

DETAILED ASSESSMENT REPORT

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Parmac Property Group
Proposal	<ul style="list-style-type: none"> Development Permit for Material Change of Use (Service Station) Development Permit to Reconfigure a Lot (2 Lots into 2 Lots)
Properly Made Date:	05/10/2017
Information Request Date:	24/10/2017 – Information Request sent 8/03/2018 – Further Advice Letter sent
Information Response Received Date:	7/02/2018 – Information Response received 28/03/2018 – Further Advice Response received
Decision Due Date:	1/06/2018
Number of Submissions:	330 properly made + 92 not properly made 3 petitions (268 signatures total)
PROPERTY DETAILS	
Division:	9
Property Address:	227 & 229 Nambour Connection Rd WOOMBYE
RP Description:	Lot 1 & 2 SP 119132
Land Area:	13,148m ²
Existing Use of Land:	Various uses including landscape supply yard, storage/hire yard, motor vehicle workshop
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme (31 July 2017)
SEQRP Designation:	Regional Landscape and Rural Production Area
Strategic Plan Designation:	Rural Enterprise and Landscape Area
Local Plan:	Not Applicable
Zone:	Rural Zone
Assessment Type:	Impact

PROPOSAL:

The application seeks approval for:

- Development Permit for Material Change of Use (Service Station) and
- Development Permit to Reconfigure a Lot (2 Lots into 2 Lots).

The service station is proposed to be located within the north-western corner of the site and is proposed to operate 24 hours a day, seven (7) days a week. Access is proposed via an upgraded driveway entry/exit and widened access easement over proposed Lot 2. A separate, left-out only exit is also proposed at the western end of proposed Lot 1 (service station site).

Extracts from the applicant's drawings are provided below:

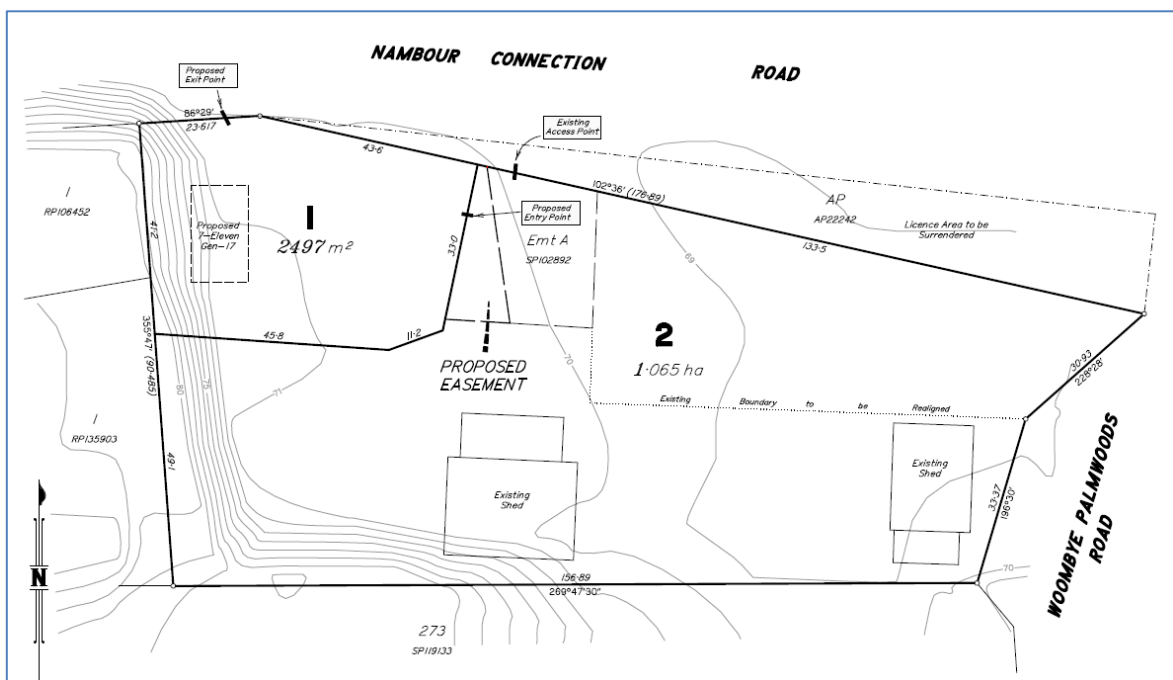


Figure 1: Proposed Plan of Development



Figure 2: Proposed Service Station site in north-western corner (Proposed Lot 1)

