

DELEGATE ASSESSMENT REPORT

DATE: 9 June 2017
REFER TO: Council's Delegate
REPORT BY: Daniel Wilson
DECISION DUE BY: 03/07/2019

Property Key: 279420

Doc id: 11093066/HARDWII:hardwii

DEVELOPMENT APPLICATION DETAILS	
Application Number:	MCUI/50/2016/1
Lodgement Date:	7 December 2016
Proposed Development:	Material Change of Use - Service Station (including Truck Stop), Shop and Convenience Restaurant x 2
Type of Approval sought:	Development Permit
Site Address:	Lot 1 Mount Lindesay Highway, WOODHILL QLD 4285
Real Property Description:	Lot 1 RP 202928
Site Area:	302920.00m ²
Owner Details:	GLENLOGAN PARK PTY LTD
Applicant Details:	GLENLOGAN PARK PTY LTD
Applicable Legislation:	<i>Sustainable Planning Act 2009</i>

PLANNING INSTRUMENT DETAILS	
State Planning Regulatory Provisions:	Not Applicable
Regional Plan:	South East Queensland Regional Plan 2017 (Shaping SEQ)
State Planning Policy:	Not Applicable
Planning Scheme:	Beaudesert Planning Scheme 2007
Zone:	Mount Lindesay Corridor Zone - Part Minor Convenience and Park Living Precincts
Applicable Codes:	<ul style="list-style-type: none">• Mount Lindsay Corridor Zone Code - Part Minor Convenience and Park Living Precincts• Infrastructure Overlay Code• Vegetation Management Overlay Code• Service Station Code• Food Premises Code• Retailing & Commercial Activity Code• Construction and Infrastructure Code• Landscaping Code• Parking and Servicing Code• Advertising Devices Code
Applicable Overlays:	<ul style="list-style-type: none">• Bushfire Hazard Overlay• Catchment Management, Waterways & Wetland Overlay• Infrastructure Overlay• Vegetation Management Overlay
Applicable Preliminary Approval:	Not Applicable
Level of Assessment:	Impact
Consistency of Development:	Consistent

EXECUTIVE SUMMARY

Council is in receipt of an application for a **Development Permit for Material Change of Use** to establish a Minor Convenience Centre (Service Station, Shop and Convenience Restaurants) (Staged development) at Lot 1 RP 202928, Lot 1 Mount Lindesay Highway, WOODHILL QLD 4285.

The application was approved via a Superseded Planning Scheme Request to be assessed against the Beaudesert Shire Planning Scheme 2007.

The site is located within two (2) separate precincts within the Mount Lindesay Corridor zone. The proposed development is located entirely within the portion of the site subject to the Minor Convenience Centre precinct with the rest of the site being within the Park Living Precinct. A Service Station, Shop and Convenience Restaurants are identified in the *Beaudesert Planning Scheme 2007* as being Consistent Development within the Minor Convenience Centre Precinct. Although each of the proposed land uses are accepted development within the Minor Convenience precinct, the proposed Service Station is subject to Impact Assessment as it is a sensitive land use. The Convenience Restaurants are subject to Code Assessment.

The proposed development is for a Service Station and ancillary shop with a total floor area of 222m² and two (2) Convenience Restaurants which contain a floor area of 307m² and 305m². The development is proposed to be constructed in two (2) stages. Stage 1 will consist of the Service Station (with ancillary Shop) and one (1) Convenience Restaurant which includes a drive through facility. Stage 2 will consist of one Convenience Restaurant which will also include a drive through facility. A total of 76 car parking spaces have been provided.

Pursuant to the *Sustainable Planning Act 2009*, this application was publicly notified for sixteen (16) business days from 24 January 2019 to 15 February 2019. Council received three (3) properly made submissions regarding the development, which raised concerns in relation to traffic, noise, air quality/odour, amenity & character of the surrounding area, creating a development precedent and potential environmental impacts. These matters are addressed in the body of the report.

The proposed development was referred to the Department of State Development, Manufacturing, Infrastructure and Planning (the Department) as the site contains a frontage to a State-Controlled road (Mount Lindesay Highway). The Department responded with no objections and provided development conditions from the Department of Transport and Main Roads. The conditions related directly to frontage works, intersection turning/deceleration lanes, stormwater and flood management, excavation and filling and signage.

The proposed development is able to demonstrate compliance with all emissions standards of the *Beaudesert Shire Planning Scheme 2007*.

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

BACKGROUND/ HISTORY

On 2 March 2006, an application for a Combined Application (Material Change of Use and Reconfiguring a Lot) lapsed (COM/32/2006).

On 9 June 2016, Logan City Council approved a request for an application to be assessed against the superseded Beaudesert Planning Scheme 2007 for a Child care facility, Service Station Convenience restaurants and Shops (ASPS/100/2016).

On 10 August 2018, Council received an application for Reconfiguring a Lot (2 into 89 Lots, Park and Access Easements) over the subject site and Lot 11 Caswell Road, Woodhill (RL/66/2018). This application is yet to be decided.

On 24 September 2018, Council Officers received a change to the application in the middle of the assessment period. This was done in accordance with section 351(1) of the *Sustainable Planning Act 2009*. The change consisted of including a truck stop as part of the Service Station. Consequently, one of the proposed Convenience Restaurants has been repositioned to the south of the service station and will be constructed as a second stage of the development.

SUPERSEDED PLANNING SCHEME

On 16 May 2016, an application was submitted to Council for a Request for Determination under Superseded Planning Scheme. The application effectively sought a Material Change of Use application for a Service Station,

two (2) Food and Drink Outlets, three (3) Shops and a Child Care Centre to be assessed under the *Beaudesert Shire Planning Scheme 2007*.

Under the *Beaudesert Shire Planning Scheme 2007*, the subject site area was zoned within the Minor Convenience Precinct of the Mt Lindesay Corridor Zone. Under this zoning, each of the proposed land uses were identified as being Consistent Development within Table 3.2.7 of the *Beaudesert Planning Scheme 2007*. Although the proposed land uses were identified as Consistent Development for the precinct, the uses were still identified as being Impact Assessable due to their high potential for amenity impacts.

Under the *Logan Planning Scheme 2015*, the zoning of the subject site was changed to be within the Rural Residential - Park Living Precinct. This resulted in each of the proposed land uses being inconsistent with the zoning of the site and would most likely be refused based on conflicts with the Strategic Framework within the *Logan Planning Scheme 2015*.

Given that a Material Change of Use for a Service Station, Food and Drink Outlets, Shops and Child Care Facility is likely to be refused under the current planning scheme, it was recommended that applicant's request for the application to be assessed under the *Beaudesert Planning Scheme 2007* be approved, as this would remove any possibility or argument of a claim for compensation being made in relation to the land under s704 of the *Sustainable Planning Act 2009*.

CHRONOLOGY

Original Application (COM/32/2006)

On 07 December 2016, the application was lodged

On 13 December 2016, the Divisional Councillor was briefed on the application

On 13 December 2016, an Acknowledgement Notice was issued to the applicant.

On 21 December 2016, an Information Request was issued to the applicant.

On 10 January 2017, an extension to the referral period was requested from the applicant.

On 11 January 2017, the extension to the referral period was accepted by assessment manager.

On 14 January 2017, the Department of Infrastructure, Local Government and Planning (Department) issued the applicant an Information Request. The Information Request included items relating to stormwater/hydraulics and traffic.

On 21 March 2017, the Department issued a further issues letter which highlighted that the proposed development does not comply with the minimum GFA requirements for a Service Station located within the Rural Living Area of the South East Queensland Regional Plan 2009–2031 (Table 2F).

On 13 April 2017, the Department and the Applicant agree to an extension to the referral information request response period.

On 20 April 2017, the assessment manager and the applicant agree to extend the information request response period for a further 6 months to allow time to negotiate with the Department regarding the content within the further issues letter.

On 14 November 2017, the assessment manager and the applicant agree to extend the information request response period for a further 6 months.

On 08 June 2018, the assessment manager and the applicant agree to extend the information request response period for a further 6 months.

On 12 September 2018, Council officers and the applicant meet to discuss the application's issues with the South East Queensland Regional Plan 2009–2031. Within this meeting, the applicant advised that they have sought legal advice to determine whether a change to the application within the middle of the assessment period will force the Department to assess the application under the current South East Queensland Regional Plan 2017 (Shaping SEQ). The current South East Queensland Regional Plan 2017 contains similar GFA requirements for Service Stations in the Rural Living Area, however the proposed development will comply with these GFA requirements. The legal advice determined that this is possible and that they will continue with lodging a change to the application under section 351(1) of the *Sustainable Planning Act 2009*.

On 20 September 2018, the applicant issues Council a notice advising that a change to the application will occur in accordance with section 351(1) of the *Sustainable Planning Act 2009*.

Current Application (COM/32/2006/1)

On 24 September 2018, the application was lodged.

On 25 September 2018, an Acknowledgement Notice was issued to the applicant.

On 9 October 2018, an Information Request was issued to the applicant.

On 30 October 2018, the Department of State Development, Manufacturing, Infrastructure and Planning (the Department) issue Council a letter explaining that the Referral Information Request period has been extended by 10 business days. This was due to the complexity of the application and our review of the legal advice provided within the application material with regard to regional planning matters.

