facilities in the surrounding area. The growing population in the area indicates an ongoing demand for the fast food component. In addition to this, there is a demonstrated undersupply of childcare places forecast by 2021 which supports the proposed child care centre.

Figure 4: Park Ridge plan area

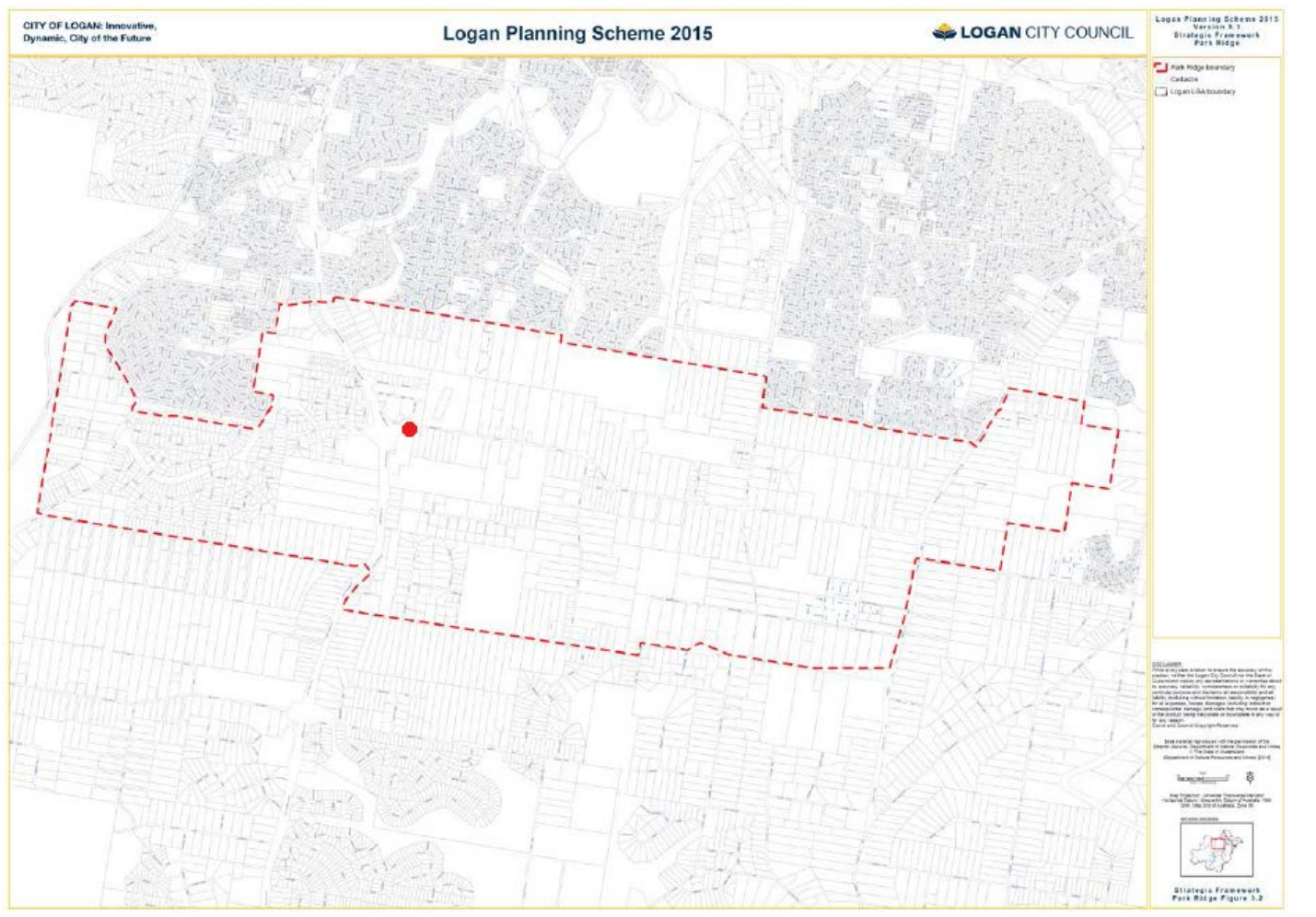
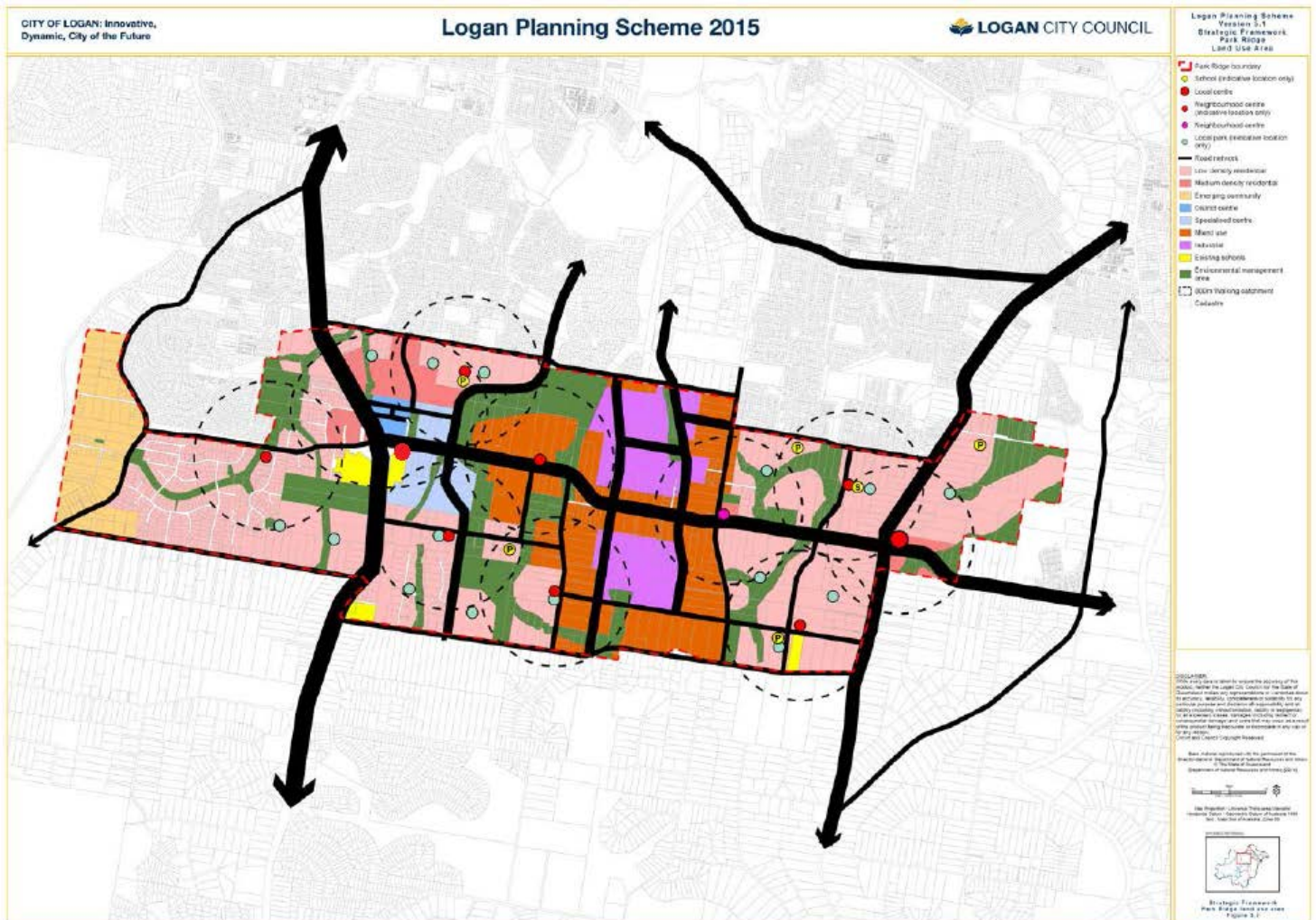


Figure 5: Park Ridge land use area



CONCLUSION

After considering the development application against the applicable legislation, and planning instruments, it is recommended that the development application be approved, subject to conditions.

RECOMMENDATION

IT IS RECOMMENDED:-

That the Development Application be approved, subject to conditions and a Development Permit for a Service station, Food and drink outlet and Child care centre at 17-25 Park Ridge Road, PARK RIDGE QLD 4125 more accurately described as Lot 16 SP 119024 be issued in accordance with the attached conditions.

This submission is referred to the Delegated Officer to exercise all associated powers to manage and decide development applications made under the relevant planning legislation in accordance with the approved Delegations of Authority procedure under delegation;

INTEGRATED PLANNING ACT 1997, SUSTAINABLE PLANNING ACT 2009 AND PLANNING ACT 2016 - DEVELOPMENT ASSESSMENT AND DISPUTE RESOLUTION

DECISION

I am satisfied having considered the above application, matters set out in this submission and the recommendation of the officer, this application complies with relevant standards and the *Planning Act 2016* (where applicable) and approved, subject to conditions the application for the reasons outlined in the decision notice.

Dated the 10th day of September 2018

Tonna Plail
Senior Planning Officer
Planning Assessment & Technical Services