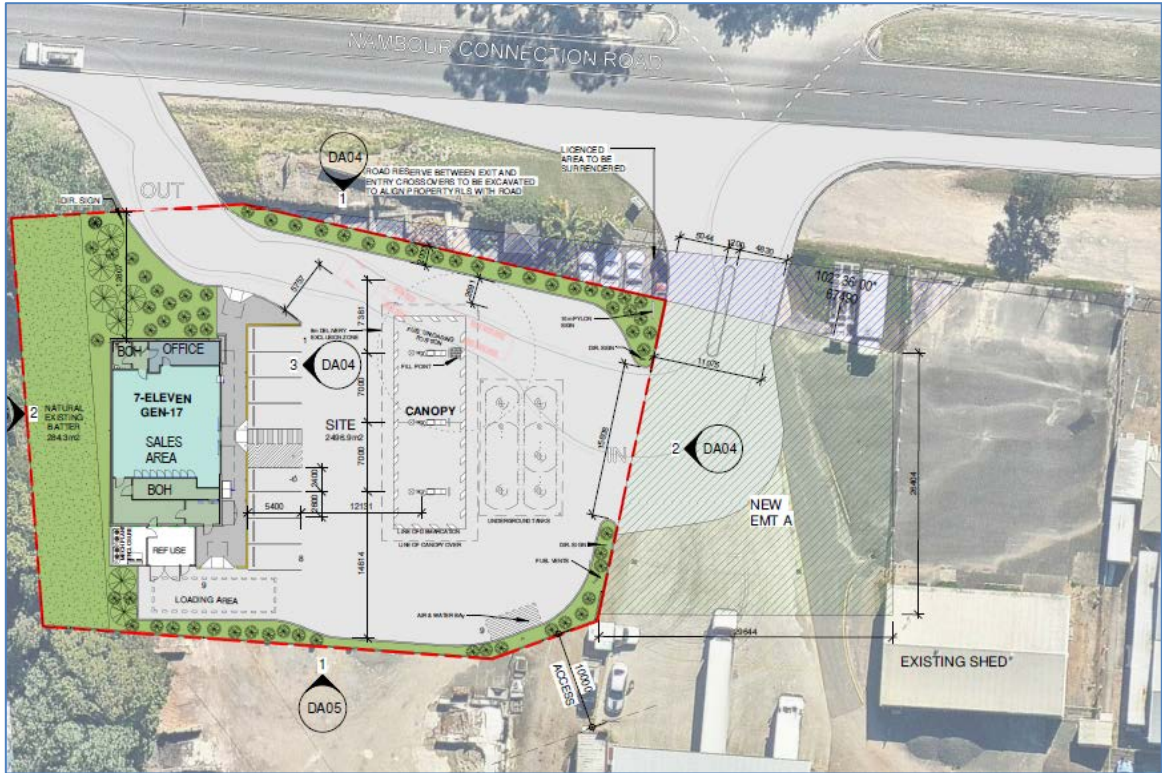


Figure 3: Proposed Service Station Site Plan (and access easement over proposed Lot 2)