On 12 November 2018, the Department issue the applicant an Information Request. The Information Request items related to stormwater/hydraulics, traffic and inconsistencies with the *South East Queensland Regional Plan 2009-2031*. At this point, it was the Department's stance that the *South East Queensland Regional Plan 2009-2031* is the relevant SEQ plan for the assessment of this application.

On 22 January 2019, the applicant responded to the Information Request.

On 22 January 2019, the applicant responded to the Referral Information Request.

On 23 January 2019, the applicant provides Council with a Notice of Commencement of Public Notification.

On 23 January 2019, Public Notification commenced.

On 25 January 2019, the Divisional Councillor was notified that the application will undergo Public Notification.

On 15 February 2019, Public Notification was completed with three (3) properly Made submissions received.

On 18 February 2019, the Department provided a Concurrence Agency Decision Notice which approved the proposed development subject to conditions. The conditions relate specifically to earthworks, stormwater, hydraulics, roadworks and signage. The Department determined that the application was to be assessed against the current South East Queensland Regional Plan 2017 (Shaping SEQ) and the previous concerns are no longer relevant.

On 28 February 2019, the applicant issued Council a Notice of Compliance with Public Notification.

On 22 March 2019, further information regarding acoustics was requested from the applicant.

On 03 April 2019, a meeting was held with the Divisional Councillor. The Divisional Councillor requested the application to be presented to committee and also requested some design modifications to the buildings to include character elements and materials.

On 24 April 2019, the assessment manager and the applicant agree to extend the decision period until 24 June 2019 to prepare for the June Committee meeting.

On 26 April 2019, the applicant responds to the request for further information and provides amended landscaping plans and architectural building elevations showing all façade treatments.

On 23 May 2019, a meeting was held with Logan City Council's Interim Administrator to discuss the delegation of the application. The Interim Administrator provided Council Officers delegation to decide the application.

On 21 June 2019, an extension to the Decision Making Period was agreed to until 3 July 2019.

SITE DESCRIPTION

The subject site is described as Lot 1 RP 202928 with an area of 302920m² and is irregular in shape (**Refer Figure 1 - Aerial Photo below**). The subject site is located in the Minor Convenience Precinct and the Park Living Precinct of the Mt Lindesay Corridor Zone (**Refer to Figure 3 - Zoning Map**).

The subject site is currently vacant, is not connected to any services and contains a frontage to Mt Lindesay Highway of approximately 245 metres. The site is partially affected by flooding with a waterway traversing through the site.

The slope of the subject site is described as being 86 metres AHD at the northern boundary of the site and slopes downwards to 53.5 metres AHD at south west corner of the site. Access to the subject site is directly from Mt Lindesay Highway. The subject site is partially flood affected (refer **Figure 2 -Flood Map** below).

The subject site adjoins Woodhill State School to the north-east, large rural properties used for the purpose of farming to the west and south, while there are rural residential style lots to the north.

The subject site directly concerns the area located within the Minor Convenience Precinct and the rest of the site is to be utilised for further subdivision in the future.

Figure 1 - Aerial Photo



Figure 2 - Flood Map (Current Flood Mapping Data)

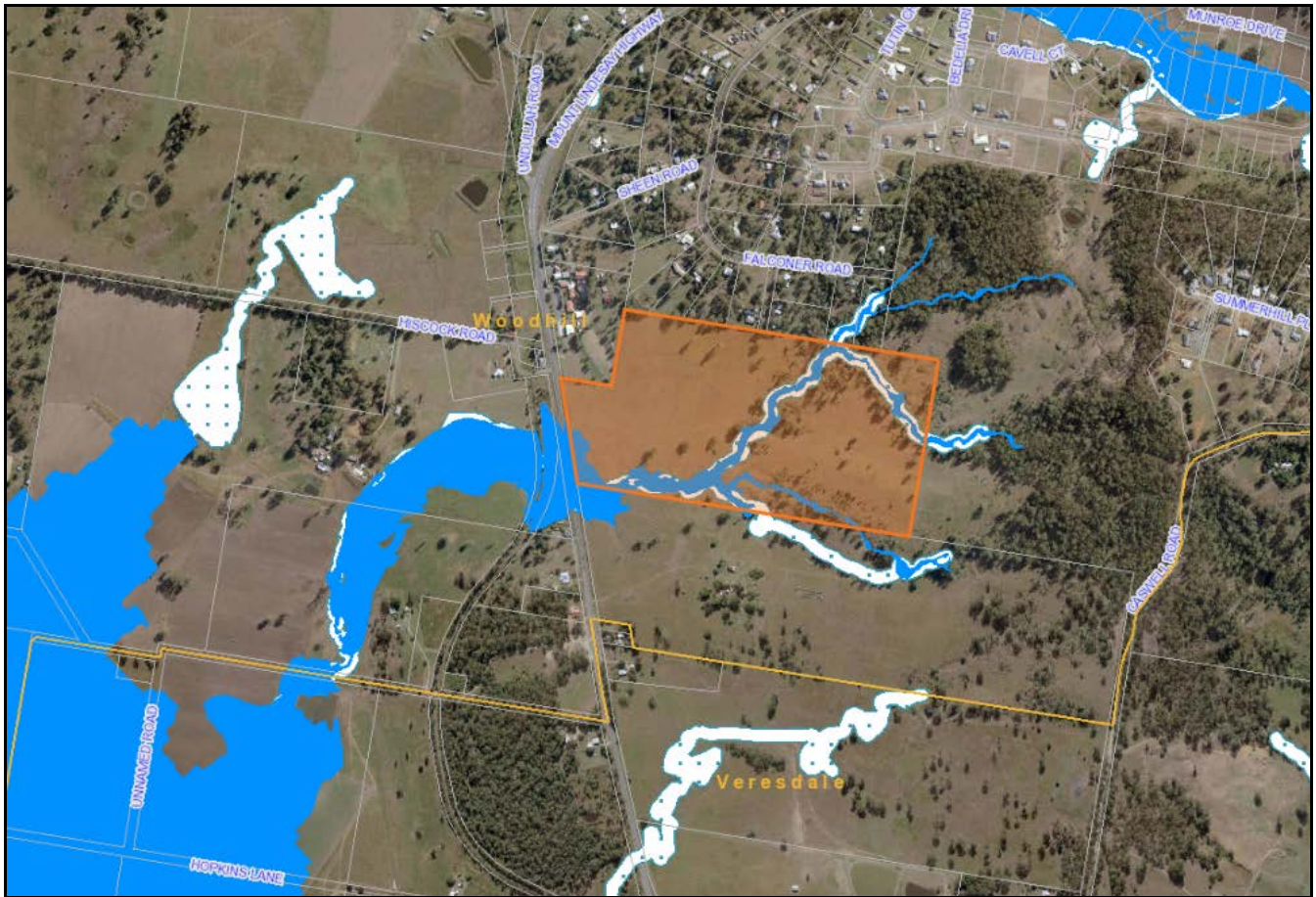
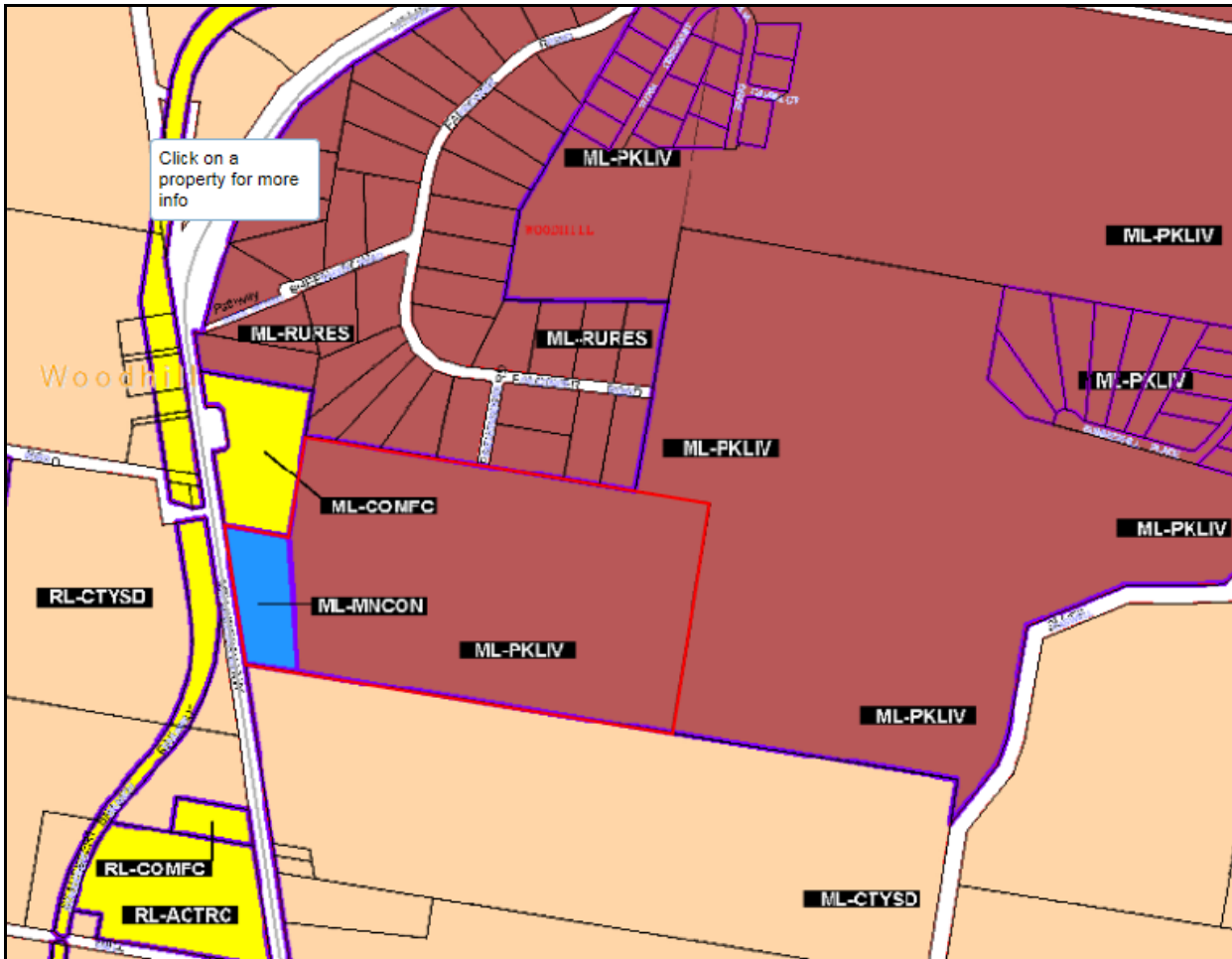


