

Council File Reference: V20691-51-33:791314
Council Contact: Brett Walsh
Council Contact Phone: (07) 4651 5600

19/06/2015

Michael Horman
c/- George Bourne and Associates
67 Elm Street
BARCALDINE QLD 4725

Attention: Donal Fahy

Dear Donal

Development Application

Development Permit for a Material Change of Use for "Industrial Activity" – Unmanned Fuel Station

Lot 33 on SP249547 – 1 Ironwood Drive, Barcaldine

We refer to the assessment of the abovementioned development application.

Pursuant to sections 334 and 335 of the *Sustainable Planning Act 2009* (SPA), please find attached the **Decision Notice**.

Please contact Brett Walsh of Barcaldine Regional Council on (07) 4651 5600 should you have any queries.

Yours faithfully,



D-A Howard
Chief Executive Officer

DECISION NOTICE

(Section 334 of the *Sustainable Planning Act 2009*)

Council File Reference: V20691-51-33:791314
Council Contact: Brett Walsh
Council Contact Phone: (07) 4651 5600

Development Application

Development Permit for a Material Change of Use for "Industrial Activity" – Unmanned Fuel Station

Lot 33 on SP249547 – 1 Ironwood Drive, Barcardine

Pursuant to section 335 of the *Sustainable Planning Act 2009* (SPA):

(1) Date of Decision

On the 19th of June 2015 Barcardine Regional Council decided the development application seeking a Development Permit for a Material Change of Use for "Industrial Activity" – Unmanned Fuel Station.

(2) Applicant Details

Name: Michael Horman
Postal Address: Attention: Donal Fahy
c/- George Bourne and Associates
67 Elm Street
BARCALDINE QLD 4725
Phone No.: (07) 4651 2177
Email: dfahy@gbassoc.com.au

(3) Property Description

RPD: Lot 33 on SP249547
Street Address: 1 Ironwood Drive
BARCALDINE QLD 4725

(4) Referral Agency

Pursuant to section 251(a) of the *Sustainable Planning Act 2009* (SPA) and Schedule 7 of the *Sustainable Planning Regulation 2009* (SP Reg), the following referral agency was prescribed for the development application.

Referral Agency	Referral Agency Name & Address
The Department of State Development, Infrastructure and Planning (DSDIP) — as a Concurrence Agency.	DSDIP North and Central West Regional Office <u>Via Post:</u> Main Office – Mount Isa PO Box 2221 MOUNT ISA QLD 4825 <u>Via Email:</u> MountIsaSARA@dsdip.qld.gov.au <u>Via MyDAS:</u> www.dsdip.qld.gov.au

(5) Decision

The development application has been assessed and is:

- Approved in Full
- Approved in Part
- Approved in Full, with Conditions
- Approve in Part, with Conditions
- Refused

(6) Approval Under Section 331

Pursuant to section 331 of SPA, the development application has not been deemed to be approved.

(7) Details of Approval

Aspect of Development	Development Permit	Preliminary Approval
Carrying out Building Work	<input type="checkbox"/>	<input type="checkbox"/>
Carry out Operational Work	<input type="checkbox"/>	<input type="checkbox"/>
Making a Material Change of Use for "Industrial Activity" – Unmanned Fuel Station	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reconfiguring a Lot	<input type="checkbox"/>	<input type="checkbox"/>

(8) **Conflict with a Relevant Instrument and Reasons for the Decision Despite the Conflict**

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(9) **Submissions**

Not applicable.

(10) **Approved Plans**

The approved plans for this Development Permit are listed in the table below. Refer to Attachment A for a copy of the approved plans.

Reference:	2014-025/01 C
Description:	"Proposed Fuel Station Site Access Location", prepared by George Bourne and Associates, dated 30/04/2015
Amendments:	Nil.
Reference:	2014-025/01 B
Description:	"Proposed Fuel Station Site Access Location", prepared by George Bourne and Associates, dated 29/01/2015
Amendments:	Nil.
Reference:	2014-025/02 B
Description:	"Proposed Fuel Station Layout and Details", prepared by George Bourne and Associates, dated 29/01/2015
Amendments:	Nil.
Reference:	2014-025/07 A
Description:	"Proposed Fuel Station Signs", prepared by George Bourne and Associates, dated 26/03/2014
Amendments:	Nil.
Reference:	2014-025/04 A
Description:	"Proposed Fuel Station Pavement Treatments", prepared by George Bourne & Associates, dated 01/06/2015
Amendments:	Nil.
Reference:	139028 A.200 – 1
Description:	"Proposed Unmanned Fuel Station Transtank – T68", prepared by Building Design Professionals, dated 23/09/13
Amendments:	Nil.
Reference:	139028 A.201 – 1
Description:	"Proposed Unmanned Fuel Station Transtank – T68", prepared by Building Design Professionals, dated 23/09/13
Amendments:	Nil.
Reference:	HYT6040 B
Description:	"Ad Blue Tank 5000L General Arrangement", prepared by IOR Petroleum, dated 23/06/14
Amendments:	Nil.

(11) **Plans Not Approved**

The following plans submitted with the application are not subject to this approval, that is, they are not approved plans.

Reference:	DT146-1
Description:	"Pylon Signage – Tier 2", prepared by Redlands Signarama, dated 05/02/15
Amendments:	Nil.
Reference:	DT146-2,
Description:	"Pylon Signage – Tier 2", prepared by Redlands Signarama, dated 05/02/15
Amendments:	Nil.
Reference:	DT146-3
Description:	"Pylon LED Price Panel – Tier 2", prepared by Redlands Signarama, dated 05/02/15
Amendments:	Nil.
Reference:	DT146-4
Description:	"Generic Footing Details", prepared by Redlands Signarama, dated 05/02/15
Amendments:	Nil.
Reference:	DT146-5
Description:	"Entry / Exit Signage: Non-Illuminated", prepared by Redlands Signarama, dated 05/02/15
Amendments:	Nil.

(12) **Assessment Manager's Conditions**

Development Approval – Development Permit for a Material Change of Use for "Industrial Activity" – Unmanned Fuel Station

General Conditions

1. Approval is granted for the purpose of Material Change of Use for "Industrial Activity" – Unmanned Fuel Station.
2. The development shall be generally in accordance with supporting information supplied by the applicant with the development application including the plans listed in Item 10 (above) of this Decision Notice.

Engineering

3. Two (2) industrial vehicle crossovers shall be provided, generally as shown on plan "Proposed Fuel Station Site Access Location", reference no. 2014-025/01 C, prepared by George Bourne and Associates, dated 30/04/2015. The vehicle crossovers shall be of sufficient width to accommodate the Type 2 road train manoeuvring area and shall be designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3 of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.

4. A minimum of 3 car parking spaces shall be provided on-site, generally as shown on plan "Proposed Fuel Station Layout and Details", reference no. 2014-025/02 B prepared by George Bourne and Associates, dated 29/01/2015. The carparking spaces shall be provided in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b) of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.
5. The car parking spaces must be set back from the Ironwood Drive frontage sufficient to accommodate landscaping areas as required by Condition 31. No direct access to the car parking spaces from Ironwood Drive is permitted.
6. All loading and unloading shall be carried out only within the boundaries of the site and shall not be undertaken external to the site.
7. Loading and unloading of goods, including bulk fuel deliveries shall occur only between the hours of 7:00 am to 6:00 pm Monday to Friday and 7:00 am to 12:00 noon Saturday. No loading and unloading of goods shall occur on Sunday or Public Holidays.
8. Vehicle manoeuvring areas shall be provided so that all vehicles, including heavy vehicles, associated with the use can enter and leave the site in a forward direction.
9. All internal driveways and areas where vehicles regularly manoeuvre and park shall be constructed of suitable material to facilitate all weather operation, and designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b) of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.
10. Manoeuvring areas for Type 2 road trains, generally as shown as "Gravel Pavement" on plan "Proposed Fuel Station Pavement Treatments", reference no. 2014-025/04 A, prepared by George Bourne & Associates, dated 01/06/15, shall be constructed of a minimum of 200 mm of gravel to satisfy WQ35, shall extend a minimum of 1.0 m beyond the outermost extent of the body outline envelope and shall be maintained at all times while the use continues, to minimise generation of dust.
11. A 2.0 m wide, two-coat seal, pavement extension shall be constructed along the southern side of Ironwood Drive, generally as shown as "Bitumen Seal" on plan "Proposed Fuel Station Pavement Treatments", reference no. 2014-025/04 A, prepared by George Bourne & Associates, dated 01/06/15, within the manoeuvring areas for Type 2 road trains and extending a minimum of 1.0 m beyond the outermost extent of the body outline envelope.
12. Detailed design of all driveways, vehicle (including Type 2 road trains) manoeuvring areas, vehicle crossovers, and pavement extension shall be prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) and shall be submitted to and for the endorsement of Council.
13. Traffic directional signage shall be erected at the Ironwood Drive and Melaleuca Road site access points, to ensure the one-way operation of vehicles, entering from Melaleuca Road and exiting to Ironwood Drive. Signage shall be Type B and

shall be in accordance with the Manual of Uniform Traffic Control Devices Parts 1, 2, 4, 10 and 11.

14. The premises shall be connected to Council's reticulated water supply system in accordance with Schedule 1, Division 3: Standards for Water Supply of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.
15. The site shall be provided with an on-site effluent management, treatment and disposal system in accordance with Schedule 1, Division 4: Standards for Sewerage, Section 4.2 of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering and environmental standards.
16. Reporting and design of the proposed on-site effluent management, treatment and disposal system shall be prepared by a Registered Professional Engineer Queensland (RPEQ)-Civil or other suitably qualified and experienced person and shall be submitted by the applicant to and for the endorsement of Council. This reporting shall detail the design and capacity of the on-site effluent management, treatment and disposal system, including any disposal areas or transpiration trenches.
17. All components of the on-site effluent management, treatment and disposal system shall be located clear of all vehicle movement areas and shall be delineated and signed to prevent vehicle movement onto any component of the system.
18. The on-site effluent management, treatment and disposal system shall be constructed in accordance with the design, endorsed by Council, as required by Condition 16, and shall be maintained at all times while the use continues.
19. The premises shall be connected to the reticulated electricity supply in accordance with relevant standards required by the service provider.
20. The site shall be adequately drained and all stormwater shall be disposed of in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.
21. Any filling or excavation necessitated to meet the conditions of this approval shall be undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards and in accordance with the Stormwater Management plan required by Condition 25.
22. All works required by the conditions of approval for crossovers, pavement construction, water supply connections, on-site effluent management, treatment and disposal system, fuel/oil interceptor system, stormwater drainage, earthworks and electricity connection shall be completed prior to the commencement of the use, unless such works are bonded to the satisfaction of Council.
23. Best practice soil erosion control techniques shall be used at the location of all works to be completed on the subject site in accordance with Schedule 1, Division 1: Standards for Construction Activities of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards, and shall remain in place for the duration of construction.

