



22 February 2022

IOR Petroleum Pty Ltd
C/- TFA Project Group
PO Box 2339
Fortitude Valley QLD 4006

Attention: Damien Mackay
Sent via email: damien.mackay@tfa.com.au

Dear Damien

DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 17 February 2022, Longreach Regional Council decided to approve the application in full, subject to conditions. Details of the decision are as follows:

1. APPLICATION DETAILS

Application Number: DA 21/22-009
Properly Made Date: 17 November 2021
Decision Date: 17 February 2022
Planning Scheme: *Longreach Regional Planning Scheme 2015 (v2.1)*

2. APPLICANT DETAILS

Name: IOR Petroleum Pty Ltd
Postal Address: C/- TFA Project Group
PO Box 2339
Fortitude Valley QLD 4006
Email Address: damien.mackay@tfa.com.au

3. PROPERTY DETAILS

Street Address: Codlin Street, Yaraka

Real Property Description: Lot 541 on SP102294

Local Government Area: Longreach Regional Council

4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use for a Service Station (Unmanned Refuelling Facility)

5. CURRENCY PERIOD

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the Planning Act 2016.)

6. ASSESSMENT MANAGER CONDITIONS

1.0 PARAMETERS OF APPROVAL

- 1.1 The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor or invitee of the Developer at all times unless otherwise stated.
- 1.2 Where these conditions refer to "Council" in relation to requiring Council to approve or be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by Council.
- 1.3 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.
- 1.4 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out associated with the development. To the extent the damage is deemed by Council to create a hazard to the community, it must be repaired immediately.
- 1.5 All development conditions contained in this development approval about *infrastructure* under Chapter 4 of the *Planning Act 2016* (the Act), should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.
- 1.6 All conditions, works, or requirements of this development approval must be undertaken and completed prior to commencement of the use and to Council's satisfaction, and to be maintained at all times thereafter, unless otherwise stated.

APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this approval:

| Plan/Document Name | Plan/Document Number | Revision | Date |
|---------------------------|----------------------|----------|----------|
| Location Plan | 2021/007-YR01 | B | 07.02.22 |
| Site Layout | 2021/007-YR02 | C | 07.02.22 |
| Swept Path Layout | 2021/007-YR03 | C | 07.02.22 |
| Elevation South to North | 2021/007-YR04 | B | 22.10.21 |
| Elevation South to North | 2021/007-YR05 | B | 22.10.21 |
| Plan of Lease A and Emt B | Sheet 1 of 2 | - | 02.07.21 |

2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.

3.0 LIMITATION OF USE

3.1 The above ground tanks and spill containment unit must be located within Lease A as shown on Plan of Lease A and Emt B with reference Sheet 1 of 2 and dated 2 July 2021.

4.0 VEHICLE ACCESS AND PARKING

4.1 Construct all vehicle manoeuvring areas associated with the approved development to a 2-coat bitumen standard.

4.2 Construct and maintain the vehicular accesses in accordance with the *Institute of Public Works Engineering Australia Standard Drawing No. RS-056 (Rural Driveway)*. The surface of the vehicular accesses is permitted to be a 2-coat bitumen seal.

Advisory Note: *In accordance with section 5.7 and specifically Table 5.7.1 (Operational Work) of the Planning Scheme, Operational Work for a driveway crossover is prescribed as 'Accepted subject to requirements.' The requirements are the Works Code of the Planning Scheme.*

5.0 STORMWATER WORKS

5.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.

6.0 SERVICES

6.1 Electricity and telecommunication services must be provided to the premises in accordance with the standards and requirements of the relevant service provider.



7.0 ENVIRONMENTAL HEALTH

- 7.1 Appropriate materials and equipment are to be available onsite at all times to contain and clean up spills of potentially polluting materials. The materials and equipment must be maintained.
- 7.2 The storage tanks shall be a self bunded design in accordance with the requirements of AS 1940-2017 Storage and Handling of Flammable and Combustible Liquids.
- 7.3 The development is to be designed to ensure there is no surface water ingress to the spill containment unit.
- 7.4 Undertake the approved development so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, odour, wastewater, waste products, dust or otherwise.
- 7.5 Maintain outdoor lighting to comply with AS4282 – 1997 "Control of Obstructive Effects of Outdoor Lighting".