Figure 3 - Zoning Map



DESCRIPTION OF PROPOSAL

The proposed development is to establish a Service Station (with ancillary Shop and Truck Stop) and two (2) Convenience Restaurants (Food and Drink Outlets) on the part of the subject site zoned Minor Convenience Precinct of the Mt Lindesay Corridor Zone (refer **Figure 4 - Proposed Site Plan**). The proposed development will be constructed in two (2) stages (refer **Figure 5 - Proposed Stage 1, Figure 6 - Proposed Elevations - Stage 1, Figure 7 - Proposed Stage 2, Figure 8 - Proposed Elevations - Stage 2**). A proposed Pylon Sign will also be constructed in relation to the Service Station (refer **Figure 9 - Proposed Pylon Sign**).

Stage 1 will consist of the Service Station (with ancillary Shop and Truck Stop) and one (1) Convenience Restaurant which includes a drive through facility. Stage 2 will consist of one Convenience Restaurant which will also include a drive through facility. A total of 76 car parking spaces have been provided. The proposed development is broken down as follows:

Stage 1	Stage 2
<ul style="list-style-type: none"> • Car parking spaces = 41 • <u>Service Station (with ancillary Shop and Truck Stop):</u> <ul style="list-style-type: none"> ○ Total Shop Gross Floor Area = 222m² <ul style="list-style-type: none"> ▪ Front of House = 114m² ▪ Back of House = 84m² ▪ Refuse Area = 24m² ○ Total refuelling bowzers: <ul style="list-style-type: none"> ▪ Truck Stop = 3 refuelling bowzers with 3 truck parking areas ▪ Standard Service Station = 4 dual sided refuelling bowzers (8 vehicles refuelling simultaneously). • <u>Convenience Restaurant 1:</u> <ul style="list-style-type: none"> ○ Total Gross Floor Area = 307m² <ul style="list-style-type: none"> ▪ Front of House = 107m² ▪ Back of House = 158m² ▪ Outdoor Dining = 24m² ▪ Refuse Area = 24m² ▪ Drive through facility which will accommodate for 10 queueing spaces. 	<ul style="list-style-type: none"> • Car Parking Spaces = 35 • <u>Convenience Restaurant 2:</u> <ul style="list-style-type: none"> ○ Total Gross Floor Area = 325m² <ul style="list-style-type: none"> ▪ Front of House = 127m² ▪ Back of House = 126m² ▪ Outdoor Dining = 60m² ▪ Refuse Area = 12m² ○ Drive through facility which will accommodate for 10 queueing spaces.

