



GYMPIE REGIONAL COUNCIL

LATE AGENDA

of the

ORDINARY MEETING

CHAIRMAN: Cr GC Hartwig (Mayor)

Held in the Boardroom

Town Hall

2 Caledonian Hill

Gympie Qld 4570

On Wednesday, 13 March 2024

At 9.00am



The Corporate Plan 2022-2027 provides a clear framework and direction in relation to Council's **vision, mission, values** and **key response areas**.

Gympie Regional Council has a vision for embracing opportunities, promoting wellbeing and celebrating strong communities.

Our mission is to leave a positive legacy for future generations by embracing progress through good planning and efficient service delivery.

Our values are:

Accountability

We are open, transparent and take responsibility for our actions.

Communication

We consult with the community, actively listen to and respond to the input of residents, and keep people informed.

Customer Service Focused

We meet the needs of our community in an efficient and effective manner. We strive to continually improve, show empathy and are environmentally aware in our service delivery.

Integrity

We act with honesty and respect in all we do and respect all residents, colleagues and visitors.

Teamwork and Collaboration

We recognise and support everyone's contributions. We are inclusive and contribute respectfully working as a team. We will care for ourselves and others.

Council's activities are aimed at achieving our vision and are focused into the following three key response areas/objectives:

COMMUNITY AND ENVIRONMENT

Our communities have infrastructure and spaces for living, working, learning, sport and recreation that supports and caters for growth and enables the community to be inclusive, connected and safe. Natural ecosystems are conserved and enhanced and our built environment embraces biodiversity, sustainability and heritage.

INFRASTRUCTURE AND ECONOMIC OPPORTUNITY

Our planning and infrastructure seeks to meet foreseeable future needs to support economic development, community enhancement and residents' wellbeing.

ORGANISATION

Gympie Regional Council is an organisation that understands the community, and delivers services efficiently and effectively through highly engaged staff.

The above framework informs council's decision making and guides our organisational management and operational activities.

Gympie Regional Council **ORDINARY**

*Mayor GC Hartwig (Chairman),
Crs J Milne, NG Jensen, SA Waldock, BM Devereaux, DH Stewart, HT Smerdon,
WA Polley and RA Fredman.*

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SECTION 7: COMMUNITY SUSTAINABILITY

7.3 Development Application for Material Change of Use - Transport Depot (Removalist's Depot) and Warehouse (Storage of Shipping Containers) at 427 Carlson Road, Coles Creek

PORTFOLIO: Planning and Regulatory Compliance

DIRECTORATE: Community Sustainability

DOC ID: 2022-0041

LINKS TO CORPORATE/OPERATIONAL PLAN

KEY RESPONSE AREAS:

3. Organisation

1. BACKGROUND AND PREVIOUS COUNCIL CONSIDERATION

This development application was discussed at Council's Ordinary Meeting held on 21 February 2024, where it was resolved via Minutes 10/02/24.

M10/02/24

Moved Cr DH Stewart

That the matter lay on the table to allow the drafting of a new recommendation which approves the application with conditions that include: the maximum number of containers; distance from neighbours; screen planting; hours of operation.

Carried

2. REPORT

Council requested that an alternate recommendation to approve the development come to Council. This report is provided in response to that request. The recommendation is to approve the development subject to conditions as outlined.

Whilst the proposal is not in accordance with Council's planning scheme, Councillors, in the 30 November 2023 workshop, raised several matters that suggest that the proposed development and activities are not at odds with the surrounding area.

It was requested by Minute of 21 February 2024, that an alternative recommendation for approval be prepared and is provided below. This includes a set of standard conditions that would be applied to such a development. In addition to the issues raised in the Minute the conditions drafted also reflect the planning issues and application's deficiencies identified through the assessment process that have not been adequately addressed (ie traffic).

Suggested reasons for the decision have been included, based on the Councillor discussions to date but Council may wish to amend or embellish them.

3. BUDGET IMPLICATIONS

As advised previously, approval of the development may have budget implications with regards to compliance action and possible additional road maintenance from the vehicle traffic associated with the use. The property is also not rated as an industrial activity as other businesses in industrial zones are.