24. No construction shall take place until the appropriate erosion control and silt collection measures are in place as required by Condition 23 (above). Such erosion control and silt collection measures shall remain on-site throughout the construction period.

Stormwater Management Plan

25. Prior to carrying out any works or any aspect or component of the use, a detailed Stormwater Management Plan shall be prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) or other suitably qualified and experienced person and shall be submitted by the applicant to and for the endorsement of Council. The Stormwater Management Plan shall address, but is not limited to:
- Stormwater run-off from the site and any run-off from adjacent areas, is conveyed to a lawful point of discharge
 - Discharges from the site will not cause damage external to the site
 - Appropriate control devices are installed to ensure no transport of sediment external to the site
 - Bulk fuel delivery and fuel dispensing areas are protected from the intrusion of stormwater flows.
26. Stormwater works shall be constructed in accordance with the Stormwater Management Plan endorsed by Council, as required by Condition 25, and shall be maintained at all times while the use continues.

Certification of Works

27. Drawings and specifications for all works shall be prepared and certified by a Registered Professional Engineer Queensland – Civil (RPEQ). All certified works shall be carried out under the supervision of an RPEQ who shall submit a Construction Supervision Certificate to Council at the completion of the works.

Damage to Assets

28. All reasonable measures shall be taken to protect Council and utility assets during construction. Any damage must be repaired at no cost to the asset provider. Any repair work shall first be submitted to the provider for approval.

Amenities Building

29. The amenities building and associated structures shall be set-back a minimum of 6.0 m from the road frontage property boundaries, including corner truncation.
30. At all times while the use continues, the amenities building and environs shall be maintained in a clean and tidy state.

Landscaping

31. Landscaping shall be provided along the entire length of the Ironwood Drive and Melaleuca Road frontages, other than the vehicle crossovers, with a minimum width of two (2) metres.

32. A landscaping plan addressing the requirements of Condition 31, shall be prepared by a suitably qualified and experienced person and shall be submitted by the applicant to and for the endorsement of Council.
33. All landscaping areas shall be planted with screening and shade trees, shrubs and ground cover and shall be in accordance with the endorsed landscaping plan, required by Condition 32 and maintained at all times while the use continues.

Advertising

34. All advertising devices shall be licensed in accordance with the requirements of *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011*.

Regard shall be had to the requirements of *Roadside Advertising Guide*, edition 1.2, Department of Transport and Main Roads, 2 August 2013, and of section 43(1) of the *Transport Infrastructure Act 1994*.

Environment and Health

35. Safety and security lighting shall be provided at the site entry and exit and at the fuel dispensing area.
36. Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties or the safe operation of Landsborough Highway.
37. The use shall be operated at all times to ensure compliance with the *Environmental Protection (Noise) Policy 2008*.
38. Appropriate dust suppression measures and/or containment shall be incorporated into all site operations to ensure all site operations are conducted to appropriate standards relating to air quality. Measures may include the watering of driveway areas and extraction areas, where necessary.
39. Dust and/or particulate matter resulting from activities on the premises shall not be visible at the property boundary.
40. On-site fuel storage shall be limited to Class C1 Combustible Liquid with a total volume not exceeding 70000 litres.
41. On-site fuel storage tanks shall be self-bunded with a volume sufficient to contain any leakage of stored liquids.
42. The bulk fuel delivery and fuel dispensing area shall be bunded, designed to ensure no intrusion of stormwater into the delivery and dispensing area, constructed of impervious material, and drain via a central collection point to a fuel/oil interceptor, being a Transtank Sock Interceptor or similar.
43. Fuel delivery and dispensing equipment shall comply with all relevant standards

and specifications, including AS/NZ 2299:2004 and AS 1940-2004.

44. Reporting regarding the design of the proposed fuel/oil interceptor system shall be prepared by a suitably qualified and experienced person and shall be submitted by the applicant to and for the endorsement of Council. This reporting shall detail the design and capacity of the interceptor, the proposed method of collection and disposal of intercepted fuel/oil and the method of disposal of collected clean water.
45. All components of the fuel/oil interceptor system shall be located clear of all vehicle movement areas and shall be delineated and signed to prevent vehicle movement onto any component of the system.
46. The fuel/oil interceptor system shall be constructed in accordance with the design endorsed by Council, as required by Condition 44, and shall be maintained at all times while the use continues.
47. A spill kit site of a size and type and containing appropriate equipment to manage identified hazards shall be provided at the fuel dispensing area and maintained at all times while the use continues.
48. The operator of the site must immediately notify Council of any event where serious or material environmental harm is caused or threatened such as a spill, leak or other unauthorised release of contaminants to the environment. The notification to Council must include the following information:
 - (i) the site address
 - (ii) site manager details including telephone numbers and other contact details
 - (iii) the nature of the unauthorised release, incident or emergency including the nature of the contaminants involved
 - (iv) the expected time to the event or since the event
 - (v) the suspected cause
 - (vi) the possible effects on the environment and the actions taken to address the occurrence.
49. Provision shall be made for the on-site collection of refuse in covered waste containers with a capacity sufficient for the use. At all times while the use continues, the refuse collection area and waste containers shall be maintained in a clean and tidy state and the waste containers shall be emptied and the waste removed from the site on a regular basis.

Site Based Management Plan

50. Prior to commencement of the use, a detailed Site Based Management Plan shall be prepared by a suitably qualified and experienced person and shall be submitted by the applicant to and for the endorsement of Council. The Site Based Management Plan shall address, but is not limited to:
 - The "general environmental duty" pursuant to the *Environmental Protection Act 1994*
 - Operating procedures to prevent or minimise environmental harm
 - Maintenance practices and procedures
 - Contingency plans to deal with foreseeable risks and hazards
 - Emergency procedures
 - Communication of procedures, plans, incidents and results
 - Handling of complaints
 - Production and keeping of records and reports

- Monitoring of release of contaminants
- Staff training and awareness of environmental issues

51. The Site Based Management Plan endorsed by Council, as required by Condition 50, shall be implemented and maintained at all times while the use continues.

Work Health and Safety Act 2011

52. The use must comply with all relevant requirements of the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*.

Notifiable Activity

53. Pursuant to section 371 of the *Environmental Protection Act 1994*, the owner or operator of the land shall notify the administering authority a notifiable activity is being carried out on the land, within 22 business days of the use commencing.

Rates and Cost

54. The cost of carrying out works and providing services to the site, as required by conditions of approval, shall be at the expense of the applicant.

55. All outstanding rates and charges shall be paid to Council prior to the commencement of the use.

Compliance with Conditions

56. Compliance with the conditions of this Approval shall be maintained at all times while the use continues.

Notes:

Aboriginal Cultural Heritage

This approval in no way removes the duty of care responsibility of the applicant under the *Aboriginal Cultural Heritage Act 2003*. Pursuant to Section 23(1) of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care").

(13) Concurrence Agency Conditions

Refer to Attachment B for a copy of the Department of State Development, Infrastructure and Planning referral agency response, including conditions.

(14) Codes for Self-assessable Development

Not applicable.

(15) Details of any Compliance Assessment Required

Not applicable.

(16) Other Development Permits or Compliance Permits Required

Listed below are other development permits and/or compliance permits that are necessary to allow the development to be carried out

- Carrying out Building Work
- Carry out Operational Work
- Making a Material Change of Use of premises
- Reconfiguring a Lot

(17) Rights of Appeal for Applicant

Refer to Attachment C for a copy of the relevant extracts of SPA which detail your appeal rights regarding this decision.

(18) Rights of Appeal for Submitters

Not applicable.

(19) Assessment Manager

Name: Barcaldine Regional
Council

Signature: 

Date: 19/6/15

Attachment A – Approved Plans

Attachment B – Referral Agency Response

Attachment C – SPA extract on Appeal Rights

Attachment A

Approved Plans

Reference:	2014-025/01 C
Description:	"Proposed Fuel Station Site Access Location", prepared by George Bourne and Associates, dated 30/04/2015
Amendments:	Nil.
Reference:	2014-025/01 B
Description:	"Proposed Fuel Station Site Access Location", prepared by George Bourne and Associates, dated 29/01/2015
Amendments:	Nil.
Reference:	2014-025/02 B
Description:	"Proposed Fuel Station Layout and Details", prepared by George Bourne and Associates, dated 29/01/2015
Amendments:	Nil.
Reference:	2014-025/07 A
Description:	"Proposed Fuel Station Signs", prepared by George Bourne and Associates, dated 26/03/2014
Amendments:	Nil.
Reference:	2014-025/04 A
Description:	"Proposed Fuel Station Pavement Treatments", prepared by George Bourne & Associates, dated 01/06/2015
Amendments:	Nil.
Reference:	139028 A.200 – 1
Description:	"Proposed Unmanned Fuel Station Transtank – T68", prepared by Building Design Professionals, dated 23/09/13
Amendments:	Nil.
Reference:	139028 A.201 – 1
Description:	"Proposed Unmanned Fuel Station Transtank – T68", prepared by Building Design Professionals, dated 23/09/13
Amendments:	Nil.
Reference:	HYT6040 B
Description:	"Ad Blue Tank 5000L General Arrangement", prepared by IOR Petroleum, dated 23/06/14
Amendments:	Nil.

Attachment B

Referral Agency Response

Referral Agency	Date of Response
The Department of State Development, Infrastructure and Planning (DSDIP) — as a Concurrence Agency.	16 March 2015



Department of
**State Development,
Infrastructure and Planning**

Our reference: SDA-0714-012527

Your reference:

Date: 16 March 2015

Chief Executive Officer
Barcaldine Regional Council
PO Box 191
BARCOLDINE QLD 4725

Dear Sir,

Late concurrence agency response—with conditions

1 Ironwood Drive - Barcaldine QLD 4725

(Given under section 290(1)(a) of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 21 July 2014.

Applicant details

Applicant name: Michael Horman
Applicant contact details: 67 Elm Street
Barcaldine QLD 4725

Site details

Street address: 1 Ironwood Drive– Barcaldine – QLD 4725
Real property description: Lot 33 on plan SP249547
Site area:
Local government area: Barcaldine Regional

Application details

Proposed development: Development Permit for Material Change of Use

The department was unable to provide a concurrence agency response within the referral agency assessment period under section 283 of the *Sustainable Planning Act 2009*. The department obtained the applicant's written agreement to give a late concurrence agency response under section 290(1(a) of the *Sustainable Planning Act 2009*, as attached.