Figure 4 - Proposed Site Plan

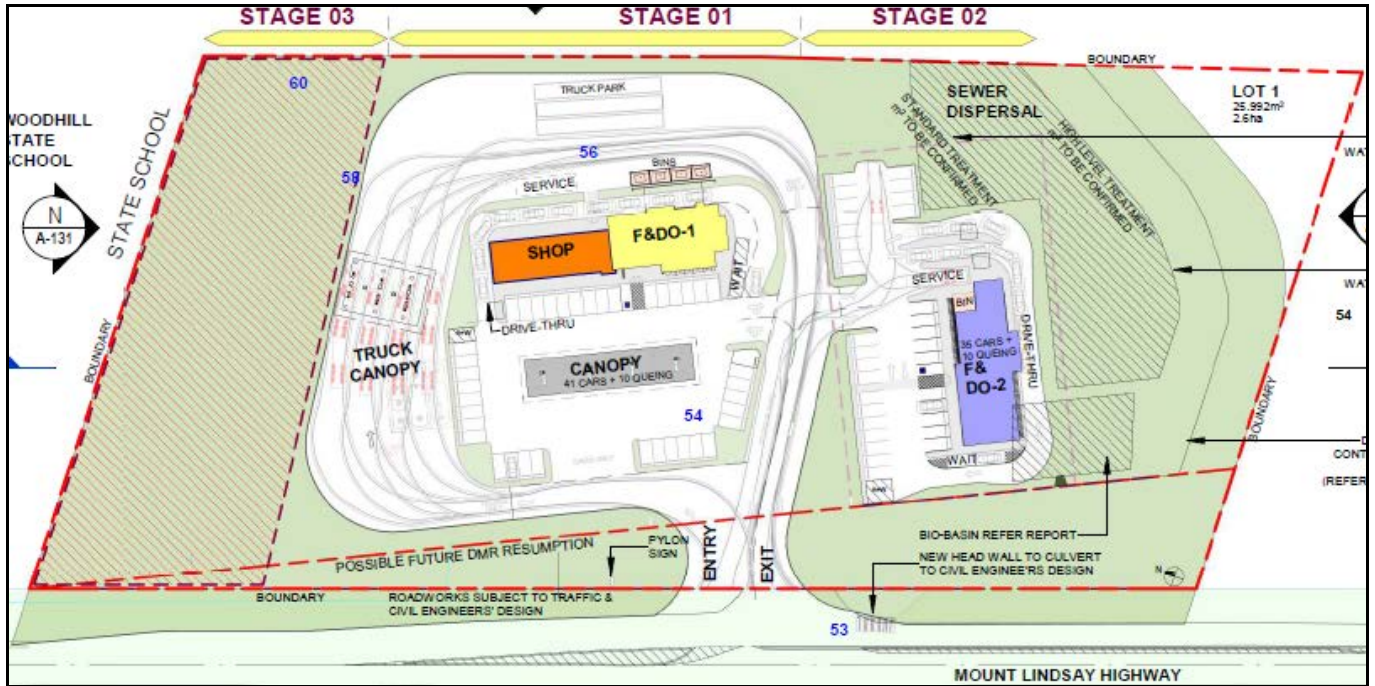


Figure 5 - Proposed Stage 1

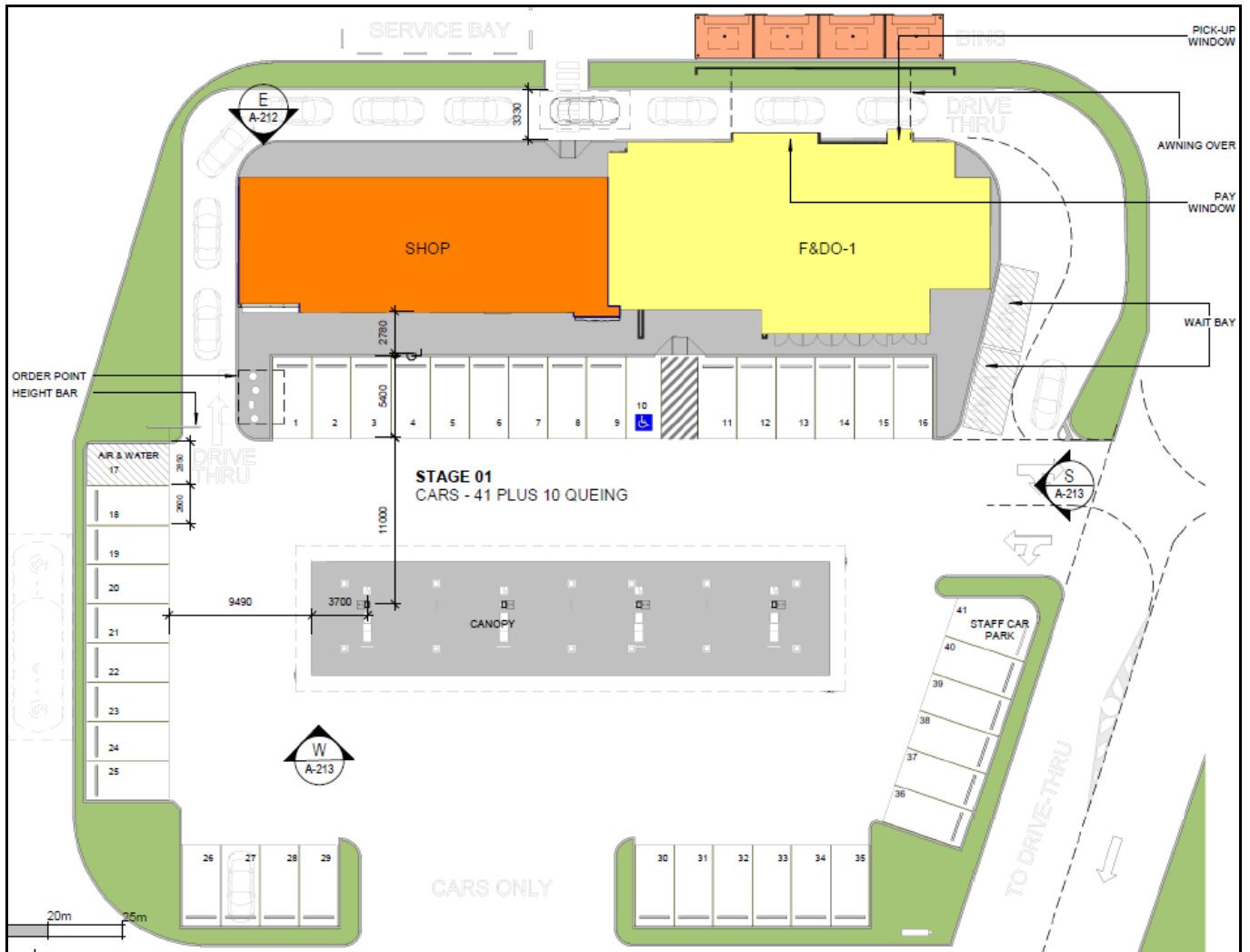


Figure 6 - Proposed Elevations - Stage 1



Figure 9 - Proposed Pylon Sign

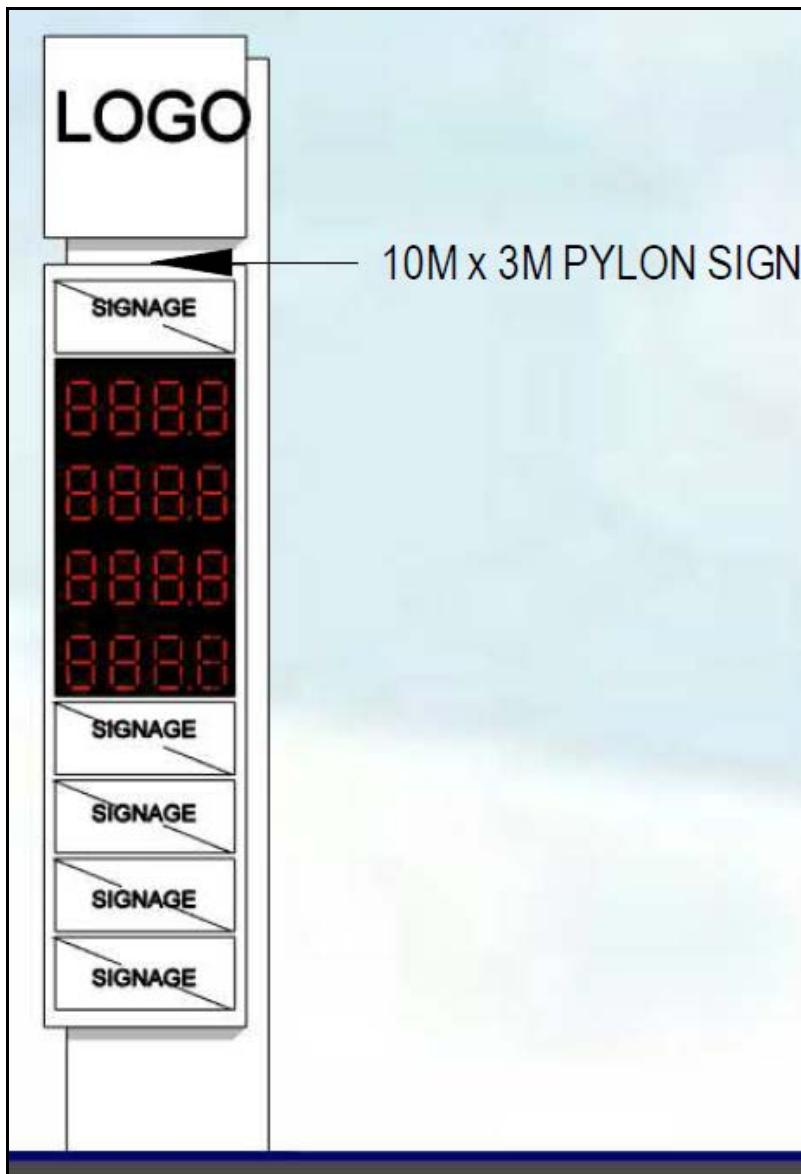
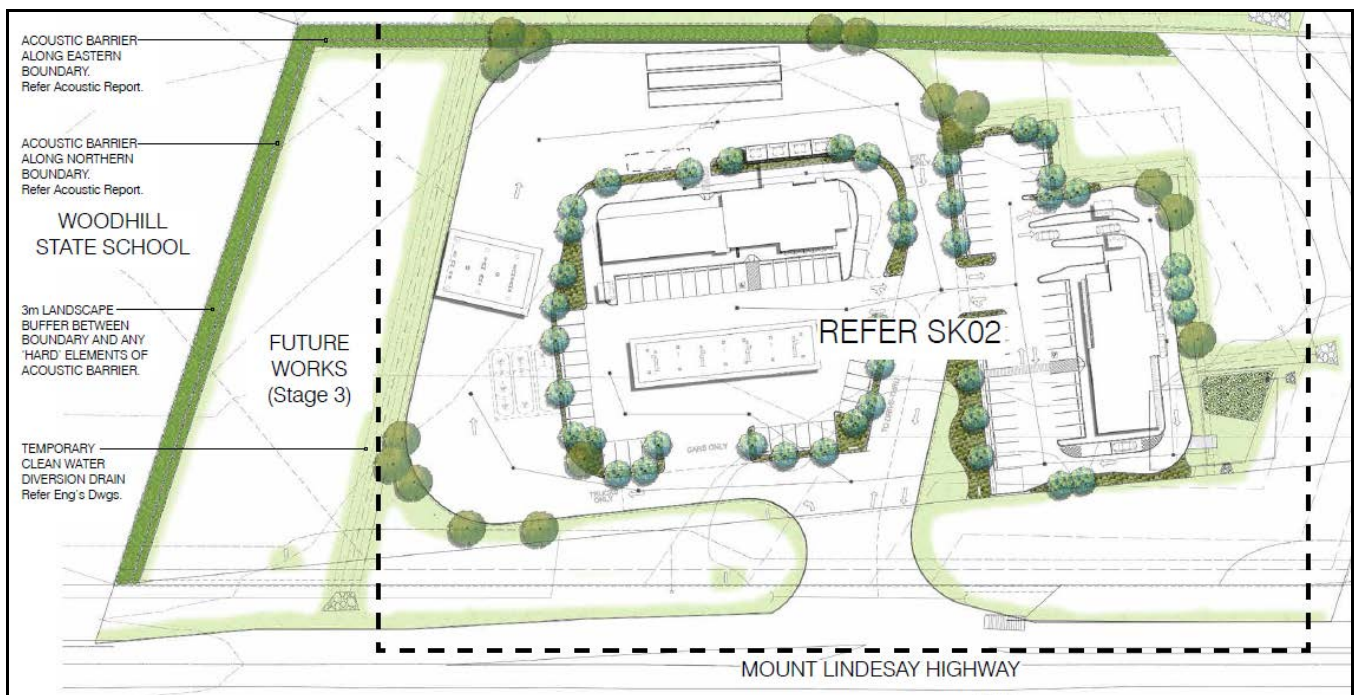


Figure 10 - Proposed Concept Landscape Plan



PLANNING ASSESSMENT

Sustainable Planning Act 2009

This application is Impact Assessable and in accordance with Section 314 and 317 of the *Sustainable Planning Act 2009* has been assessed against the following:

- *The South East Queensland Regional Plan 2017; and*
- *The Beaudesert Shire Planning Scheme 2007.*

South East Queensland Regional Plan 2017

The *South East Queensland Regional Plan 2017*, also known as Shaping SEQ, is the new regional plan for the SEQ region and replaces the *South East Queensland Regional Plan 2009–2031*. The *South East Queensland Regional Plan 2017* took effect on 11 August 2017, after the subject application was originally lodged. As the application underwent a change to the application in the middle of the assessment period, regard can be given to the *South East Queensland Regional Plan 2017*.

The subject site is located within the "Rural Living Area" of the South East Queensland Regional Plan. This designation allows for land to be developed for rural residential purposes.

The Rural Living Area comprises locations currently designated for rural residential development in local government planning schemes, and where further rural residential development through infill and consolidation is permitted under the SEQ Regional Plan. A limited range of urban activities are permitted in the Rural Living Area.

In accordance with Table 2E of the Regulatory Provisions, the proposal does not require referral agency assessment by virtue of the fact that Stage 1 of the development meets the intent and principles of the Regional Plan. A service station up to 1,000m² and commercial development up to 750m² accords with the Regional Plan.