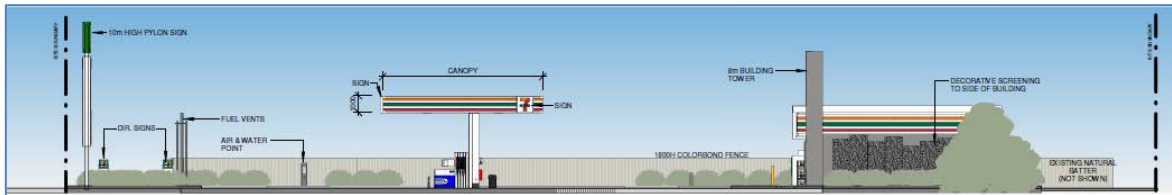


Figure 4: North Elevation (Nambour Connection Rd)

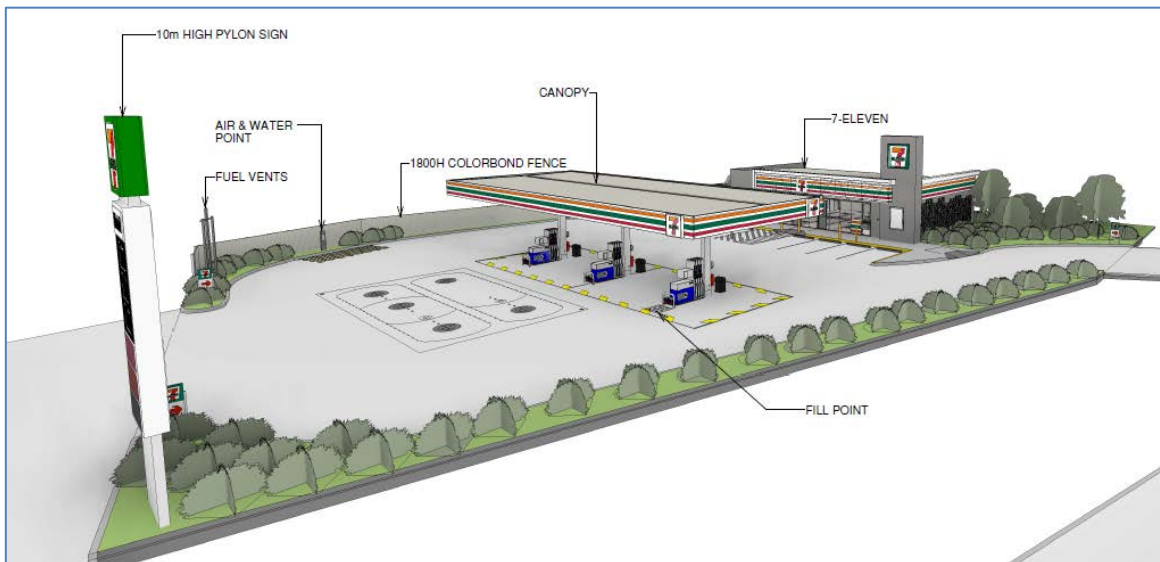


Figure 5: Perspective (from Nambour Connection Rd)

SITE DETAILS:

Site Features and Location

SITE AND LOCALITY DESCRIPTION	
Land Area:	13,148m ²
Existing Use of Land:	Various current and approved uses including landscape supply yard, storage/hire yard, motor vehicle workshop
Road Frontage:	Approx 200m to Nambour Connection Rd
Significant Site Features:	Some significant vegetation along the southern and western extremities
Topography:	Generally flat (approx. 70m AHD), with steep embankment along southern and western boundary
Surrounding Land Uses:	<p><u>North:</u> Nambour Connection Rd and Suncoast Christian College</p> <p><u>East:</u> Vacant land adjoining Woombye Palmwoods Rd (Rural Zone)</p> <p><u>South:</u> Woombye State School (Community Facilities Zone)</p> <p><u>West:</u> Woombye State School and private rural dwelling/business (Rural Zone) with access off Acorn Lane</p>

The location of the subject site in relation to its surrounds is shown below:

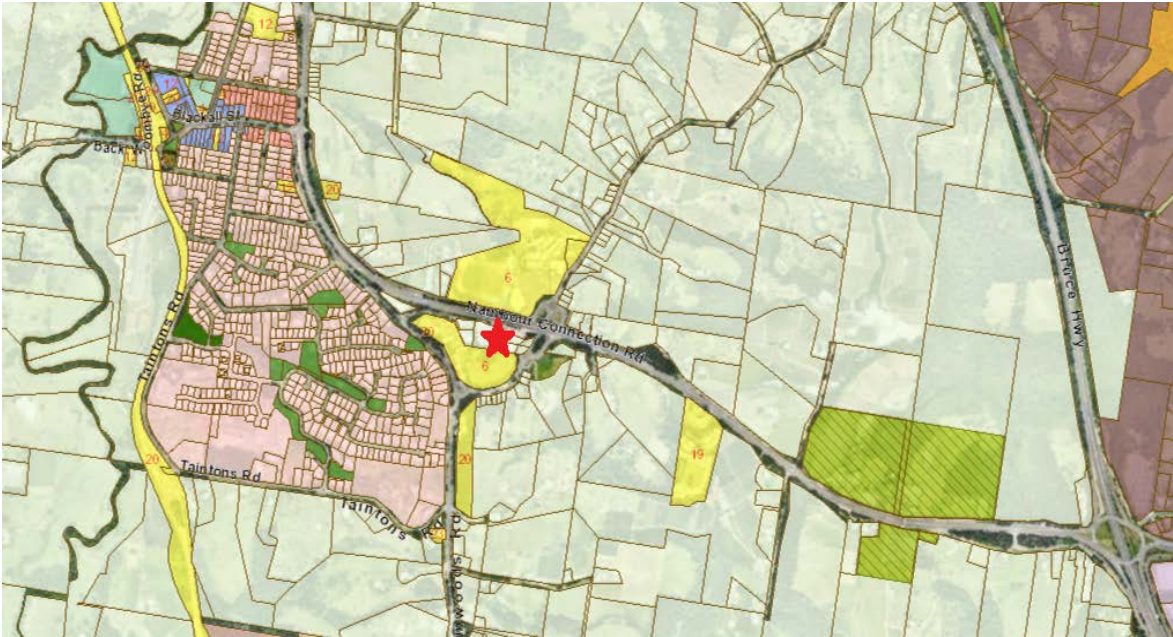


Figure 6: Locality/Zoning Map



Figure 7: Aerial Photo

Development History of Site

The site contains a number of existing approvals and a history of existing non-confirming land uses as follows:

- Non-confirming land use – caravan sales and service (originally registered 1977 and re-registered 1987 (ref: 2383).
- Vehicle Showroom (converted from caravan sales to truck sales – issued 1998 (ref: C957632).
- ERA28 Motor Vehicle Workshop (truck repairs) – issued 2000 (ref: ERA04/0070) – still operational on Lot 1.
- Both the caravan and truck sales operations appear to have ceased in early 2016 (although signage still exists on the site frontage).
- Lot 1 currently used for landscape supplies yard (Maroochy Sand and Gravel) – no evidence of planning approval for this land use.
- Lot 2 is occupied by a hire yard for ground support and bridging equipment – no evidence of planning approval for this land use.

ASSESSMENT

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following categorising instruments may contain assessment benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any temporary local planning instrument
- any variation approval.

Of these, the planning instruments relevant to this application are discussed in this report.

Assessment Benchmarks Related to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes assessment benchmarks that the application must be carried out against, which are additional or alternative to the assessment benchmarks contained in the *Sunshine Coast Planning Scheme 2014*.

These assessment benchmarks are prescribed as being contained in:

- the *SEQ Regional Plan* and Part E of the State Planning Policy, to the extent they are not appropriately integrated into the planning scheme

- Schedule 10 of the Regulation.

PLANNING REGULATION 2017 DETAILS	
Applicable Assessment Benchmarks:	<u>Regional Plan</u> South East Queensland Regional Plan
SEQ Regional Plan Designation:	Regional Landscape and Rural Production Area
Koala Habitat Designation:	Nil.