4. POLICY IMPLICATIONS

The proposal is inconsistent with the outcomes sought for the Rural Zone in Council's Planning Scheme, consideration for Council will be if the current activity is beyond keeping with other adjoining activities in the zone.

It is appreciated the Council has indicated a willingness to support the proposal. It is noted that under the Act, any decision to approve it needs to be accompanied by the 'relevant matters' relied upon.

Approval of uses outside the intended zone can undermine the value of those zones in the absence of 'relevant matters' and will weaken Council's position in any challenge of its decision.

5. CONSULTATION

The proposal has been presented to Councillors on the following occasions:

- Workshop 30 November 2023
- Ordinary Meeting 24 January 2024
- Ordinary Meeting 21 February 2024

6. CONCLUSION

As requested by Council, an alternative recommendation with appropriate conditions to form an approval is provided for Council's consideration.

RECOMMENDATION:

That Council as Assessment Manager APPROVE Development Application for Material Change of Use - Transport Depot (Removalist's Depot) and Warehouse (Storage of Shipping Containers) at 427 Carlson Road, Coles Creek.

No.	Conditions	The time by which the condition must be met, implemented or complied with
Approved Plans		
1	The development is to be generally in accordance with the facts and circumstances presented in the development application and generally in accordance with the approved plans outlined in <i>Approved plans and specifications</i> section of this Decision Notice subject to any amendments required by conditions of this approval.	At all times

Nature and Extent of Use		
2	<p>This Development Approval is for a Material Change of Use for a Transport Depot (removalist depot) and Warehouse (storage of shipping containers):</p> <ul style="list-style-type: none"> a) The maximum number of shipping containers to be stored on-site is limited to 68; b) The configuration is limited to that shown on the proposal plan; c) Containers are not to be stored within 35m of the common boundary with Lot 1 RP163591; d) The outdoor Transport Depot area is limited to the storage of three (3) trucks and forklift. 	At all times
3	<p>Hours of operation are as follows:</p> <ul style="list-style-type: none"> • Monday to Friday: 8.00am – 5.00pm; • Saturday: 8.00am to 2:00pm. • Sunday and Public Holiday : Not permitted. 	At all times
4	Service vehicle movements associated with the approved use (including loading and unloading) must not occur outside the hours of 8am to 5pm Monday to Friday, 8am to 2pm Saturday and not at all on Sundays or public holidays.	At all times
Further Development Permits Required		
5	<p>The following development permits are to be obtained and complied with:-</p> <ul style="list-style-type: none"> (a) Development Permit for Building Work; (b) Development Permit for Operational Work (Roadworks, Stormwater, Drainage works, Earthworks, Other – Access and driveways). (c) Development Permit for Operational Work (Landscaping) 	<p>To be obtained within 6 months of the date this approval takes effect;</p> <p>and</p> <p>To be completed within 9 months of the date the relevant permit takes effect.</p>
Access and Parking		
6	Accesses to the proposed development are to be designed and constructed in accordance with the requirements of Council's Infrastructure and Operational work (excluding Advertising Device) Code – Drawing No R-15 and R-16 to accommodate the largest vehicle using the site.	<p>In conjunction with an Operational Work Approval which is to be obtained withing 6 months of the date this approval takes effect; and</p> <p>To be complete within 9 months of the date the operational work permit takes effect.</p>
7	All internal hard stand areas, manoeuvring areas and internal access roads are be constructed to a dust reduced all weather standard in accordance Scheme Policy 1: Development Standards.	<p>In conjunction with an Operational Work Approval which is to be obtained withing 6 months of the date this approval takes effect; and</p>