State Planning Policy

Not Applicable

Structure Plan

There are no declared Structure Plans within the Beaudesert Planning Scheme areas.

Master Plan

There are no declared Master Plans within the Beaudesert Planning Scheme areas.

Temporary Local Planning Instrument

- Not applicable.

S3.16/ S242 Preliminary Approval

Not Applicable

Zone Code

Mount Lindesay Corridor Zone Code

The purpose of the Mount Lindesay Corridor Zone Code is to ensure that all development is aligned with the underlying precinct of the zone which contains 64 Overall Outcomes. More specifically, the proposed development is within the Minor Convenience Centre precinct of the Mount Lindesay Corridor Zone. The Overall Outcome for this precinct aims to ensure that development has a retail and commercial office character generally within single storey buildings and is typified by a limited range of small scale convenience or specialty shopping activities of a local order centre. The precinct includes a limited number of specialised lower order professional offices and businesses. In addition to this, the Overall Outcomes ensure that all development is able to mitigate any potential amenity impacts on adjoining properties. It is important to note that each of the proposed land uses are identified in Table 3.2.7 of the *Beaudesert Planning Scheme 2007* as being Consistent Development within the Minor Convenience Centre Precinct.

The development has been assessed against all of the Specific Outcomes and Probable Solutions of the Mount Lindesay Corridor Zone Code and complies with the exception of the following:

Specific Outcome 2 - Amenity, Environmental Management and Greenspace

Specific Outcomes	Probable Solutions
<p>SO2 Development—</p> <ul style="list-style-type: none"> (a) protects and enhances residential amenity, residential character and a pleasant and safe living and working environment; and (b) has a built form which is consistent with the scale and form of development in the Zone generally; and (c) provides buffering between non-residential uses and residential uses; and (d) provides buffering between residential uses and major transport routes. 	<p>S2.1 No Solution is prescribed</p>
<p>Officers Comments</p> <p>The proposed development will provide a non-residential use which adjoins a residential zoned Lot to the south and the balance area of the site which is eligible for further residential subdivision. The proposed building of the development is setback approximately 50 metres from the southern boundary and approximately 350 metres from the nearest dwelling house. The proposed development will comply with all acoustic criteria in relation to the property to the south and will therefore contain no buffering or acoustic attenuation on the adjoining property boundary.</p> <p>The proposed acoustic report identifies that there will be acoustic attenuation along the northern and western boundaries of the development site. More specifically, these acoustic barriers will be a maximum of 4 metres in height and will contain a 3 metre wide landscaping buffer. This will provide adequate buffering and treatment from an amenity perspective and will also comply with all acoustic criteria. It is considered that this treatment and design is adequate to provide buffering and protect the amenity of adjoining non-residential uses.</p> <p>Additionally, the proposed development will comply with all emissions criteria outlined within the <i>Beaudesert Shire Planning Scheme 2007</i> including light, air, noise, dust and pollutants.</p>	

Specific Outcome 30 - Landscaping

Specific Outcomes	Probable Solutions
<p>SO30 Development within the Town Centre Core Precinct, Frame Precinct, Mixed Use Precinct and Minor Convenience Centre Precinct provides landscaping which enhances the visual amenity, character and attractiveness of the Precinct.</p>	<p>S30.1 No Solution is prescribed</p>

Officers Comments

The proposed development involves an extensive amount of landscaping which has been supported by a landscaping plan. The landscaping plan details an extensive amount of landscaping throughout the car parking areas which will contribute to preserving the rural character of the area.

Additionally, a 3 metre wide landscaping buffer has been provided along all proposed acoustic walls. Which will contribute to preserving the amenity of the school to the north and the residential zoned balance of the subject site.

The proposed development has been conditioned to ensure landscaping has been provided generally in accordance with the proposed landscaping plan and Landscaping Code.

Specific Outcome 32, 33 and 34 - Noise, Vibration, Air and Light Emissions

Specific Outcomes	Probable Solutions
SO32 Development protects and enhances the amenity and character of the Zone and Precincts by avoiding or mitigating the adverse emission of noise and vibration	S32.1 No Solution is prescribed
SO33 Development protects and enhances the amenity and character of the Zone and Precincts by avoiding, minimising or mitigating emissions of odour, dust and other pollutants.	S33.1 No Solution is prescribed
SO34 Development protects and enhances the amenity and character of the Zone and Precincts by avoiding, minimising or mitigating the adverse emission of light or glare	S34.1 No Solution is prescribed

Officers Comments

Noise and Vibration

The applicant has provided an acoustic report which has been assessed by Council's Environment Officers. The Environment Officers have advised the following:

It is noted that the applicable noise criteria under the *Beaudesert Shire Planning Scheme 2007* is the *Environmental Protection (Noise) Policy 2008 (EPP 2008)*. As such, noise impacts are not assessable at a property's boundary, rather they are assessable at associated use (i.e. at the façade of the dwelling).

The acoustic report demonstrated that the proposed development will be able to operate 24 hours, 7 days a week and meet the acoustic criteria outlined within the *Environmental Protection (Noise) Policy 2008 (EPP 2008)* through a recommendation that acoustic fencing be installed along the northern boundary and the majority of the eastern boundary of the site area.

The acoustic fences will be a maximum of four (4) metres in height which also includes the extensive amount of bunding required as a result of the earthworks for the development. The bunding will also feature landscaping which includes a 3m landscaping buffer on the sides facing the adjoining properties.

The hours of operation for each of the proposed uses will be 24 hours, 7 days a week with servicing of the uses being restricted to the following hours:

Service Station:

- **Bulk fuel deliveries:** 7.00am to 6.00pm Monday to Friday and 8:00am to 6:00pm Saturday and Sunday;
- **Waste collection:** 7.00am to 8.00pm Monday to Friday and 8:00am to 6:00pm Saturday and Sunday;
- **Air and hose activity:** 7.00am and 10.00pm Monday to Sunday.

Food and Drink Outlets:

- **Deliveries:** 7.00am to 10.00pm Monday to Saturday;
- **Waste collection:** 7.00am to 6.00pm Monday to Friday and 8:00am to 6:00pm Saturday and Sunday.

These delivery/servicing times have been acoustically modelled and comply with all acoustic requirements of the *Beaudesert Shire Planning Scheme 2007*.

Odour, Dust and Pollutants

The proposed development has been conditioned to provide a construction management plan to Council which will outline all dust pollution measures that will be provided on site to ensure no adjoining properties are impacted.

The proposed development will not impose any adverse effects on the amenity of adjoining properties. Each of

the proposed buildings will be distanced a minimum of approximately 100 metres from any future property and approximately 220 metres to the closest existing building that adjoins the site. Of note, pollutant conditions have been applied which will ensure that the Service Station manages all dealings with chemicals in accordance with Australian Standards.

Light Emissions

The proposed site layout of the buildings have been designed to ensure all are facing inwards and will not impose any adverse amenity impacts on nearby properties. The lighting from the proposed development will be less obtrusive to adjoining properties as the northern and eastern boundaries will contain acoustic walls and the southern boundary will contain a 1.8m high fence. In addition to these design aspects, the development has been conditioned to comply with lighting emission Australian Standards.

Minor Convenience Centre Precinct Codes

The development has been assessed against all of the Specific Outcomes and Probable Solutions of the Minor Convenience Centre precinct specific and complies with the exception of the following:

Specific Outcome 1 and 2 - Amenity, Environmental Management and Greenspace

<i>Specific Outcomes</i>	<i>Probable Solutions</i>
<p>SO1 Development within the Minor Convenience Precinct exhibits a retail and commercial office character generally within single storey buildings and—</p> <p>(a) at Homestead Drive, Woodhill and Tamborine is typified by a limited range of small-scale convenience or speciality shopping activities and a very limited number of lower order professional offices and businesses; and</p> <p>(b) at John Collins Drive, Spring Mountain Drive and St Aldwyn Road is typified by only a limited range of small-scale convenience or speciality shopping activities.</p>	<p>S1.1 No Solution is prescribed</p>
<p>SO2 Development—</p> <p>(a) protects and enhances the role of the Precinct as a focus for a limited range of small-scale retail and convenience or speciality shopping activity; and</p> <p>(b) functions in an integrated manner alongside existing commercial, retail and business activity; and</p> <p>(c) protects existing and intended amenity; and</p> <p>(d) has a high level of accessibility to the local road network; and</p> <p>(e) provides a high level of amenity in relation to built form, landscaping, streetscape and advertising devices.</p>	<p>S2.1 No Solution is prescribed</p>

Officers Comments

The proposed development is located within the Minor Convenience Centre precinct within Woodhill. The intended character for this precinct is to contain commercial and retail buildings at a single storey level. The proposed development will feature retail uses (Food and Drink Outlets) and a commercial use (Service Station). These uses are defined as consistent development within the Minor Convenience Centre precinct and will contribute to the desired character within the precinct. The retail and commercial uses are low scale single storey buildings that are well integrated via a spacious car parking area and will provide the community/commuters with a small convenience centre to refuel their vehicles and also utilise the services of the two Food and Drink Outlets.