South East Queensland Regional Plan

The site is located within the Regional Landscape and Rural Production Area under the SEQ Regional Plan. However, the proposal does not trigger assessable development against the regional plan because:

- The use does not result in a gross floor area of more than 1,250m²
- The total area of all outdoor areas associated with the use is not more than 2,000m² (excludes any outdoor area that is used exclusively for):
 - a rest area
 - manoeuvring of vehicles
 - parking of vehicles for no more than 20 hours
 - any other activity that is necessary for the carrying out of the use.

Assessment Benchmarks Related to the Planning Scheme

The following sections relate to the provisions of the Planning Scheme.

PLANNING SCHEME DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme 2014
Strategic Framework Land Use Category:	Rural Enterprise and Landscape Area
Local Plan Area:	N/A
Zone:	Rural Zone
Consistent/Inconsistent Use:	Potentially consistent
Applicable Assessment Benchmarks:	<ul style="list-style-type: none"> • Strategic framework • Rural zone code • Service station code • Reconfiguring a lot code • Airport environs overlay code • Biodiversity, waterways and wetlands overlay code • Height of buildings and structures overlay code • Landslide hazard and steep land overlay code • Regional infrastructure overlay code • Scenic amenity overlay code

	<ul style="list-style-type: none"> • Landscape code • Nuisance code • Safety and security code • Stormwater management code • Sustainable design code • Transport and parking code • Waste management code • Works, services and infrastructure code
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Strategic Framework

The site falls within the Rural Enterprise and Landscape Area of the strategic framework, with Nambour Connection Rd nominates as an arterial transport corridor.

There are no specific strategic outcomes in the planning scheme that apply to service stations in rural areas. However, it is considered that the proposal is consistent with the overall strategic direction of the planning scheme as the proposal would not:

- Detract from the existing character and scenic amenity of the locality, and would likely result in an improved landscape outcome through the provision of landscaping to Nambour Connection Road and external treatment of the built form to this frontage.
- Result in any adverse impacts on the natural environment.
- Reduce the amount of good quality agricultural land due to the site's historical use for industrial purposes.
- Result in a worsening impact on flooding or stormwater quality in the local area and beyond.
- Detract from the function and efficiency of the State-controlled road corridor through appropriately designed ingress/egress points and road widening to accommodate vehicle deceleration and acceleration.
- Result in adverse impacts on residential amenity of nearby dwellings or amenity of the adjoining school in terms of noise, dust or air quality.
- Detract from the commercial viability of the nearby local centres of Woombye and Palmwoods nor the major centre of Nambour.

Further, it is considered that the proposal would provide the local areas of Woombye, and to a lesser extent Palmwoods and Nambour, with a facility for fuel and convenience goods in a location that has a demonstrated need for such facilities based on population growth.

Planning Scheme Codes

The application has been assessed against each of the applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below.

Rural zone code

The proposal is considered to meet the relevant Overall outcomes of the *Rural zone code* on the following grounds:

- The site contains a number of existing semi-industrial uses and the proposal would contribute to an overall improvement of the site's rural character through the incorporation of ample landscaping to the road frontage and along the side and rear boundaries.
- The proposal would not create any conflicts with existing and future rural activities on surrounding rural lands.
- The site is well separated from existing residential dwellings and would be managed so as to not create any adverse effects on rural amenity through noise or traffic generation.
- The proposed development would not alienate or fragment good quality agricultural land.
- The proposed built form integrates with the existing character of the site and development within the vicinity and appropriately responds to the environmental and topographic features of the site.
- The proposal would not adversely impact any ecologically important areas.
- The proposal provides for appropriate infrastructure and services commensurate with a development of this nature in the Rural zone.
- The development would not adversely impact on the continued operation and function of the existing State controlled road corridor or any other existing or planned infrastructure in the area.

Service station code

The proposal meets the Acceptable outcomes of the service station code with respect to minimum lot size, road frontage, front, side and rear setbacks of the main building, siting of fuel pumps and bulk fuel storage tanks, driveway entry/exit design and location, landscaping, and gross floor area of retail component.