		To be complete within 9 months of the date the operational work permit takes effect.
8	Swept path diagrams of the largest anticipated vehicle to access the site are to be provided.	In conjunction with an Operational Work Approval which is to be obtained within 6 months of the date this approval takes effect; and To be complete within 9 months of the date the operational work permit takes effect.
9	Loading/unloading operations shall be conducted within the site and vehicles waiting to be loaded/unloaded shall stand entirely within the site.	At all times
Roadworks		
10	Carlson Road is to be upgraded to achieve an ultimate Rural Local Road design standard. Specifically, the following works are to be undertaken in accordance with plans and specifications approved by Council: (a) Carlson Road is to be widened to a 7.0 metre wide formation and sealed to 6.0 metre width consisting of two (2) by 3.0 metre wide lanes and two by 0.5 metre wide shoulders with associated drainage works, from the access to the development site to the Old Bruce Highway.	In conjunction with an Operational Work Approval which is to be obtained within 6 months of the date this approval takes effect; and To be complete within 9 months of the date the operational work permit takes effect.
Stormwater		
11	Stormwater is to be disposed of on-site so as to cause no scour or damage to adjoining properties.	At all times.
12	The method of treatment of stormwater runoff from and through the site shall be designed and constructed in accordance with Council's Infrastructure and Operational Work (excluding Advertising Device) Code.	In conjunction with an Operational Work Approval which is to be obtained within 6 months of the date this approval takes effect; and To be complete within 9 months of the date the operational work permit takes effect.
13	A site-specific Stormwater Management Plan prepared by a suitably qualified engineer (RPEQ) must be provided to address stormwater runoff generated	In conjunction with an Operational Work Approval which is to be

	from within the site and demonstrate a non-worsening of downstream at the lawful point of discharge.	obtained withing 6 months of the date this approval takes effect; and To be complete within 9 months of the date the operational work permit takes effect.
Earthworks		
14	Any filling or other development works undertaken on the site shall be carried out so as not to cause the ponding of water on any adjoining lands or the blockage or interference with any natural watercourse.	At all times
Amenity		
15	There is to be no detrimental effect upon the amenity of the locality by reason of the creation of excessive noise, lighting nuisance or other emissions at any time to the reasonable satisfaction of the Council.	At all times.
16	Noise from the approved use must not cause an environmental nuisance at any nuisance sensitive place.	At all times.
17	All night lighting must be designed and constructed to comply with <i>AS4282 control of the obtrusive effects of outdoor lighting</i> so that light emitted from the development does not cause nuisance or annoyance to residents or traffic in the immediate vicinity.	At all times.
18	Establish procedures for minimising visible dust emissions from the premises. Visible dust must be suppressed immediately. Dust emissions must be minimised with the implementation of dust commencement control measures such as sweeping and hose downs. Dust must be suppressed using water sprays or by applying purpose made organic dust-binding agents.	Within three(3) months of the date this approval takes effect. The requirements to be implemented at all times or thereafter as required.
Landscaping		
19	<ul style="list-style-type: none"> a) A landscape buffer is to be provided to the eastern boundary, and the road frontage; from the location shown on the proposal plan to the Carlson Road front boundary in accordance with a Landscaping plan to the satisfaction of Council. b) The buffer is to comprise of 2-3 overlapping rows of trees and shrubs to form effective screening. The area is to be planted with native species endemic to the area; c) Landscaping works are to be completed in accordance with approved landscape plans 	In conjunction with an Operational Work Approval which is to be obtained withing 6 months of the date this approval takes effect; and To be complete within 9 months of the date the operational work permit takes effect.
Waste		

20	The number and type of refuse containers provided on site are to be determined in accordance with the current Council's Revenue Statement – Commercial waste collection services.	At all times
Vegetation Clearing		
21	Development is limited to the existing cleared areas. Any further vegetation clearing will be subject to further assessment	At all times.
General Development Works		
22	The alteration of any public utility mains (eg. Electricity, water, sewerage, gas etc.) or other facilities necessitated by the development of the land or associated construction works external to the site is to be undertaken at no cost to Council.	At all times.
23	Any plans/construction for infrastructure works, other civil works and street lighting required by this development permit, are to be surveyed, designed and constructed in accordance with Council's Infrastructure and Operational Work (excluding Advertising Device) Code.	As indicated.
24	Any filling or other development works undertaken on the site shall be carried out so as not to cause the ponding of water on any adjoining lands or the blockage or interference with any natural watercourse.	At all times.

The 'relevant matters' relied on in making this decision are:

1. The development is providing a needed community service for the Gympie Region due to the housing crisis;
2. The development is not going to significantly impact on the rural amenity and character of the immediate area having regard to surrounding land uses;
3. The development provides local economic benefit.