The subject site is located adjacent to the Woodhill State School and rural residential type properties. The proposed development will comply with all emissions standards outlined within the *Beaudesert Shire Planning Scheme 2007* and will ensure that all potential noise, odour and light impacts on adjoining properties are mitigated. In addition to this, the vehicular access from Mount Lindesay Highway was assessed by the State Government and was approved with conditions. The proposed development did not pose any pedestrian/vehicular safety risk and is compliant with Austroad Guidelines.

A concept landscaping plan has been provided in accordance with the Landscape Code within the *Beaudesert Shire Planning Scheme 2007*. All acoustic fences located on adjoining boundaries contain a 3 metre

landscaping buffer which will soften any imposing amenity impact on the adjoining properties.

The proposed development is for a Service Station which contains very specific design elements which need to be satisfied in order to secure a tenant. Where possible, the proposed buildings and materials have been designed and chosen to be commensurate with the existing character of the Woodhill area. This includes wooden cladding, aluminium louvres, aluminium refuse enclosures and a colour scheme that compliments the rural landscape.

Therefore, the proposed development will contribute positively to the intended character and streetscape of the Minor Convenience Centre precinct and will not adversely impact the amenity of adjoining uses and will contribute towards a safe movement network.

Park Living Precinct

The subject site contains two separate precincts of the Mount Lindesay Corridor Zone. However, the proposed development will be sited completely within the Minor Convenience precinct and not within the Park Living precinct. Therefore, assessment against the Park Living Precinct is not relevant.

Use Codes

Service Station Code

The purpose of the Service Station Code is to provide convenient service with safe and efficient access while maintaining the amenity of the surrounding area.

The proposed Service Station has been assessed against the Probable Solutions and complies with all of the Probable Solutions except as follows:

Specific Outcome 2 - Character

<i>Specific Outcomes</i>	<i>Probable Solutions</i>
SO2 Development is consistent with the character of the surrounding area.	S2.1 No Solution is prescribed

Officers Comments

The current character of the surrounding area is predominantly a rural living character. Of note, the site is located within the Minor Convenience Centre precinct and is surrounded by rural properties and Woodhill State School to the north. The school contains a number of single and two storey buildings which creates a higher level of building density within the area. Although the proposed development includes retail and commercial uses, the uses are single storey and of a low-scale. Additionally, the proposed development will be consistent with the intended character land uses prescribed within the Minor Convenience Centre precinct.

The proposed buildings and materials have been designed and chosen to be commensurate with the existing character of the Woodhill area. This includes wooden cladding, aluminium louvres, aluminium refuse enclosures and a colour scheme that compliments the rural landscape.

Therefore, the proposed development will be of a nature and scale that is consistent with the character of the surrounding area which is predominantly dominated by the Woodhill State School. The proposed development is for a Service Station which contains very specific design elements which need to be satisfied in order to secure a tenant. Where possible, the proposed buildings and materials have been designed and chosen to be commensurate with the existing character of the Woodhill area. This includes wooden cladding, aluminium louvres, aluminium refuse enclosures and a colour scheme that compliments the rural landscape.

Food Premises Code

The Overall Outcome for Food Premises is to make a positive contribution to the Streetscape whilst minimising unacceptable off site impacts. The proposed Food and Drink Outlets have been assessed against the Specific Outcomes and Probable Solutions and complies with the exception of the following:

Specific Outcome 1 - Design and Streetscape

<i>Specific Outcomes</i>	<i>Probable Solutions</i>
SO1 Development complements the style, scale and character	S1.1 Development provides that facade design and detailing complement traditional Building elements and that facades have a horizontal emphasis.

<p>of existing uses in the street and the surrounding local area and contributes positively to the Streetscape.</p>	<p>S1.2 Development provides that Building frontage setbacks are consistent with adjoining frontage setbacks.</p> <p>S1.3 Development maintains traditional character through ensuring that Buildings incorporate the following—</p> <ul style="list-style-type: none"> (a) high pitched roof forms; and (b) rectangular Building plan forms; and (c) extensive use of timber, brick, corrugated iron or similar materials; and (d) additional detailing and fenestration. <p>S1.4 Development provides that where existing development provides a cantilevered or suspended awning or verandah the development provides a similar awning or verandah with a minimum height of 3 metres over the adjoining footpath for the full length of the Building on the street frontage or principal street frontage.</p> <p>S1.5 Development addresses the street frontage with the main entrance visible from the street.</p>
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Officers Comments

The proposed development will be sited on the Mount Lindesay Highway which features a rural streetscape with multiple Service Stations and commercial developments that feature modern building designs.

The proposed development will not comply with all traditional character feature outlined within S.1 and S1.3. However, the proposed development is proposing façade and building designs that has a horizontal emphasis and is consistent with the style of buildings within the adjoining property (Woodhill State School). In particular, the Kindergarten building closest to the adjoining boundary incorporates a modern skillion roof design which the proposed development will compliment.

In regards to S1.3, the proposed development will not include a pitched roof. However, the proposed design will be of a nature which is consistent with other Service Stations and Food and Drink Outlets within the city of Logan and will contribute positively to the streetscape of the Mount Lindesay Highway. The buildings will be appropriately setback from the highway and will consistent with the building setbacks of the adjoining school. The proposed development has included the extended use of timber and aluminium throughout the design of each of the buildings. The proposed buildings will also have appropriate fenestration to provide articulation. As these building materials have been included in the design, the proposed development is considered to be consistent with the style, scale and character of existing uses located on the Mount Lindesay Highway.

Specific Outcome 7 - Car Parking Design

Specific Outcomes	Probable Solutions
<p>S07 Development provides that a car parking area is not visually intrusive or the dominant feature of the development.</p>	<p>S7.1 Development provides that car parking areas are situated at the rear or side of the principal Building and are suitably screened.</p> <p>S7.2 Development provides that all vehicles under the control of the occupier or the occupier's staff are parked on the subject site and are suitably screened.</p>

Officers Comments

The proposed development will gain access directly to the Mount Lindesay Highway. Due to the speed of this road, the proposed development has been conditioned by the Department of Transport and Main Roads to construct an un-signalised intersection and also a deceleration lane to gain access to the property. Due to these constraints, the proposed development has been designed to ensure all buildings are appropriately setback from the highway and will contribute positively to the streetscape. Due to this design, all of the car parking areas have been incorporated at the front of the buildings. However, the car parking area will not be visually intrusive as the design is typical and expected for the type of development proposed and the car parking areas will be landscaped adequately.

Retailing & Commercial Activity Code

The Overall Outcome for the Retailing & Commercial Activity Code is to ensure that the development makes a positive contribution to the streetscape, and that off-site impacts are within acceptable limits.

Specific Outcome 1 - Design and Streetscape

Specific Outcomes	Probable Solutions
<p>SO1 Development complements the style, scale and character of existing uses in the street and the surrounding area and contributes positively to the Streetscape.</p>	<p>S1.1 Development provides that the facade design and detailing complement traditional Building elements and facades have a horizontal emphasis.</p> <p>S1.2 Development provides that the Building setback is consistent with the Building setback of adjoining land.</p> <p>S1.3 Development achieves a traditional character by incorporating one or more of the following— (a) high pitched roof forms; or (b) rectangular Building plan forms; or (c) extensive use of timber, brick, corrugated iron or similar materials.</p> <p>S1.4 Development provides for a cantilevered or suspended awning or verandah with a minimum height of 3 metres over the adjoining footpath for the full length of the Building on the street frontage or principal street frontage.</p> <p>S1.5 Development addresses the street frontage with the main entrance visible from the street.</p> <p>S1.6 Development provides that car parking areas are located so that they do not become the dominant frontage feature.</p>

Officers Comments

The current character of the surrounding area is predominantly a rural living character. Of note, the site is located within the Minor Convenience Centre precinct and is surrounded by rural properties and Woodhill State School to the north. The school contains a number of single and two storey buildings which creates a precedent of the building density within the area. Although the proposed development includes retail and commercial uses, the uses are single storey and of a low-scale. Additionally, the proposed development will be consistent with the intended character within the Minor Convenience Centre precinct.

The proposed buildings and materials have been designed and chosen to be commensurate with the existing character of the Woodhill area. This includes wooden cladding, aluminium louvres, aluminium refuse enclosures and a colour scheme that compliments the rural landscape.

The subject site will have direct frontage to the Mount Lindesay Highway.

The proposed design will be of a nature which is consistent with other Service Stations and Food and Drink Outlets within the city of Logan and will contribute positively to the streetscape of the Mount Lindesay Highway. The buildings will be appropriately setback from the highway and will consistent with the building setbacks of the adjoining school.

Works Codes

Advertising Devices Code

The Overall Outcomes for the Advertising Devices Code ensure that signage is provided in a manner that does not adversely impact on pedestrian movement network, create safety hazards, is clear and concise and integrates well with the existing character and built form. The proposed pylon sign has been assessed against the Specific Outcomes and Probable Solutions and complies with each of these. Conditions will be included to ensure compliance with this code.

The proposed development involves the inclusion of a pylon sign associated with a Material Change of Use and will be sited at the frontage of the site - next to the entry. The pylon sign will be 10m x 3m in size and will be double

sided (*Refer to Figure 9 - Proposed Pylon Sign*). The signage will advertise the Service Station and Convenience Restaurants located within the site.