The proposal seeks a performance outcome on the following two aspects:

- **AO2 - Proximity to existing service station**

Acceptable outcome AO2 requires that a service station in a Rural zone is to be located at least 15 kilometres from any existing or approved service station on the same trafficable

route. A service station exists approximately 3.5 kilometres to the west on Nambour Connection Road.

Performance outcome PO2 states:

The service station is located so that it does not adversely impact upon the amenity of existing or future planned residential areas.

It is considered that the proposed service station would not have any adverse impacts on the amenity of existing or future planned residential areas as it is located on an “isolated” precinct of rural land, well removed from existing low density areas of Woombye and not within proximity to any future planned residential areas.

The existing Shell service station is located 3.5 kilometres and does not service the main Woombye township which is accessed via Blackall Street located approximately 1km west of the site. The existing Shell service station is located a further 2.5km west of the Woombye turn off and would therefore not provide a convenient option for residents of Woombye travelling west from the Bruce Highway and coastal metropolitan areas.

Refer also to discussion below on economic/community need which demonstrates the site is well suited for the proposed service station use.

- **AO3.1 - Fuel canopy setback**

Acceptable outcome AO3.1 requires that the fuel canopy be set back 7.5m from any road frontage boundary.

Performance outcome PO3 states:

Buildings and structures associated with the service station are sited so as to:-

- (a) ensure the safe and efficient use of the site and operation of the facility;*
- (b) protect streetscape character; and*
- (c) provide adequate separation to adjoining land uses*

The proposed fuel canopy has a setback of 7.5m from the existing State-controlled road licence area boundary. However, this licence area is to be surrendered to facilitate the new driveway access and, as a result, the front boundary setback of the proposed fuel canopy will be 4.7m to the property boundary.

The existing verge on Nambour Connection Road is sufficiently wide in this location so as to provide a setback of the fuel canopy to the road pavement of 16 metres. This setback, coupled with the requirement for a 2.0m wide landscape strip along the site frontage and additional planting within the site, would complement the rural setting of the site.

It is considered the proposal meets the performance outcome in this instance as the reduced fuel canopy setback:

- would not impact on the safe and efficient use of the site
- would not create any adverse visibility or traffic safety issues for vehicles travelling on Nambour Connection Road

- would improve the existing streetscape character with additional landscaping along the road frontage
- provides more than adequate separation to adjoining uses.

Economic / Community Need

Given the site's Rural zoning and the existence of other service stations in the area, the applicant was requested to submit an economic needs assessment to demonstrate that a need exists for a service station in this location. The applicant responded by submitting an Economic Need Assessment which was subsequently outsourced by Council to an independent economic consultant to undertake a peer review.

The findings of the peer review determined that the applicant's Economic Needs Assessment had adopted appropriate assumptions and methodologies for assessing economic and community need. The following conclusions have been extracted from the peer review report:

- (a) There is a strong level of community and economic need for a service station to serve the Woombye catchment.*
- (b) There is insufficient capacity at the Woombye and Palmwoods Local (Full Service) Centres to accommodate the proposed use.*
- (c) The proposed site is suitable, although a site located closer to the Woombye Local Centre may better support that Centre.*
- (d) There is a strong level of planning need for it to locate on the subject site.*
- (e) Impacts are not expected to significantly impact upon the Woombye Local (Full Service) Centre or the service station network.*

It is noted that, under the *Sunshine Coast Planning Scheme 2014*, a service station is listed as a 'potentially consistent' use within the Rural zone and can therefore be supported in a situation where sufficient economic and community need can be demonstrated and where the service station would not adversely impact upon the amenity of existing or future planned residential areas. Some concern was raised by both submitters and the divisional Councillor as to whether a risk of precedent would exist for establishment of additional fast food and convenience shopping facilities if the service station were to be approved, potentially impacting on the viability of the existing town centre. However, given retail and food/drink outlets are listed as 'inconsistent' uses within the Rural zone, it is unlikely they would not be supported as they would represent 'out-of-Centre' development.