Referral triggers

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

Referral trigger Schedule 7, Table 3, Item 1— State Controlled Road

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Relevant period

Under section 287(1)(d) of the *Sustainable Planning Act 2009*, the relevant period for any development approval is to be in accordance with 341(1) of the *Sustainable Planning Act 2009* for Development Permit for Material Change of Use.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Material Change of Use				
Site Access Location	George Bourne & Associates	29/01/2015	2014-025/01	Rev B

If you require any further information, please contact Zyra Knight, Principal Planning Officer, SARA North West Central West on 07 4747 3908, or via email Zyra.Knight@dndip.qld.gov.au who will be able to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg Palm', written in a cursive style.

Greg Palm
Acting Regional Director – North and Central West Region

cc: Michael Horman, dfahy@gbassoc.com.au
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Applicant written agreement to late concurrence agency response

Our reference: SDA-0714-012527

Your reference:

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material Change of Use		
7.3.1 - State Controlled Road—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • Proposed Fuel Station Lot 33 SP249547 Site Access Location, Drawing No. 2014-025/01,29/01/2015, George Bourne & associates 	Prior to commencement of use and to be maintained at all times.
2.	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</p> <p>(b) Any works on the land must not:</p> <ul style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the state-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; iii. surcharge any existing culvert or drain on the state-controlled road iv. reduce the quality of stormwater discharge onto the state-controlled road 	(a) and (b): At all times.

Our reference: SDA-0714-012527

Your reference:

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application
- 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.

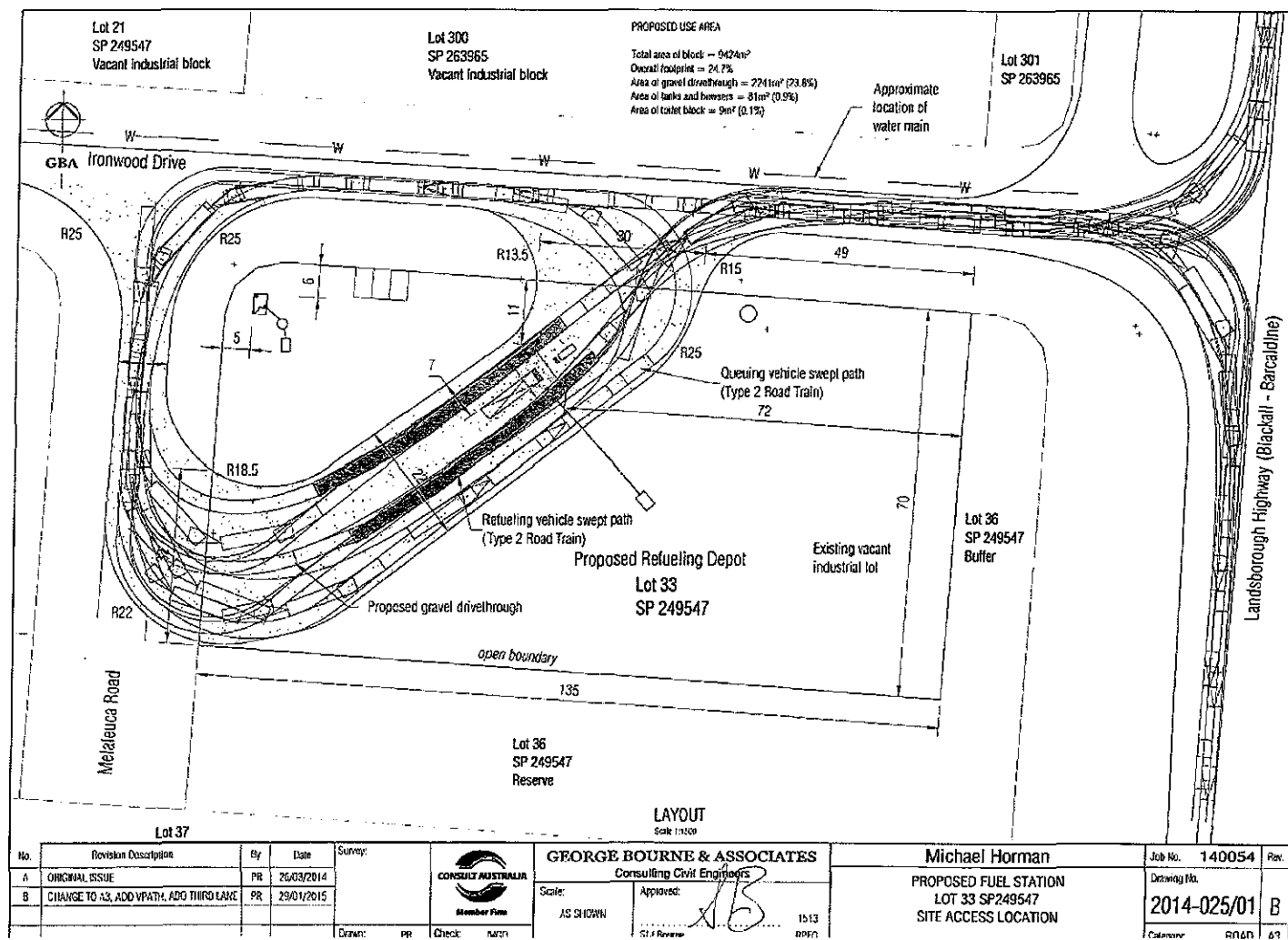
Findings on material questions of fact

- The Department of Transport and Main Roads' assessment of the development application was undertaken on the basis of the cited plans and documents which depict how the proposed development will be carried out.

Evidence or other material on which the findings were based

- State Development Assessment Provisions published by the Department of State Development, Infrastructure and Planning
- *Sustainable Planning Act 2009*
- Sustainable Planning Regulation 2009

Our reference: SD/
 Your reference:



ORIGINAL

SDA-0714-012527

Attachment C

Extracts from the *Sustainable Planning Act 2009* Relating to Appeal Rights

Part 1	Appeals to Court relating to Development Applications and Approvals	Chapter 7, Part 1, Division 8 (Part of)
Part 2	Making an Appeal to Court	Chapter 7, Part 1, Division 11 (Part of)
Part 3	Appeals to Committees about Development Applications and Approvals	Chapter 7, Part 2, Division 4

**PART 1 – APPEALS TO COURT RELATING TO DEVELOPMENT
APPLICATIONS AND APPROVALS**
Chapter 7, Part 1, Division 8 (Part of)

461 Appeals by applicants

- (1) *An applicant for a development application may appeal to the court against any of the following—*
 - (a) *the refusal, or the refusal in part, of the development application;*
 - (b) *any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;*
 - (c) *the decision to give a preliminary approval when a development permit was applied for;*
 - (d) *the length of a period mentioned in section 341;*
 - (e) *a deemed refusal of the development application.*
- (2) *An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the **applicant's appeal period**) after—*
 - (a) *if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or*
 - (b) *otherwise—the day a decision notice was required to be given to the applicant.*
- (3) *An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.*

PART 2 – MAKING AN APPEAL TO COURT

Chapter 7, Part 1, Division 11 (Part of)

481 How appeals to the court are started

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.*
- (2) The notice of appeal must state the grounds of the appeal.*
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.*
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).*

Extract from the Sustainable Planning Act 2009

**PART 3 – APPEALS TO COMMITTEES ABOUT DEVELOPMENT
APPLICATIONS AND APPROVALS**

Chapter 7, Part 2, Division 4

519 Appeal by applicant—particular development application for material change of use of premises

- (1) *This section applies to a development application if the application is only for a material change of use of premises that involves the use of a prescribed building.*
- (2) *However, this section does not apply to the development application if any part of the application required impact assessment and any properly made submissions were received by the assessment manager for the application.*
- (3) *The applicant for the development application may appeal to a building and development committee against any of the following—*
 - (a) *the refusal, or the refusal in part, of the application;*
 - (b) *any condition of the development approval and another matter, other than the identification or inclusion of a code under section 242, stated in the development approval;*
 - (c) *the decision to give a preliminary approval when a development permit was applied for;*
 - (d) *the length of a period mentioned in section 341;*
 - (e) *a deemed refusal of the application.*
- (4) *An appeal under subsection (3)(a), (b), (c) or (d) must be started within 20 business days (the applicant's appeal period) after—*
 - (a) *if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or*
 - (b) *otherwise—the day a decision notice was required to be given to the applicant.*
- (5) *An appeal under subsection (3)(e) may be started at any time after the last day a decision on the matter should have been made.*

520 Appeal about decision relating to extension for development approval

- (1) *This section applies to a development approval if the approval is only for a material change of use of premises that involves the use of a prescribed building.*
- (2) *A person to whom a notice is given under section 389 in relation to the development approval, other than a notice for a decision under section 386(2), may appeal to a building and development committee against a decision in the notice.*
- (3) *The appeal must be started within 20 business days after the day the notice of the decision is given to the person.*