Parking and Servicing Code

The Overall Outcomes of the Parking and Servicing Code is to ensure that development provides for vehicle access and parking which is adequate to meet potential demand, protects the amenity of nearby uses, provides a safe environment for pedestrians and vehicles, achieves a high standard of design, functions well and integrates with public transport. The proposal has been assessed against the Specific Outcomes and Probable Solutions and complies with each of these. Conditions will be included to ensure compliance with this code.

More specifically, the proposed development will provide for the following:

- A total of 76 car parking spaces which complies with the car parking rates prescribed within the Parking and Servicing Code. Of note, the staging of the development will allow the development to be compliant with these car parking rates at all times.
- The proposed drive through facilities for the Convenience Restaurants will provide for compliant queuing spaces in accordance with the Parking and Servicing Code.
 - Convenience Restaurant 1: 10 vehicle queuing spaces with 2 waiting bays.
 - Convenience Restaurant 2: 11 vehicle queuing spaces with 2 waiting bays.
- Access to the site will be provided via an all movements, signalised intersection which has been assessed and conditioned by the State Government as part of the Referral Agency Response.
- All car parking areas are manoeuvrable with no obstructions and will be signed accordingly.
- All car parking areas have been adequately landscaped in accordance with the Landscaping Code.
- The car parking areas will be predominantly vehicle based. However, appropriate traffic control measures have been applied to allow for safe pedestrian movement throughout the site (pedestrian crossings, signage etc).
- The proposed access to the site and internal roads have been designed for an Articulated Vehicle to traverse throughout the site and service the development with no obstructions.

Construction and Infrastructure Code

The Overall Outcomes for the Construction and Infrastructure Code is to ensure that the construction and associated infrastructure is safe, efficient, protects the amenity of nearby properties and contains enough capacity to service the development. There is also a prevalent focus on the health and safety of nearby properties, creating safe environments through urban design and landscaping. The proposal has been assessed against the Probable Solutions and complies with all of the Probable Solutions. Conditions will be included to ensure compliance with this code.

Sewer and Water

The proposed development will be serviced for sewer via an on-site solution with spreaders which will discharge to the south eastern corner of the site.

The subject site will gain access to water via a water main extension from the northern property boundary of the site to the centre of the site. This main will run parallel with the Mount Lindesay Highway within the road reserve.

Stormwater Quantity and Quality

All Stormwater for the proposed development will be filtered through an underground detention tank with appropriate stormwater quality measures in place. The tank will effectively discharge the stormwater through to the Mount Lindesay Highway verge at a compliant flow.

Vegetation

The proposed development does not involve the clearing of any protected vegetation.

Landscaping Code

The Overall Outcomes for the Landscape Code are to be sensitive to site attributes such as Streetscape character, natural landforms and landscape settings, existing vegetation, views, land capability, and the availability of water and drainage, complement the nature and scale of the use or other development and maintain the local identity of different parts of the Shire.

The proposal has been assessed against the Probable Solutions and complies with all of the Probable Solutions. Conditions will be included to ensure compliance with this code.

Overlay Codes

Catchment Management, Waterways & Wetland Overlay Code

The Overall Outcomes for the Catchment Management, Waterways & Wetland Overlay Code is to ensure that all development is able to mitigate any potential impacts on waterways, vegetation, habitat, water quality and flooded areas/wetlands. The proposal has been assessed against the Probable Solutions and complies with all of the Probable Solutions. Conditions will be included to ensure compliance with this code.

More specifically, the proposed development has been designed to be sited outside any waterways that traverse throughout the site and the proposed buildings will be sited above the mapped flood level. Although, this is mapped as flood affected under the current planning scheme and the assessment is against the superseded planning scheme, the current levels have been considered when designing the building outside of these areas. Additionally, the proposed development has been conditioned to enhance the mapped waterway area in the south western corner of the site through the replanting of vegetation.

Infrastructure Overlay Code

The Overall Outcomes for the Infrastructure Overlays Code is to ensure that development does not impact future infrastructure and associated buffers and mitigate potential impacts on government infrastructure and facilities. The proposal has been assessed against the Probable Solutions and complies with all of the Probable Solutions. Conditions will be included to ensure compliance with this code.

More specifically, the proposed development gains access directly from the Mount Lindesay Highway which is identified as a State-Controlled Road. This access has been assessed and approved with conditioned by the State Government as part of the Referral Agency Response. The proposed development has been designed to ensure that appropriate separation is achieved from the frontage of the Mount Lindesay Highway and will not impact on any potential widening of this road.

Therefore, the proposed development is considered to comply with the Infrastructure Overlay Code and will provide for safe and efficient vehicular movement to and from the site.

REFERRALS

REFERRAL AGENCY

Concurrence agencies can impose conditions or direct the Assessment Manager to refuse an application. Advice agencies can recommend conditions and provide advice on the assessment of an application.

Concurrence Agency - Department of State Development, Manufacturing, Infrastructure and Planning (Department)

The development application was referred to the Department under the following provisions of the Sustainable Planning Regulation 2009:

- Schedule 7, Table 3, Item 1 – State-controlled road; and
- Schedule 7, Table 2, Item 12 – Regional plans.

The Department responded with no objections and conditions from the Department of Transport and Main Roads on 18th February 2019. The conditions related directly to frontage works, intersection turning/deceleration lanes, stormwater and flood management, excavation and filling and signage. The following reasons for decision have also been provided by the Department:

- To ensure the development and its construction does not cause adverse structural impacts on state-transport infrastructure.
- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state-transport corridor.
- To ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- To maintain the safety and efficiency of the state-controlled road generally.

The approved un-signalised intersection design from the Mount Lindesay Highway is included in Figure 9 below.

Council Officers and the submitters had key concerns with the traffic and safety of the proposed development in relation to being in close proximity to the adjoining school and gaining access to a busy main road. Council Officers questioned the assessment the Concurrence Agency Decision and the Department of Transport and Main Roads Assessment Officers provided the following responses:

- Why was an un-signalised intersection conditioned instead of a signalised intersection?

Response: The traffic report submitted for the proposed development was able to demonstrate that an un-signalised intersection can provide adequate sight lines, deceleration lanes and safe

passage to and from the Mount Lindesay Highway in all movements. The assessment concluded that the proposed un-signalised intersection complied with all assessment criteria.

- Were the current internal traffic issues related to Woodhill State School considered in the traffic assessment?

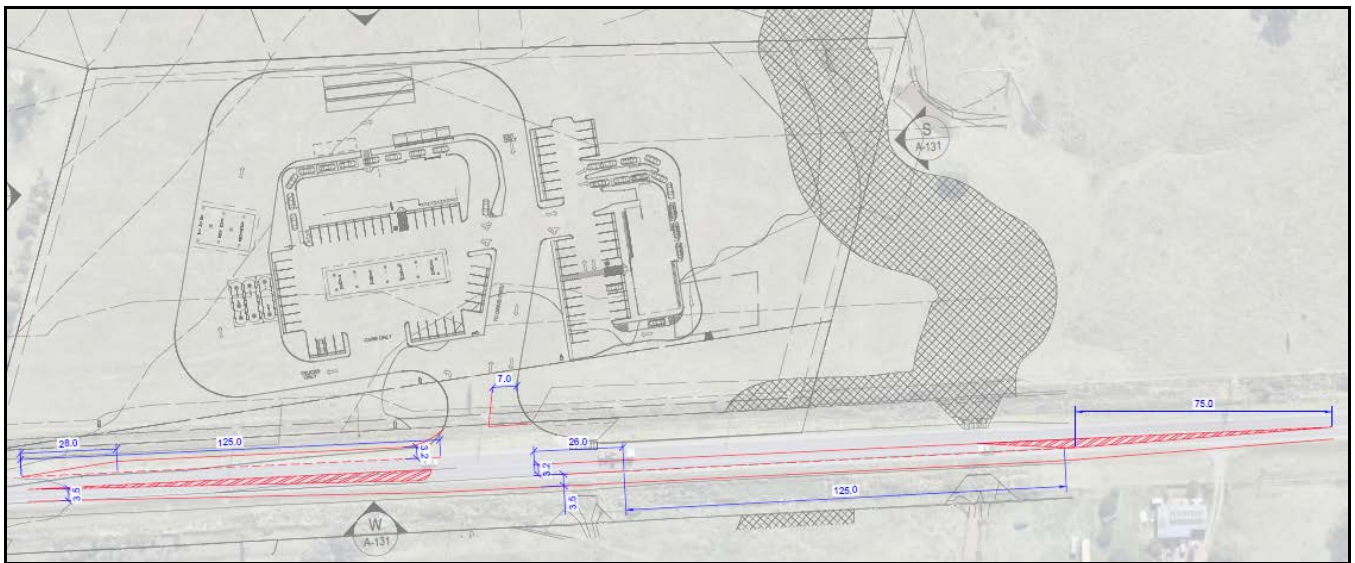
Response: The internal traffic issues related to Woodhill State School are not relevant in the assessment of the application.

- Why was a pedestrian path between the adjoining school and the proposed development not conditioned?

Response: Due to pedestrian safety concerns, no frontage works for a pathway between the school and subject site have been conditioned. It would not be safe to provide a pedestrian pathway and encourage pedestrian activity within close proximity to a highway.

Therefore, the proposed development was assessed accordingly by the Department of Transport and Main Roads and provided conditions to maintain the safety and efficiency of the state-controlled road.