Scenic Route

Nambour Connection Road is mapped as a Scenic Route under the *Sunshine Coast Planning Scheme 2014* scenic amenity overlay. The *Scenic amenity overlay code* requires that new development on scenic routes "*protects significant landscape elements and features which contribute to the unique character and identity of the Sunshine Coast, including the scenic amenity values visible from scenic routes.*"

Due to the historic and existing industrial type uses that have occurred on the subject site, the scenic amenity of this section of Nambour Connection Road has been somewhat degraded over time.

The proposal incorporates a 2.0m wide landscape strip to the site frontage which will assist in screening the hardstand concourse and refuelling area. In addition, the proposal includes a wider landscaped area ranging from 4.0 – 12.0m in front of the building which would form part of the effluent disposal treatment area and would incorporate groundcovers and bushy shrubs to soften the appearance of the building. Decorative screening elements are also proposed to the northern (road frontage) facade of the building to provide articulation and visual interest.

Landscaping to the side and rear boundaries is also proposed, along with rehabilitation of the existing natural batter along the western boundary of the site.

Overall, it is considered that the proposed landscaping and building treatments would significantly improve the scenic qualities of the site compared to the current situation. Appropriate conditions are recommended to ensure landscaping is carried out in accordance with a subsequent operational works approval prior to the commencement of the use.

Air Quality

Due to the site's proximity to Woombye State School, the applicant was requested to submit an air quality assessment to demonstrate compliance with the *Nuisance code*. The applicant submitted an Air Quality Assessment which outlined suitable measures that would be implemented on site to mitigate odour and maintain the level of hydrocarbon emissions below the health and wellbeing criteria. The proposal would include a two stage vapour recovery system as follows:

Stage 1 vapour recovery - A system of pipes and valves designed to capture fuel vapour emissions as fuel delivery tankers unload petroleum to refill the underground tanks. The system captures the vapours that are displaced from the underground tank and diverts them back to the tanker compartment instead of releasing them to the atmosphere through the tank's vent pipe. This vapour is then returned to the fuel terminal where it can be recondensed back to motor spirit.

Stage 2 vapour recovery - A system designed to reduce the emission of vapour to atmosphere by capturing fuel vapour as a vehicle's fuel tank is being refilled. The fuel entering a vehicle's fuel tank displaces vapour which is captured at the fill point through the nozzle with the aid of an added vacuum system and is returned to the underground storage tank.

Appropriate conditions have been recommended to ensure the proposed vapour recovery system is installed and certified prior to commencement of the use.

Noise

The proposed service station would be located approximately 200m from the nearest dwellings to the south (Rural zone) and west (Low density residential zone). The applicant submitted a Noise Impact Assessment as part of their application which demonstrated that the noise emissions generated by the proposed development are well below ambient background noise levels. Therefore, the proposal is considered not to present a nuisance source to sensitive land uses i.e. school and residential dwellings, in relation to noise.

Appropriate conditions have been recommended to ensure any external mechanical plant and equipment is acoustically treated in accordance with the recommendations contained in the submitted *Noise Impact Assessment*.

Flooding / Stormwater Management

The Flood hazard overlay shows possible flooding at the entrance to the site. The applicant has submitted information in relation to flood hazard, however it is determined that further analysis and reporting is required of the external catchment flow discharging along the eastern boundary of the site to determine the 100yrARI depth of flow and the AHD level. This is to ensure the flood depth/level is in accordance with QUDM requirements for safety and that a minimum flood immunity of 300mm is provided for the service station pad.

Further analysis and reporting can occur as part of a subsequent operational works application and conditions have been recommended accordingly.

Assessment Benchmarks Related to a Variation Approval

Not applicable.

Assessment Benchmarks Related to a Temporary Local Planning Instrument

Not applicable.