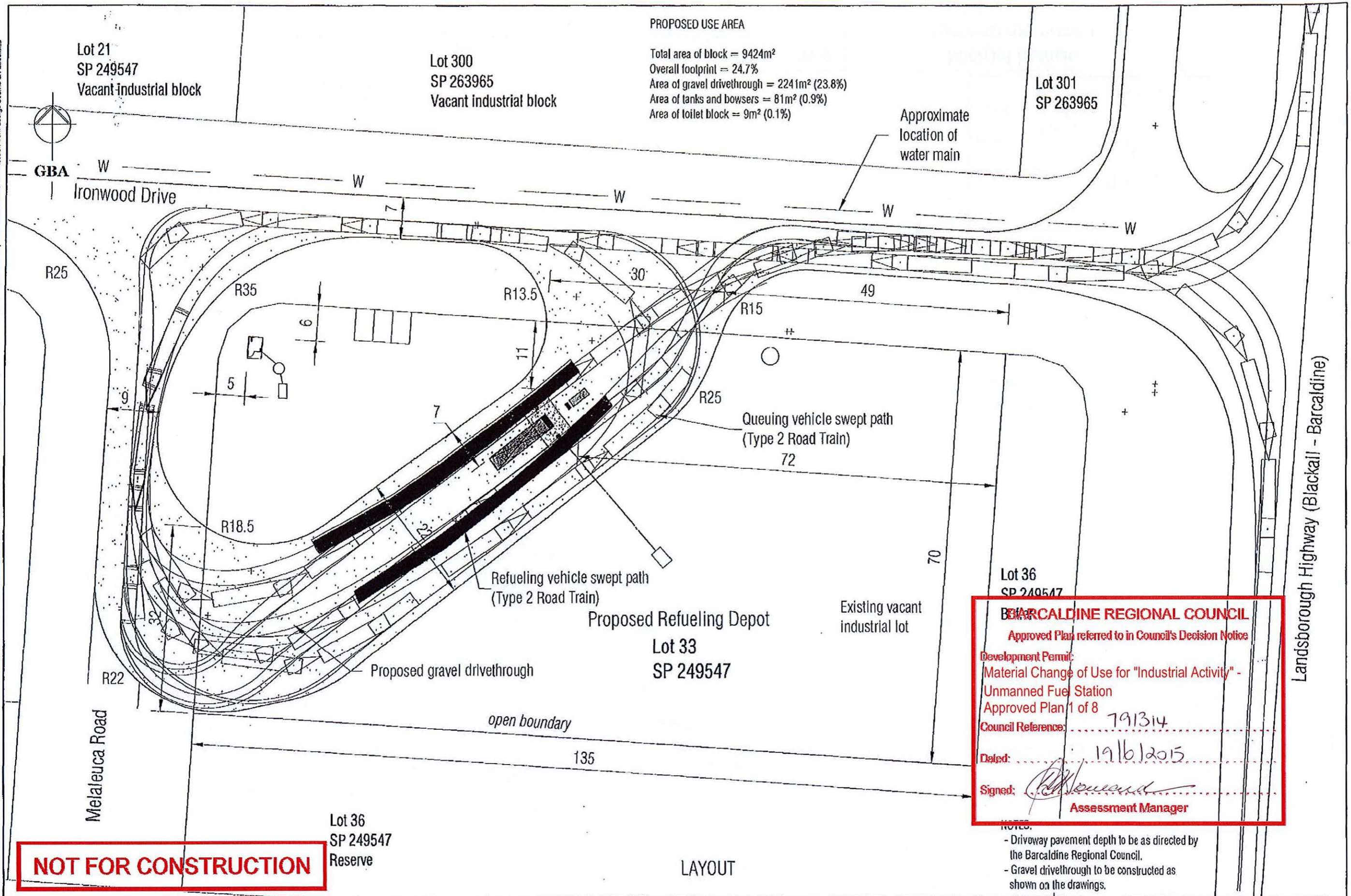
521 Appeal about decisions relating to permissible changes

- (1) *This section applies to a development approval if the approval is only for a material change of use of premises that involves the use of a prescribed building.*
- (2) *The following persons may appeal to a building and development committee against a decision on a request to make a permissible change to the development approval, other than a deemed refusal of the request—*
 - (a) *if the responsible entity for making the change is the assessment manager for the development application to which the approval relates—*
 - (i) *the person who made the request; or*
 - (ii) *an entity that gave a notice under section 373 or a pre-request response notice about the request;*
 - (b) *if the responsible entity for making the change is a concurrence agency for the development application—the person who made the request.*
- (3) *The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.*

522 Appeal by applicant—condition of particular development approval

- (1) This section applies to a development application if—
- (a) the application is only for a material change of use that involves the use of a building classified under the BCA as a class 2 building; and
 - (b) the proposed development is for premises of not more than 3 storeys; and
 - (c) the proposed development is for not more than 60 sole-occupancy units.
- (2) However, this section does not apply to the development application if any part of the application required impact assessment and any properly made submissions were received by the assessment manager for the application.
- (3) The applicant for the development application may appeal to a building and development committee against a condition of the development approval.
- (4) The appeal must be started within 20 business days (the **applicant's appeal period**) after—
- (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise—the day a decision notice was required to be given to the applicant.
- (5) In this section—
- sole-occupancy unit**, in relation to a class 2 building, means a room or other part of the building used as a dwelling by a person to the exclusion of any other person.
- storey** means a space within a building between 2 floor levels, or a floor level and a ceiling or roof, other than—
- (a) a space containing only—
 - (i) a lift shaft, stairway or meter room; or
 - (ii) a bathroom, shower room, laundry, water closet or other sanitary compartment; or
 - (iii) accommodation for not more than 3 motor vehicles; or
 - (iv) a combination of any things mentioned in subparagraph (i), (ii) or (iii); or
 - (b) a mezzanine.

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BARCARDINE REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Development Permit
 Material Change of Use for "Industrial Activity" -
 Unmanned Fuel Station
 Approved Plan 1 of 8
 Council Reference: 791314
 Dated: 19/6/2015
 Signed: *[Signature]*
 Assessment Manager

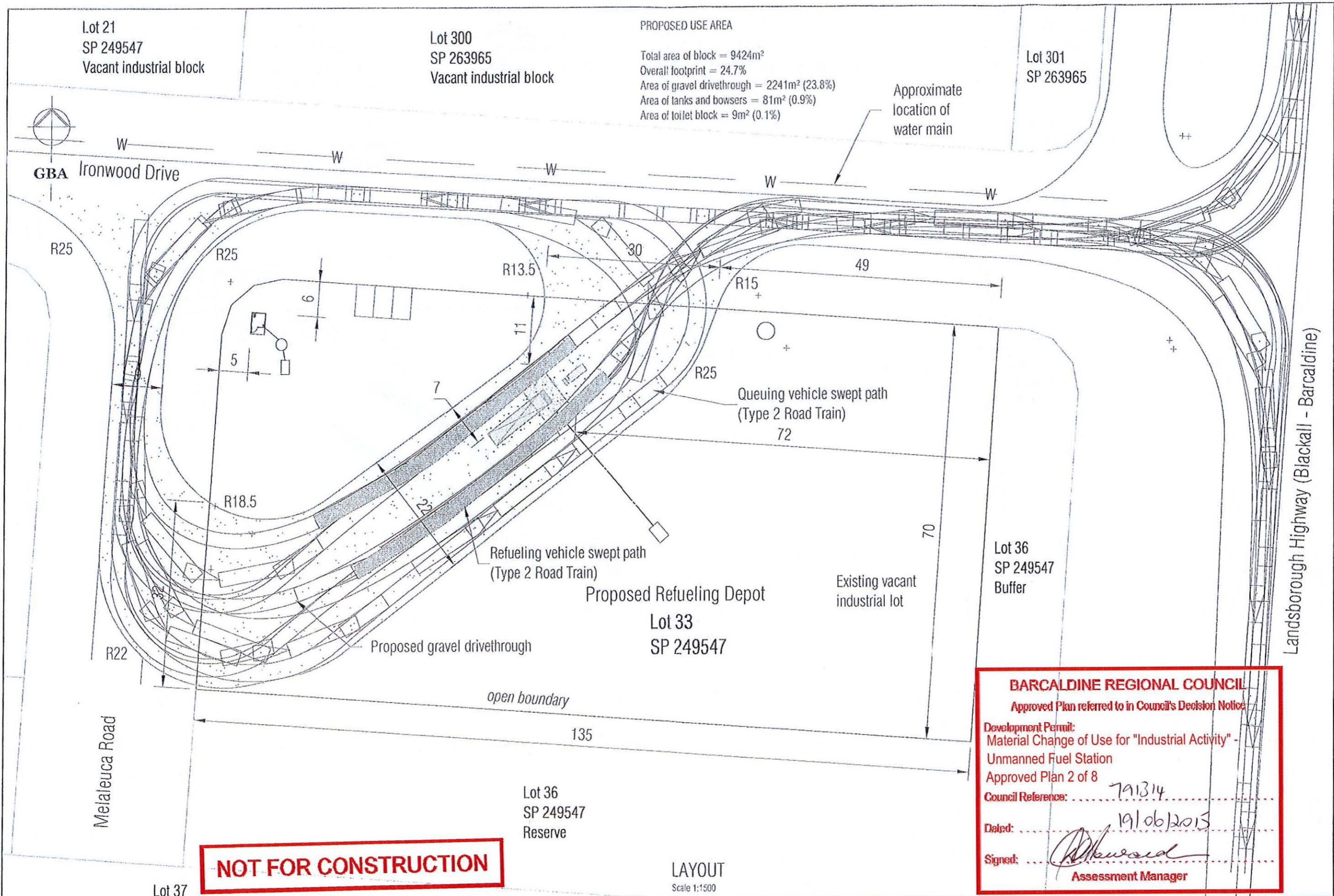
NOT FOR CONSTRUCTION

NOTES:
 - Driveway pavement depth to be as directed by the Barcardine Regional Council.
 - Gravel drivethrough to be constructed as shown on the drawings.

Printed: 05/05/2015 09:45:44

No.	Revision Description	By.	Date	Survey:	GEORGE BOURNE & ASSOCIATES Consulting Civil Engineers		Michael Horman	Job No. 140054	Rev.
A	ORIGINAL ISSUE	PR	26/03/2014		 Scale: 1:600 Approved: <i>[Signature]</i> SLJ Bourne RPEQ	PROPOSED FUEL STATION LOT 33 SP249547 SITE ACCESS LOCATION	Drawing No.	C	
B	CHANGE TO A3, ADD VPATH, ADD THIRD LANE	PR	29/01/2015				2014-025/01		
C	REVISE SCALE, CHANGE VPATH	PR	30/04/2015				Category: ROAD A3		
				Drawn: PR	Check: MGD				

ORIGINAL



NOT FOR CONSTRUCTION

BARCALDINE REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Development Permit:
 Material Change of Use for "Industrial Activity" -
 Unmanned Fuel Station
 Approved Plan 2 of 8
 Council Reference: 791314
 Dated: 19/06/2015
 Signed: [Signature]
 Assessment Manager

No.	Revision Description	By	Date
A	ORIGINAL ISSUE	PR	26/03/2014
B	CHANGE TO A3, ADD VPATH, ADD THIRD LANE	PR	29/01/2015