Figure 11 - Approved Mount Lindesay Highway Intersection Design



Internal Referrals

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

- Development Assessment (Engineering)
- Development Assessment (Landscaping)
- Environment and Sustainability
- Infrastructure Charges Unit
- Roads Infrastructure Planning and Design (Road Planning, Design and Mapping)
- Roads Infrastructure Management (River and Catching Engineering)
- Water Infrastructure Branch

PUBLIC NOTIFICATION AND SUBMISSIONS

PUBLIC NOTIFICATION

In accordance with S301 of the *Sustainable Planning Act 2009*, the Applicant has informed Council that public notification was undertaken in accordance with S297, S298 and S299 of the Act.

Start Date: 24/01/2019

End Date: 15/02/2019

Date of Final Notice: 28/02/2019

Number of Properly Made Submissions: Three (3)

The figure below, Figure 10 - Submitter Map, illustrates the location of the submitter in relation to the subject site (orange stars).

Figure 12 - Submitter Map



The issues raised in the submission are outlined below in Table 1.

Table 1: Submission Issues and Comments

Issue	Submitter's Concern	Representation
Traffic	<ul style="list-style-type: none"> The proposed access to the Mount Lindesay Highway is not safe as there is insufficient visibility for drivers. Vision in both north and south directions are blocked by the crest of a hill and there is a blind bend. The Mount Lindesay Highway is currently at maximum capacity and the proposed development will put further strain on the road infrastructure and will create a build-up of traffic. 	<p>As the Mount Lindesay Highway is a State-Controlled Road, all assessment related to traffic have been conducted by the Department of Transport and Main Roads. The applicant provided traffic reports outlining the proposed access arrangements and was able to demonstrate that sufficient sight and stopping distances can be achieved. The proposed un-signalised intersection will provide for safe movement to and from the site.</p> <p>The Department of Transport and Main Roads, as Concurrence Agency, has assessed the development application and have approved the access arrangements.</p>

Issue	Submitter's Concern	Representation
	<ul style="list-style-type: none"> During peak times, the Woodhill State School generates a large amount of traffic which the Mount Lindesay Highway cannot cater for. The proposed development will only impact further on the safety and car parking generated from the Woodhill State School. 	<p>Whilst all existing traffic issues concerning Woodhill State School are not relevant to the assessment of the application, traffic generation during peak periods was considered as a part of the traffic report addressed to the State (Department of Transport and Main Roads). The department has recommended approval of the development subject to conditions.</p>
Noise	<ul style="list-style-type: none"> The 24/7 operation of a service centre, truck stop and the noise of general traffic will be relentless. Breaking trucks, acceleration and gear changes would impact on the health of people living nearby and cause great distress. 	<p>An acoustic report has been provided as supporting documentation for the application and provides recommendations related to acoustic fences along the adjoining northern and eastern boundaries, glazing, enclosed ventilation equipment (air conditioning) and roof and wall construction.</p> <p>The acoustic report provided noise modelling for a range of different noises and sounds that the proposed development is likely to generate. This included truck air breaks, slamming doors and general noise generation from the proposed uses. The report was able to demonstrate that with the recommended acoustic attenuation, the proposed development will comply with all acoustic emissions requirements outlined within the <i>Beaudesert Shire Planning Scheme 2007</i>.</p>
Air Quality/ Odour	<ul style="list-style-type: none"> The proposed development will impact on the Air quality of the surrounding area. Adjoining properties will be at risk of having health issues. 	<p>In terms of management of potential contamination issues, a range of conditions will be imposed on the development to require that an underground petroleum storage system (UPSS) management system is developed to minimise contaminant risks associated with the use.</p> <p>Conditions will be imposed in relation to leak detection and monitoring systems.</p> <p>In terms of odour impacts, future tenants of the Food and Drink Outlet and Shop tenancy will need to incorporate a filtration system for cooking equipment and will be required to direct all outlets away from property boundaries.</p> <p>A Vapour Recovery System Stage 1 and Stage 2 will be implemented for the Service Station to capture vapours displaced during fuel delivery and during the dispensing of fuel to vehicle tanks.</p>
Amenity & Character	<ul style="list-style-type: none"> The proposed development is not keeping with the rural setting of the area. The proposed development will result in the loss of privacy for the students/staff of Woodhill State School. 	<p>Each of the proposed land uses are identified as Consistent Development within the Mount Lindesay Highway Corridor Zone - Minor Convenience Centre precinct. The building materials of the proposed buildings have been designed and chosen to ensure that the development is keeping with the intended character of the area. The proposed development will also be heavily landscaped to preserve the rural setting of the surrounding area.</p> <p>As part of the recommendations of the acoustic report, the adjoining boundary of the subject site and the Woodhill State School will contain an acoustic fence as well as a 3 wide metre landscaping buffer on the</p>

Issue	Submitter's Concern	Representation
		<p>school's side of the fence. Therefore, the proposed development will not be able to be seen from the adjoining school and there will be no adverse impacts on the privacy of students and staff.</p>
Development Precedent	<ul style="list-style-type: none"> The proposed development will create a precedent that will result in further development of the area and the encouragement of smaller lot sizes. 	<p>Due to a superseded planning scheme request, the proposed development is subject to being assessed under the <i>Beaudesert Shire Planning Scheme 2007</i>. Under this scheme, the subject site is within the Minor Convenience Centre precinct of the Mount Lindesay Highway Corridor zone which allows the proposed commercial/retail land uses to be Consistent Development. Under the current <i>Logan Planning Scheme 2015</i>, the site is zoned within the Park Living precinct of the Rural Residential zone and the proposed land uses are not Consistent Development.</p> <p>All future applications will be subject to assessment under the current <i>Logan Planning Scheme 2015</i> and development of this type would require a very clear economic, planning and community need to be demonstrated.</p> <p>All Reconfiguring a Lot applications will also be subject to assessment under the current <i>Logan Planning Scheme 2015</i> of which lot sizes will be required to be consistent with the Rural Residential - Park Living precinct or any other relevant zoning.</p>
Environment	<ul style="list-style-type: none"> The proposed development will result in significant environmental impacts on nearby waterways. The proposed development will result in the loss of natural vegetation and habitat. 	<p>The legal point of discharge for the proposed development will be via the existing waterway at the south western corner of the site. However, the proposed stormwater strategy has all stormwater discharge associated with the development being concentrated into a filtered detention tank. This tank will filter the stormwater and slowly discharge the water to the legal point of discharge at a compliant rate.</p> <p>Therefore, the proposed development complies with all stormwater quality requirements of the <i>Beaudesert Shire Planning Scheme 2007</i> and the nearby waterway will not be adversely affected.</p> <p>The proposed development will not result in the clearing of any protected vegetation.</p>

FURTHER DEVELOPMENT PERMITS OR COMPLIANCE PERMITS REQUIRED UNDER THE SUSTAINABLE PLANNING ACT 2009

- Operational Works
- Building Works
- Plumbing and Drainage Works

RIGHTS OF APPEAL

Please delete which does not apply to application

- SPA Chapter 7, Part 1 - **SPA Chapter 7, Part 1, Division 8** - Information about how to proceed with an appeal to the **Planning and Environment Court** may be found on the Court's website:

<http://www.courts.qld.gov.au/courts/planning-and-environment-court>

CONCLUSION

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

IT IS RECOMMENDED:-

That the Development Application MCUI/50/2016/1 be approved and a Development Permit for a Material Change of Use (Service Station, Shop and Convenience Restaurant x 2) at Lot 1 Mount Lindesay Highway, WOODHILL QLD 4285 more accurately described as Lot 1 RP 202928 be granted, subject to the following 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 AND SUSTAINABLE PLANNING ACT 2009 - MANAGEMENT OF INTEGRATED DEVELOPMENT ASSESSMENT SYSTEM AND DISPUTE RESOLUTION

CONSULTATION WITH INTERIM ADMINISTRATOR

In accordance with the delegation, a Delegated Officer can determine an application after having referred the draft report to the **Divisional Councillor and/or Chairperson of the City Planning and Economic Development Committee** who can choose to have the application referred to Council for it to make the decision instead of a Delegated Officer. Where the dissolution of Council has occurred, the Interim Administrator performs the roles of the Councillors. Confirmation is sought that the application is not required to be referred to Interim Management Committee for a decision.

I Tamara O'Shea do/do not have a real, perceived or potential conflict of interest in this matter.

Should a conflict of interest be declared by the Interim Administrator, the application is to be presented to Council for a decision and the conflict of interest is to be dealt with by the Interim Administrator in accordance with the conflict provisions of the Local Government Act 2009.

This application is not required to be referred to Council for a decision.

Reason for not referring this application to Council for a decision:

- The submissions made by the public have been addressed through conditions
- The application has been assessed by Council Officers and satisfies the performance outcomes of the Planning Scheme and there are 'relevant matters' in accordance with the Planning Act 2016 to support the application.
- I am satisfied with the decision making process undertaken by the Council Officers.
- Other:

DECISION

I am satisfied having considered the above application, matters set out in this submission and the recommendation of the officer, that this application accords with the relevant standards and the Sustainable Planning Act 2009 (where applicable) and should be approved subject to the attached conditions.

Dated the 3rd day of July 2019

Tonna Plail
Senior Planning Officer
Planning Assessment and Technical Services