8.0 EROSION AND SEDIMENT CONTROL

- 8.1 Implement and maintain an Erosion and Sediment Control Plan (ESCP) on-site for the duration of the works, and until such time as all exposed soil areas are permanently stabilised (for example, turfed, hydro mulched, concreted, and landscaped). The ESCP must be available on-site for inspection by Council Officers during the works.
- 8.2 The Erosion and Sediment Control Plan must be prepared in accordance with the Best Practice Erosion and Sediment Control document from the International Erosion Control Association, as updated from time to time.
- 8.3 Where any component of the works is to be undertaken during the wet season (October to May), the Erosion and Sediment Control Plan must be submitted to Council for approval, prior to commencement of the works.

Advisory note: Schedule 5.1.2.5 of the Longreach Regional Council Planning Scheme (v2.1) references the Director of Infrastructure Services to undertake the assessment of the ESCP.

9.0 CONSTRUCTION ACTIVITIES

- 9.1 Construction activity and noise must be limited during earthworks and construction of the approved development to the hours of 06:30 to 18:30 Monday to Saturday, with no work to occur on Sundays or public holidays.
- 9.2 The construction of any works must be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the relevant provisions of Planning Scheme Policy No. 1 – Works Planning Scheme Policy under Schedule 5 of the Longreach Regional Planning Scheme 2015 (v2.1).
- 9.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site, unless otherwise approved in writing by Council.

10.0 ASSET MANAGEMENT

- 10.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.

ADVISORY NOTES

1. Prior to commencing any construction activities, the applicant/developer may be required to obtain further development permits for operational work (for example, for the relocation of the sewer line if this is required), building work, and plumbing and drainage work, as required under relevant legislation for this work.
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.
3. Compliance must be achieved with any relevant Civil Aviation Safety Authority requirements. The development and operation of the use must not conflict with or adversely impact the operational requirements of the Longreach Airport.
4. General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.
5. This development approval does not authorise any activity that may harm Aboriginal cultural heritage. It is advised that under section 23 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").

7. STATEMENT OF REASONS

7.1 Description of Development

- Development Permit for Material Change of Use for a Service Station (Unmanned Refuelling Facility) approved as per Decision Notice DA 21/22-009.

7.2 Assessment Benchmarks

The following are the benchmarks that are applicable to this development:

| Benchmark applying for the development | Benchmark reference |
|--|---|
| <ul style="list-style-type: none">• 3.3.1 Strategic Outcomes• 3.3.3 Isisford, Ilfracombe and Yaraka• 3.4.4 Natural Hazards• 6.2.9 Rural Zone Code• 7.2.2 Flood Hazard Overlay Code• 8.3.2 Works Code• 8.3.3 Landscape Code | <i>Longreach Regional Planning Scheme 2015 (v2.1)</i> |

7.3 Relevant Matters

There are no relevant matters for this application.

7.4 Matters Raised in Submission

Public notification of the application was required, however no properly made submissions were received.

7.5 Reason for Decision

The development application is approved and the reasons for the decision are based on findings on material questions of fact:

- (a) The proposed development will advance the Strategic Framework's as it will provide a valuable service for the region.
- (b) The Rural Zone anticipates non-rural uses that are compatible with agriculture, the environment, and the landscape character of the rural area where they do not compromise the long-term use of the land for rural purposes. The site is currently not used for a rural purpose and the proposed development will not sterilise rural land. This is due to the proposed developments minimal use of built form, signage, and structures that can be easily removed where there is a need to use the land for a rural activity.
- (c) The proposal will not intensify the level of flood risk to people as the facility is unmanned. The proposed development will only require minimal earthworks; therefore, it is not expected the development will alter water flow during flood events.
- (d) The development can be appropriately serviced.
- (e) The development complies or can be conditioned to comply, with the relevant assessment benchmarks of the Planning Scheme.
- (f) The development does not compromise the relevant elements of the Central West Regional Plan or State Planning Policy.

8. REFERRAL AGENCIES

Nil

9. FURTHER DEVELOPMENT PERMITS REQUIRED

Where required, permits and approvals for building work, plumbing and any other related works should be obtained prior to commencement of the works authorised by this permit.

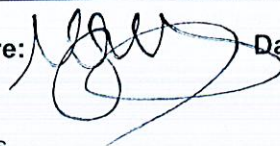
10. OTHER DETAILS

If you find any inaccuracy in any of the information provided above or have a query or need to seek clarification about any of these details, please contact Longreach Regional Council on (07) 4658 4111 or via email assist@longreach.qld.gov.au.

11. DELEGATED PERSON

Name: Mitchell
Morphy

Signature:



Date: 22 February 2022

Encl: Attachment 1 – Approved Plans