Survey:
 Drawn: PR
 Check: MGD

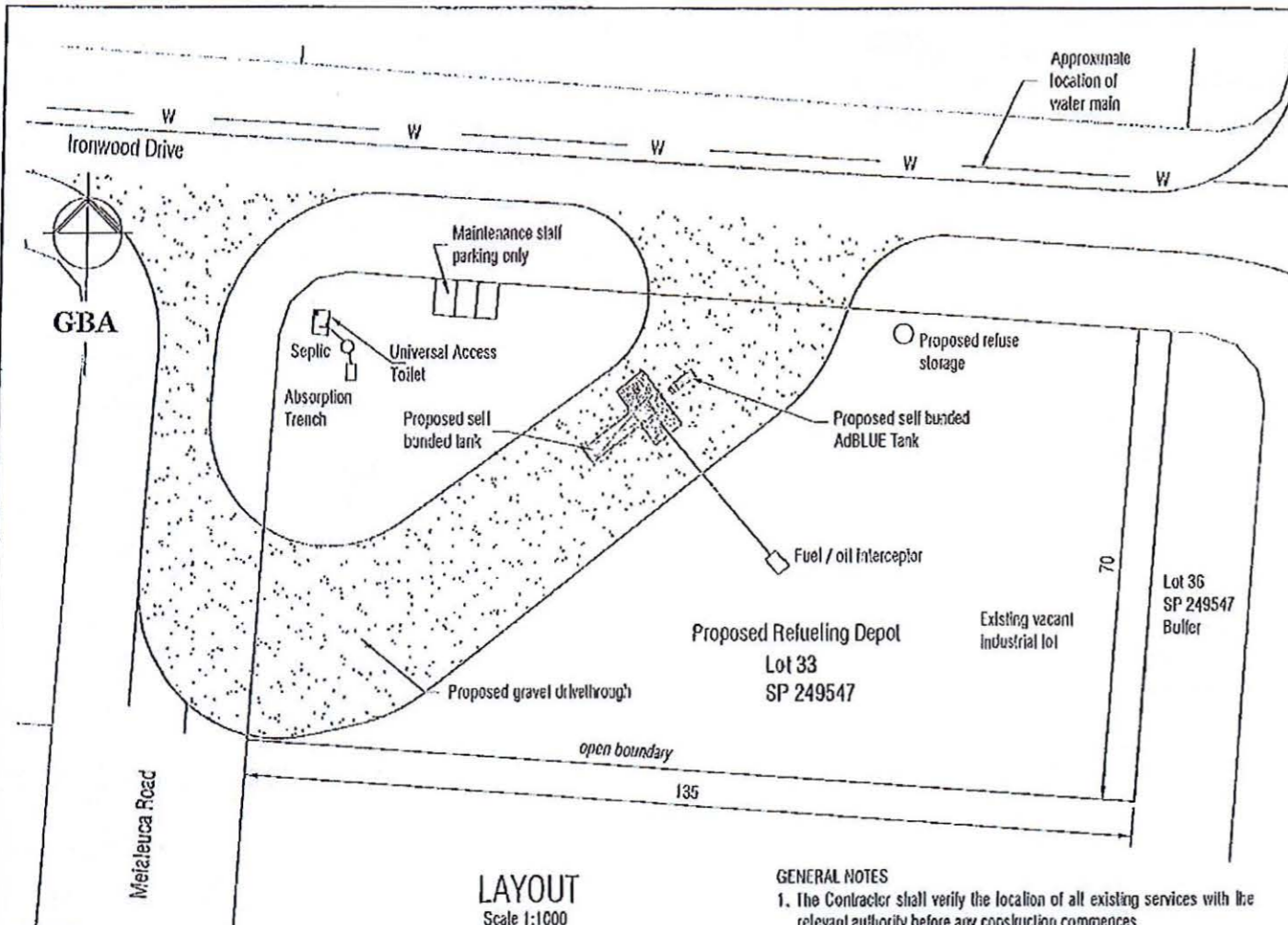
GEORGE BOURNE & ASSOCIATES
 Consulting Civil Engineers
 Scale: AS SHOWN
 Approved: [Signature]
 1513 RPFO
 SLJ Bourne

Michael Horman
 PROPOSED FUEL STATION
 LOT 33 SP249547
 SITE ACCESS LOCATION

Job No.	140054	Rev.	
Drawing No.	2014-025/01		B
Category:	ROAD		A3

ORIGINAL

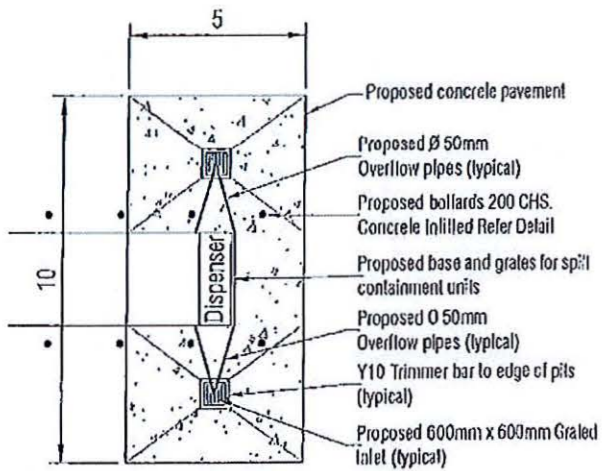
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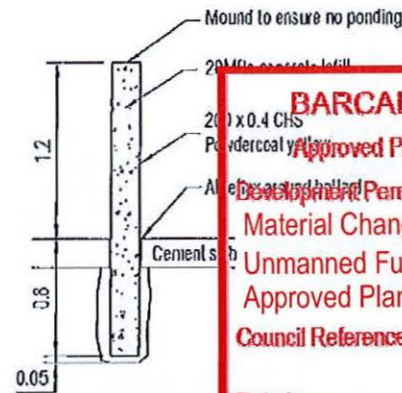
Lot 37
SP 249547
Vacant industrial block

GENERAL NOTES

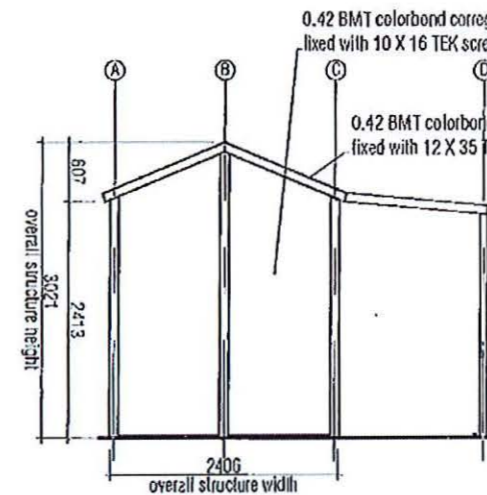
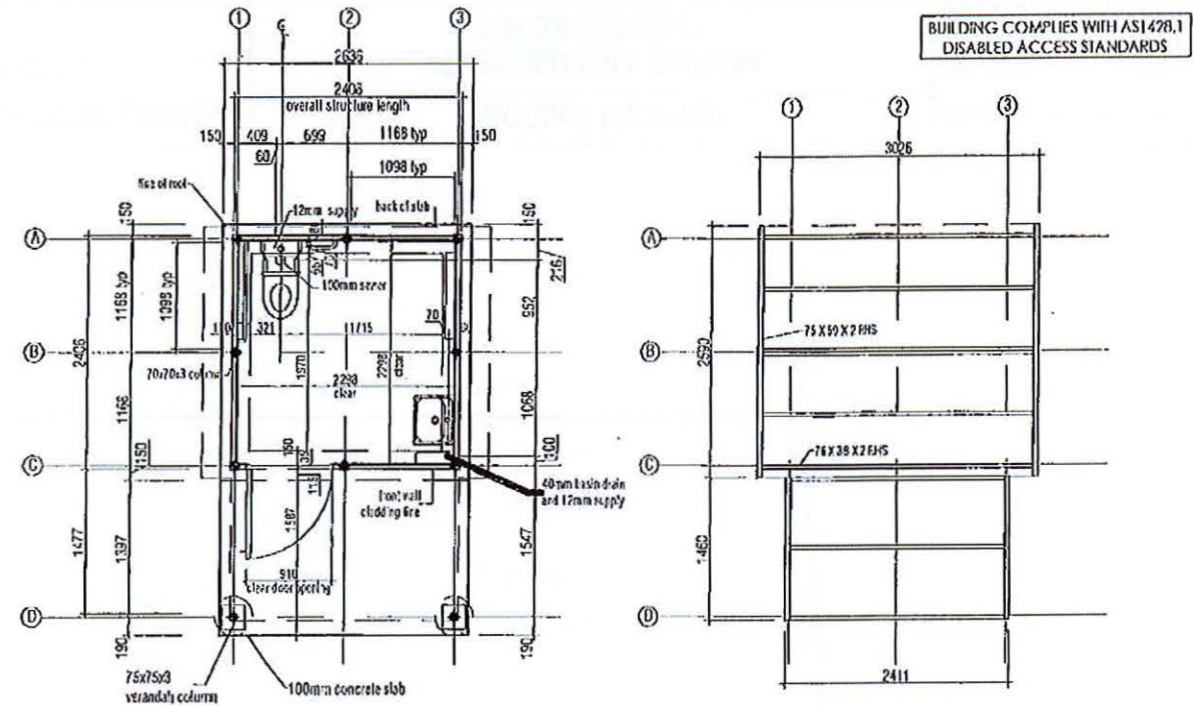
1. The Contractor shall verify the location of all existing services with the relevant authority before any construction commences.
2. Contractor to liaise and organise any alterations to existing services including sewer, water, electricity and telstra in accordance with the relevant authorities requirements to suit finished surface levels.
3. All works to be in accordance with local authorities current specifications and standard drawings.
4. Minimum concrete strength @ 28 days to be 32MPa. Work to be in accordance with AS3600-2009
5. Slab on ground to be poured on waterproof membrane and placed on 50mm bedding sand. Membrane joints to be taped.
6. All fabric to be laid with 30mm cover top, unless noted otherwise