CONSULTATION:

Referral Agencies

The application was referred to the following referral agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*:

Department of Infrastructure, Local Government and Planning (SARA)

The department is a concurrence agency for State transport corridors. The department responded by letter dated 1 February 2018 imposing conditions that must attach to any development approval, including:

- location and standard of access to the site from the State-controlled road
- requirement for a reciprocal access easement over Lot 2 in favour of Lot 1
- no worsening or actionable nuisance from stormwater runoff to the State-controlled road.

Other External Referrals

The application did not require any other external referrals.

Public Notification

The application was publicly notified for 15 days between 9 February 2018 and 2 March 2018 in accordance with the requirements of the *Planning Act 2016*. A total of 422 submissions and 3 petitions (61 signatures, 87 signatures & 120 signatures) were received. Of the 422 submissions, 330 were deemed to be 'properly made' in accordance with the *Planning Act 2016*.

The following table provides a description of the matters raised in submissions received about the application, together with a statement of how those matters were dealt with in reaching a decision:

ISSUES	COMMENTS
Loss of local business – Maroochy Sand and Gravel	Assessment of this application is limited to the matters contained within the <i>Sunshine Coast Planning Scheme 2014</i> . Commercial lease arrangements are not a matter for consideration under the planning scheme when assessing development applications.
Loss of local employment due to closure of existing business	Assessment of this application is limited to the matters contained within the <i>Sunshine Coast Planning Scheme 2014</i> . The proposal is for a commercial development on a site that is already used for a number of commercial operators. The application itself would not directly lead to a loss of local employment, simply a change in the type of employment offered on the site.
Negative impacts on other local business within Woombye and Nambour townships	Council commissioned an independent economic consultant to undertake a peer review of the applicant's Economic Need Assessment. The key findings of the independent review were that a community and economic need exists for a service station to service the Woombye catchment and that the proposed development is not expected to have a significant impact upon the existing Woombye local centre or the service station network.
No need for another service station	Council commissioned an independent economic consultant to undertake a peer review of the applicant's Economic Need Assessment. The findings of the independent review were that a community and economic need exists for a service station to service the Woombye catchment.

Not wanted by the local community	Assessment of this application is limited to the matters contained within the <i>Sunshine Coast Planning Scheme 2014</i> .
Increased traffic congestion and safety issues along Nambour Connection Rd	The issue of traffic and road safety is a matter for assessment by the State Assessment and Referral Agency as Nambour Connection Road is a State-controlled Road. The State has assessed the application and provided conditions to be imposed on any development approval to address the site access and turning movements into and out of the site.
Impacts on traffic movements of existing businesses on the site	This matter has been assessed by Council's engineering officer who has determined that the proposed access arrangements for both the existing business and the proposed development are satisfactory.
Impacts on adjoining primary school due to air quality/pollution and hazard to students	The site is located well below the elevation of the Woombye State School. The applicant has submitted an Air Quality Report which has been reviewed by Council's Environmental Health officer. The proposed vapour recovery system has been determined to adequately mitigate any air quality impacts from both tankers filling underground fuel tanks and individual vehicles refuelling at the bowsers. Conditions are recommended to be imposed to ensure the development is constructed and operated to accord with the Air Quality Report submitted to Council.

CONCLUSION:

The proposed development sufficiently complies with the requirements of the planning scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions.

Specifically, the proposal:

- Is located in an area where there is an identified economic and community need for a service station.

- Is considered to meet the Performance outcomes and Overall outcomes of the *Service station code and Rural zone code*.
- Provides for safe and efficient vehicle access whilst not compromising the functions of the State controlled road corridor.
- Provides adequate setbacks and ample landscaping along the front, side and rear boundaries to soften the built form and complement the site's rural setting.
- incorporates suitable measures to mitigate noise and air quality impacts such that there would be no adverse impacts on the amenity of surrounding residents and the Woombye State School community in accordance with the *Nuisance code*.

The application is therefore recommended for approval.