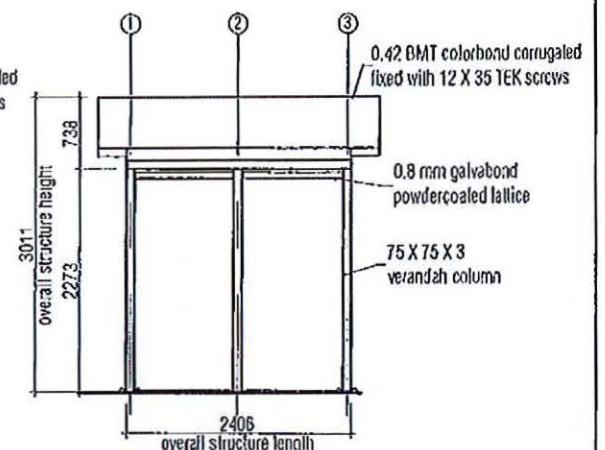
CONCRETE PAD DETAIL
Not to Scale



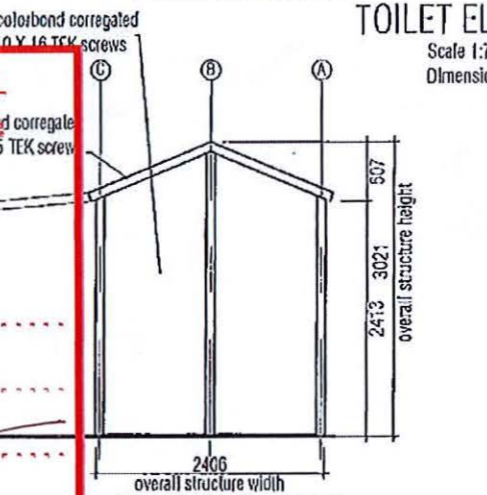
BOLLARD DETAIL
Not to Scale



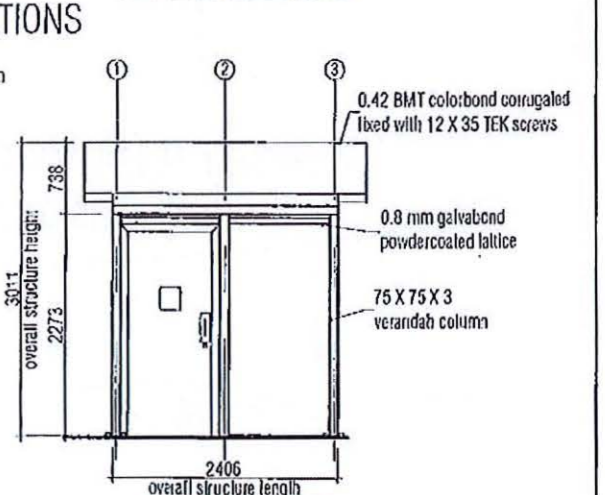
EASTERN ELEVATION



SOUTHERN ELEVATION



WESTERN ELEVATION



NORTHERN ELEVATION

TOILET ELEVATIONS

Scale 1:7500
Dimensions in mm

BARCALDINE REGIONAL COUNCIL

Approved Plan referred to in Council's Decision Notice

Development Permit:
Material Change of Use for "Industrial Activity"
Unmanned Fuel Station
Approved Plan 3 of 8

Council Reference: 791314

Dated: 19/06/2015

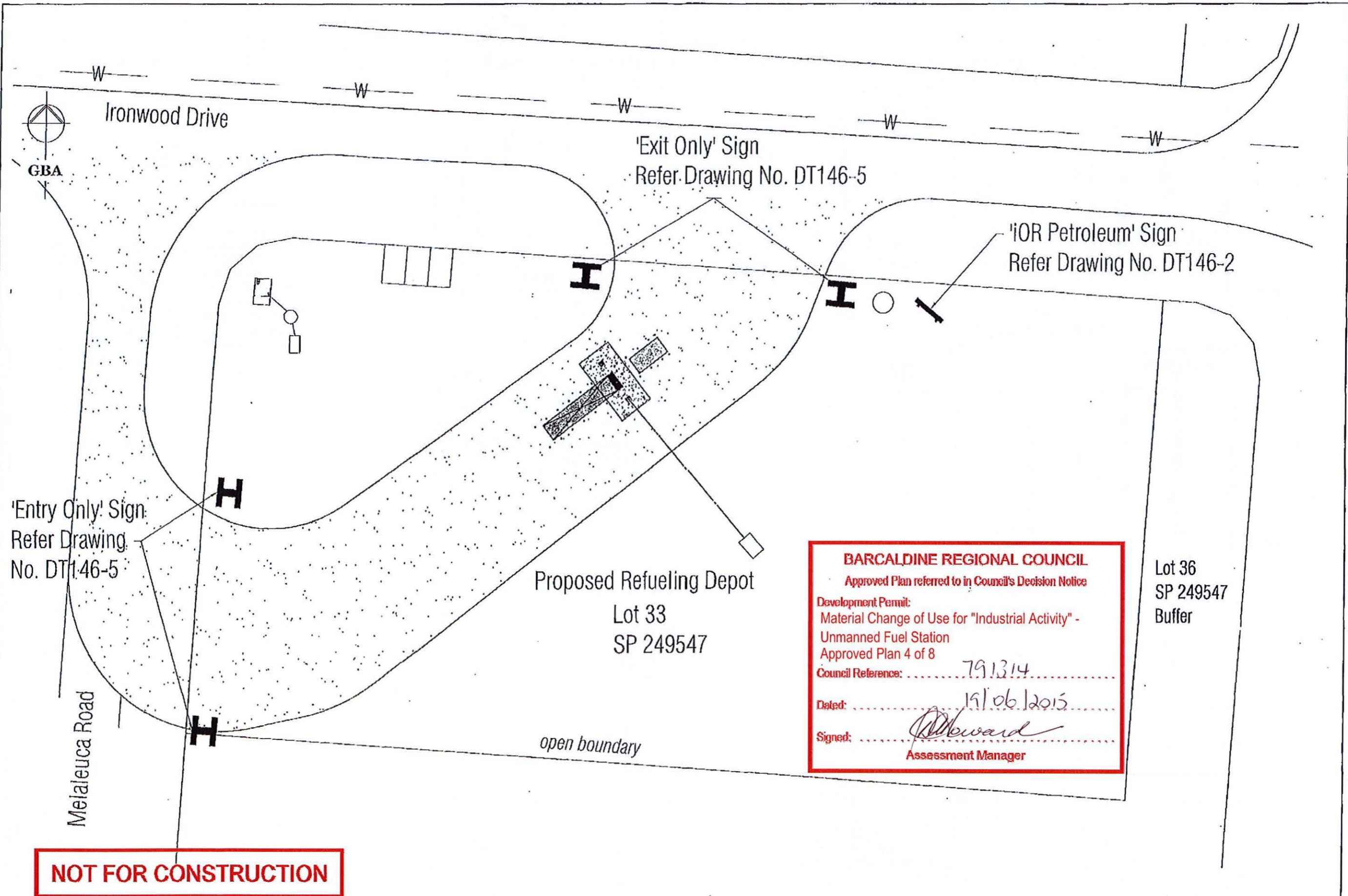
Signed: *[Signature]*
Assessment Manager

NOT FOR CONSTRUCTION

No.	Revision Description	By	Date	Survey:		GEORGE BOURNE & ASSOCIATES Consulting Civil Engineers	Michael Horman PROPOSED FUEL STATION LOT 33 SP249547 LAYOUT AND DETAILS	Job No. 140054	Rev.	
A	ORIGINAL ISSUE	PR	26/03/2014			Scale: AS SHOWN	Approved: <i>[Signature]</i>		Drawing No.	
B	CHANGE TO A3, ADD STRUCTURE, ADD THIRD LANE	PR	29/01/2015			Drawn: PR	SLJ Bourne		2014-025/02	B
					Check: MGD	1513 RPEQ		Category: ROAD	A3	

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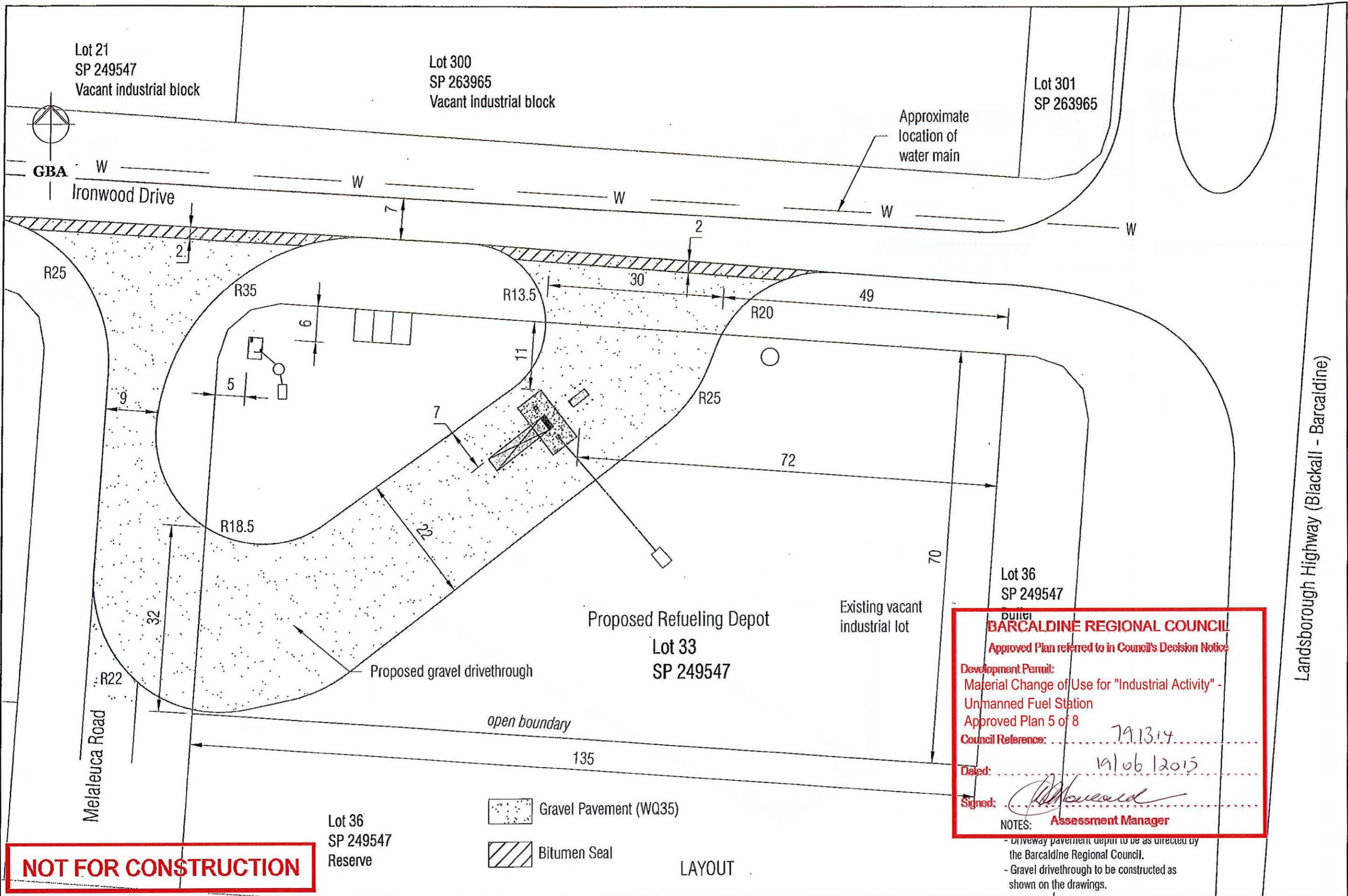
BARCALDINE REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Development Permit:
 Material Change of Use for "Industrial Activity" -
 Unmanned Fuel Station
 Approved Plan 4 of 8
 Council Reference: 791314
 Dated: 19/06/2015
 Signed: *[Signature]*
 Assessment Manager

NOT FOR CONSTRUCTION

No.	Revision Description	By	Date	Survey:		GEORGE BOURNE & ASSOCIATES Consulting Civil Engineers	Michael Horman PROPOSED FUEL STATION LOT 33 SP249547 SIGNS	Job No. 140054	Rev.
A	ORIGINAL ISSUE	PR	26/03/2014					Scale: AS SHOWN	Approved: <i>[Signature]</i>
				Drawn: PR	Check: MGD	SLJ Bourne	1513 RPEQ	Category: ROAD	A3

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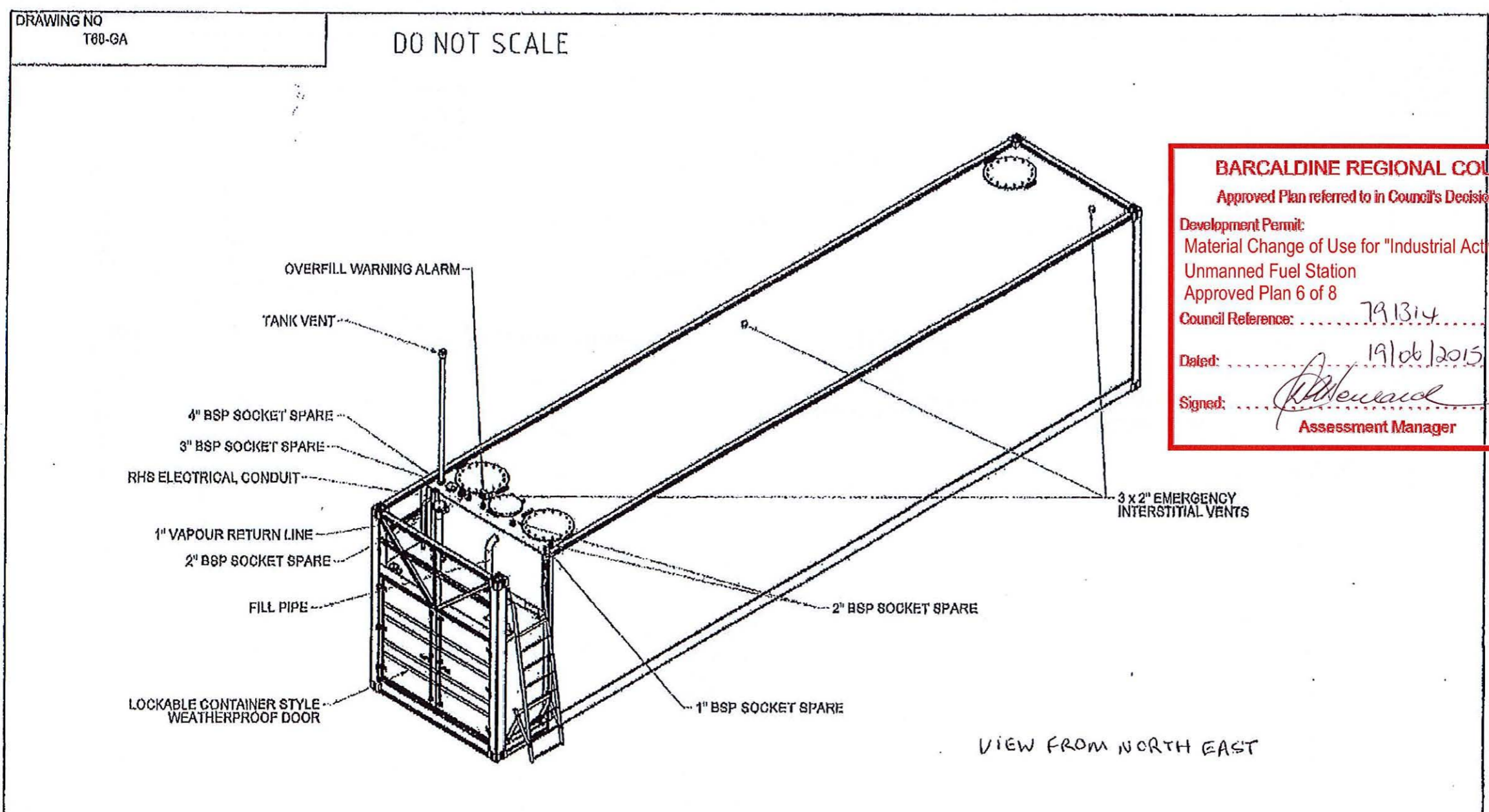
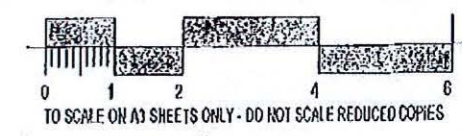
BARCALDINE REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Development Permit:
 Material Change of Use for "Industrial Activity" -
 Unmanned Fuel Station
 Approved Plan 5 of 8
 Council Reference: 79.13.14
 Dated: 19/06/2015
 Signed: *[Signature]*
 NOTES: **Assessment Manager**

No.	Revision Description	By	Date	Survey:		GEORGE BOURNE & ASSOCIATES Consulting Civil Engineers		Michael Horman PROPOSED FUEL STATION LOT 33 SP249547 PAVEMENT TREATMENTS	Job No. 140054	Rev.
	A	ORIGINAL ISSUE	PR			01/06/2015	Scale: 1:600		Approved: <i>[Signature]</i>	1513 RPEQ
				Drawn: PR	Check: MGD			Category: ROAD		A3

Landsborough Highway (Blackall - Barcaldine)

ORIGINAL

Printed: 01/06/2015 11:21:22



BARCALDINE REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice

Development Permit:
 Material Change of Use for "Industrial Activity" -
 Unmanned Fuel Station
 Approved Plan 6 of 8

Council Reference: 791314

Dated: 19/06/2015

Signed: *[Signature]*
 Assessment Manager



PRELIMINARY ONLY
 NOT FOR
 CONSTRUCTION

Revision	Description	Date
1	ISSUE FOR COMMENT	23.09.13

bdp BUILDING DESIGN PROFESSIONALS

QBSA 1269899 Ph. 07 4638 5074
 136 Herries Street Fax. 07 4638 3558
 Toowoomba QLD 4350 dave@bdprofessionals.com.au
 PO Box 2377 www.bdpprofessionals.com.au
 Toowoomba QLD 4350

DESIGNER SHALL NOT BE RESPONSIBLE FOR THE STRUCTURAL DESIGN OF THE BUILDING. VERIFY ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION. THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH ALL APPLICABLE STANDARDS AND REGULATIONS. THE CLIENT IS ADVISED THAT THE DESIGNER HAS NOT BEEN ADVISED OF ANY LOCAL AUTHORITY REQUIREMENTS. THESE PLANS ARE SUBJECT TO THE CONDITIONS OF THE CONTRACT OF AWARD. BUILDING DESIGN PROFESSIONALS ACCEPTS NO LIABILITY TO THE CLIENT OR ANY OTHER PARTY FOR DAMAGES, ALL COSTS, CHARGES OR OTHER EXPENSES INCURRED BY THE CLIENT IN CONNECTION WITH THESE PLANS OR THE CONSTRUCTION OF THE BUILDING.

Designer: D.Melloy CLIMATE ZONE: 2
 Created By: D.Melloy DRAINAGE CATEGORY: N3
 Checked By: D.Melloy

CLIENT:
OUTBACK TRUCKSTOPS P/L
 PROJECT INFO:
 PROPOSED UNMANNED FUEL STATION
 33 OLD CAMEBY ROAD, MILES

TRANSTANK - T68

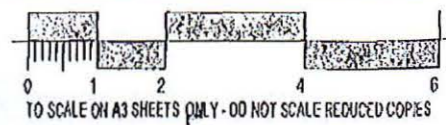
SCHEMATIC	PROJECT NO.	SHEET NO.	REV. NO.
A3	139028	A.201	1

ALL WELDS TO BE 6mm (MIN)
 FILLET OR BUTT WELDS
 UNLESS STATED
 OTHERWISE

PART	FINISH BRILLIANT WHITE	TOLERANCES: ALL DIMENSIONS IN MM UNLESS STATED OTHERWISE ALL TOLERANCES TO BE AS FOLLOWS 0 ± 2 0.0 ± 0.5 0.00 ± 0.1 ANG ± 0.5° DRAWN TO AS1100	DRAWN N.Groothoff	DATE 26/11/2009	TRANSTANK	TITLE T68 GENERAL ARRANGEMENT	DRAWING NO T68-GA	SHEET SIZE A3	
	MATERIAL REFER COMPONENTS		CONFIDENTIAL <small>This document and all information contained herein remain the property of TRANSTANK PTY LTD and specified parties thereof by TRANSTANK PTY LTD. No part of this document may be copied without explicit consent of TRANSTANK PTY LTD.</small>	DESIGN/CHECK'D					DATE
			© TRANSTANK PTY LTD 2001	APPROVED					DATE
				CONFIGURED N.Groothoff					DATE 26/11/2009
			SCALE: 1:50	APPR MASS: 14260 kg	SHEET 1 OF 2	REV 02			

NOT FOR CONSTRUCTION

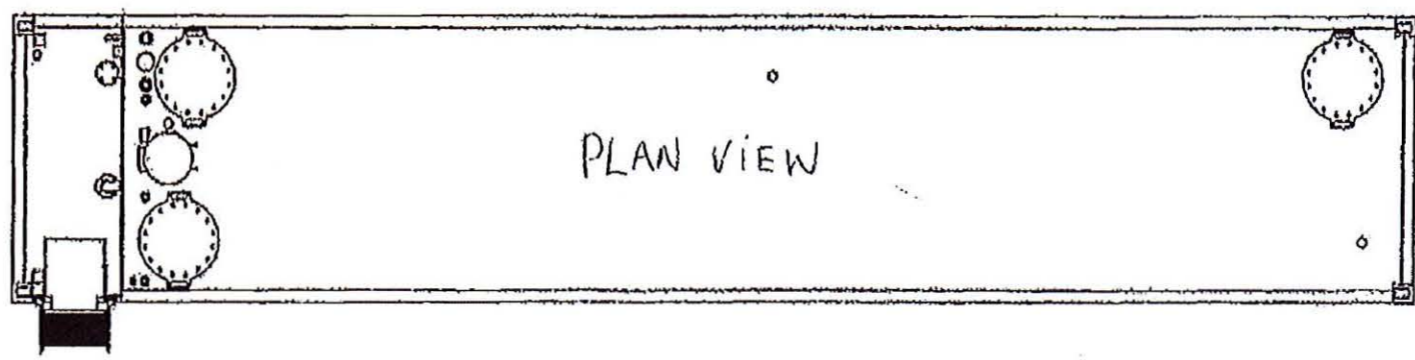
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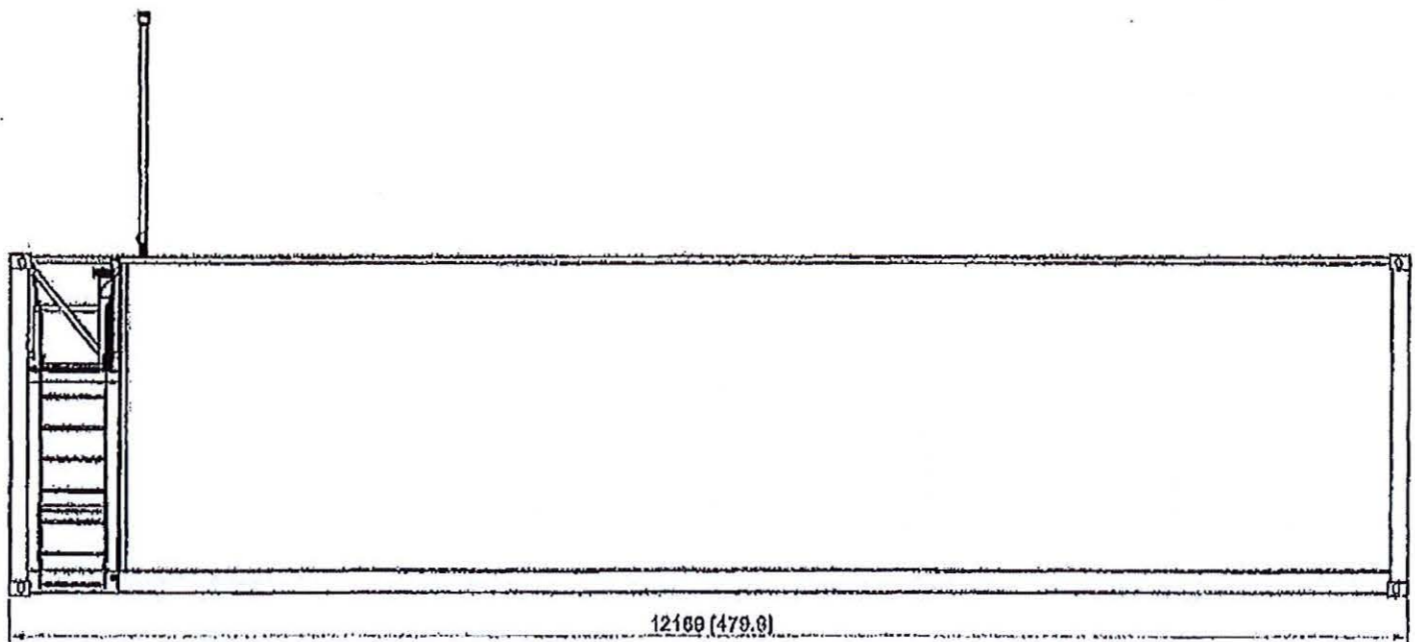
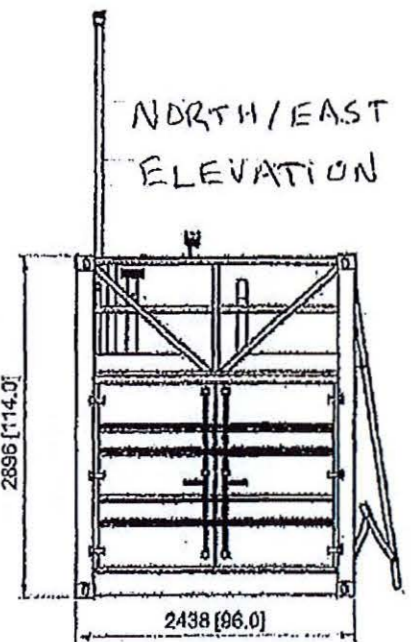
DRAWING NO
T68-GA

DO NOT SCALE

- NOTES:
1. DUAL DIMENSIONS SHOWN
MM
[INCHES]
 2. NOMINAL TANK VOLUME 68800 LITRES; 18176 GALLONS.
 3. ACTUAL MAXIMUM SAFE FILL VOLUME 61000 LITRES; 16362 GALLONS.
 4. MAX PERMITTED FILL LEVEL: 2363mm; 92.6' FROM FLOOR.
 5. TANK TARE MASS: 14260 kg; 31372 lbs.



BARCADDINE REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Development Permit:
 Material Change of Use for "Industrial Activity"
 Unmanned Fuel Station
 Approved Plan 7 of 8
 Council Reference: 791314
 Dated: 15/06/2015
 Signed: *[Signature]*
 Assessment Manager



PRELIMINARY ONLY
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Revision	Description	Date
1	ISSUE FOR COMMENT	23.09.13

bdp BUILDING DESIGN PROFESSIONALS
 QBSA 1269469 Ph. 07 4638 5074
 136 Harries Street Fax. 07 4638 3558
 Toowoomba QLD 4350 dare@bdprofessionals.com.au
 PO Box 2377 www.bdpprofessionals.com.au
 Toowoomba QLD 4350

ALL WELDS TO BE 6mm (MIN)
FILLET OR BUTT WELDS
UNLESS STATED OTHERWISE

PART	FINISH BRILLIANT WHITE	TOLERANCES: ALL DIMENSIONS IN MM UNLESS STATED OTHERWISE ALL TOLERANCES TO BE AS FOLLOWS 0 ± 2 0.0 ± 0.8 0.00 ± 0.1 ANG ± 0.5° DRAWN TO AS1100	DRAWN N.Groothoff	DATE 26/11/2009	TRANSTANK		
	MATERIAL REFER COMPONENTS		CONFIDENTIAL This document and all information contained within it remains the property of TRANSTANK PTY LTD and specified parties deemed by TRANSTANK PTY LTD. No part of this document may be copied without explicit consent of TRANSTANK PTY LTD. ©TRANSTANK PTY LTD 2001	DESIGN/CHECKED		DATE	
				APPROVED		DATE	
				CONFIGURED N.Groothoff		DATE 26/11/2009	
				TITLE T68 GENERAL ARRANGEMENT	SHEET SIZE A3		
				SCALE 1:50		DRAWING NO T68-GA	
				APPR MASS: 14260 kg		SHEET 2 OF 2	REV 02

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Design D.Melloy	CLIMATE ZONE 2	
Drawn by D.Melloy	WIND CATEGORY N3	
Checked by D.Melloy		

CLIENT:
OUTBACK TRUCKSTOPS P/L
 PROJECT INFO:
PROPOSED UNMANNED FUEL STATION
 33 OLD CAMEBY ROAD, MILES

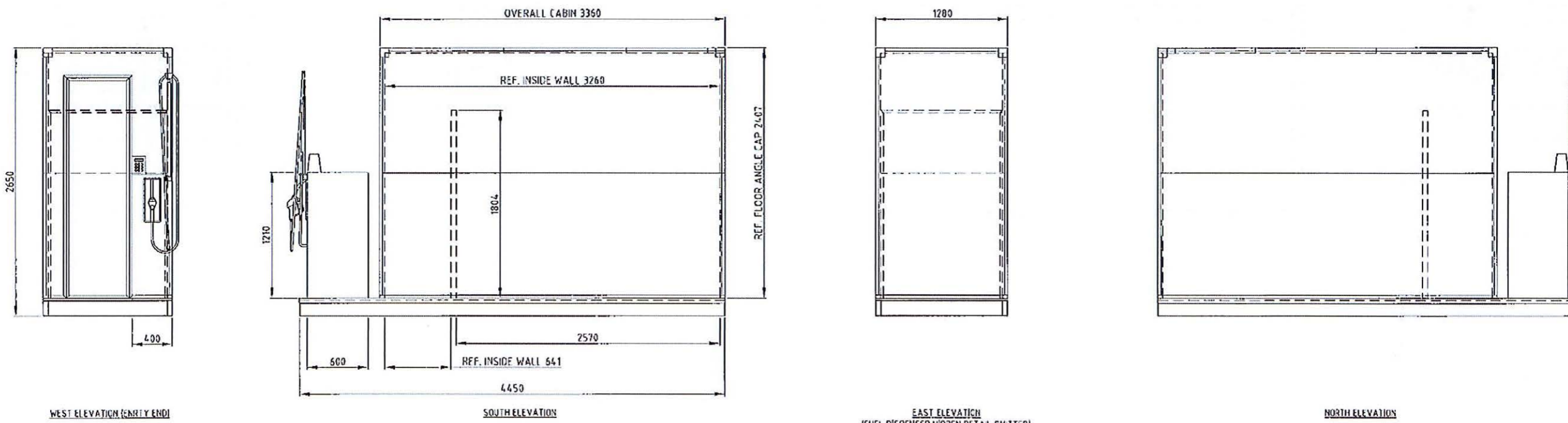
TRANSTANK - T68

SCALE @ A3	PROJECT NO.	SHEET NO.	REV NO.
	139028	A.200	1

NOT FOR CONSTRUCTION

8/2/2014 1:06:53 PM Z:\SOURCE\Job\139028\139028-BDP\Job\139028-04-Cameby Road, Miles\139028\Rev\02.dwg

A3



WEST ELEVATION (EMPTY END)

SOUTH ELEVATION

EAST ELEVATION
(FUEL DISPENSER HIDDEN DETAIL OMITTED)

NORTH ELEVATION

NOT FOR CONSTRUCTION

BARCALDINE REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice

Development Permit:
 Material Change of Use for "Industrial Activity" -
 Unmanned Fuel Station
 Approved Plan 8 of 8

Council Reference: 791314

Dated: 19/06/2015

Signed: *[Signature]*
 Assessment Manager

No.	DESCRIPTION	DATE	BY	REVISIONS
B	UPDATE	23-6-14	DB	
A	INITIAL	23-6-14	DB	

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IOR <small>PETROLEUM</small>	39 Byron St, Bulimba 4171 Queensland, Australia Ph: +61 7 3895 4444 Email: mail@ior.com.au
Drawn By: D.BOWLEY Date Drawn: 14-11-13 Scale: 1:50 Checked By: Designed By: D.BOWLEY Order No.:	Drawing Type: ME GA Special Code: Ref Drg No.: Ref Drg No.:
IOR Energy IOR PETROLEUM AD BLUE TANK 5000 L GENERAL ARRANGEMENT	
HYT6040	
Electronic File	

Rev. No. B