mmj.com.au

STATEMENT OF ENVIRONMENTAL EFFECTS

21 December 2022
Revision B

Lot 31 & 32 DP 874819
226-236 Hammond Avenue, East Wagga Wagga

Proposed Service station

Document Properties	
Author	LR
Co-Author	JL
Job Number	21.140

Acknowledgment of Country
MMJ acknowledges the traditional custodians of the land to which this Statement of Environmental Effects applies. We pay our respect to all Aboriginal people of this land and to Elder's past, present, and emerging.

Contents

The following documents are referred to in this Statement of Environmental Effects and submitted as separate documents:

Document	Author
Survey plan (Proposed Lot 42 area)	Rivland Surveyors
Survey Plan (Whole site)	Wagga Surveyors
Plan of Subdivision	T.J Hinchcliffe & Associates
Architectural drawings	MCL Building Design
Civil plans	BDD Engineering
Services plan	Edison consultants
Traffic Impact Assessment	TTM
Strategic Concept Traffic Plans	TTM
Preliminary Site Investigation	E5 Environmental
Landscaping plan	DSB Landscape Architects
Operational management plan	1L Mitchell Hwy Pty Ltd
Cost summary	1L Mitchell Hwy Pty Ltd
Crime Risk Report	MMJ Town Planning & Advisory
SEPP 33 Hazard Report	MMJ Town Planning & Advisory
Arboricultural Impact Assessment Report	Wade Ryan Contracting

TABLE 1 LIST OF SUPPORTING DOCUMENTATION

Executive Summary

This Statement of Environmental Effects (SEE) report has been prepared by MMJ Wollongong on behalf of 1L Mitchell Hwy Pty Ltd to accompany a Development Application (DA) for a boundary adjustment and proposed new service station development At Lot 31 and 32 DP 874819, 226-236 Hammond Avenue, East Wagga Wagga (hereafter referred to as the subject site).

Site Analysis

Site Description

The subject site is located in East Wagga Wagga and is known as 226-236 Hammond Avenue, East Wagga Wagga. The property includes 2 x Torrens Title allotments known as Lot 31 and 32 DP 874819. The current boundary allotment arrangements are shown in Image 1 below.

The land has direct boundary frontage to Hammond Avenue (north) and currently contains a large metal barn style shed, with some scattered domestic trees and grassed areas throughout. The site is bound to the south, east and west by light industrial uses and to the north by rural developments and the Murrumbidgee River.

FIGURE 1 – SUBJECT SITE (ARCHISTAR)

The total site area represents in the order of 33,542m^2. The proposed service station component of the development relates to proposed Lot 42 which is an area of approximately 4997 m^2 of land situated at the northern frontage (adjacent to Hammond Avenue). The proposed boundary adjustment is shown on the Plan of Subdivision below.

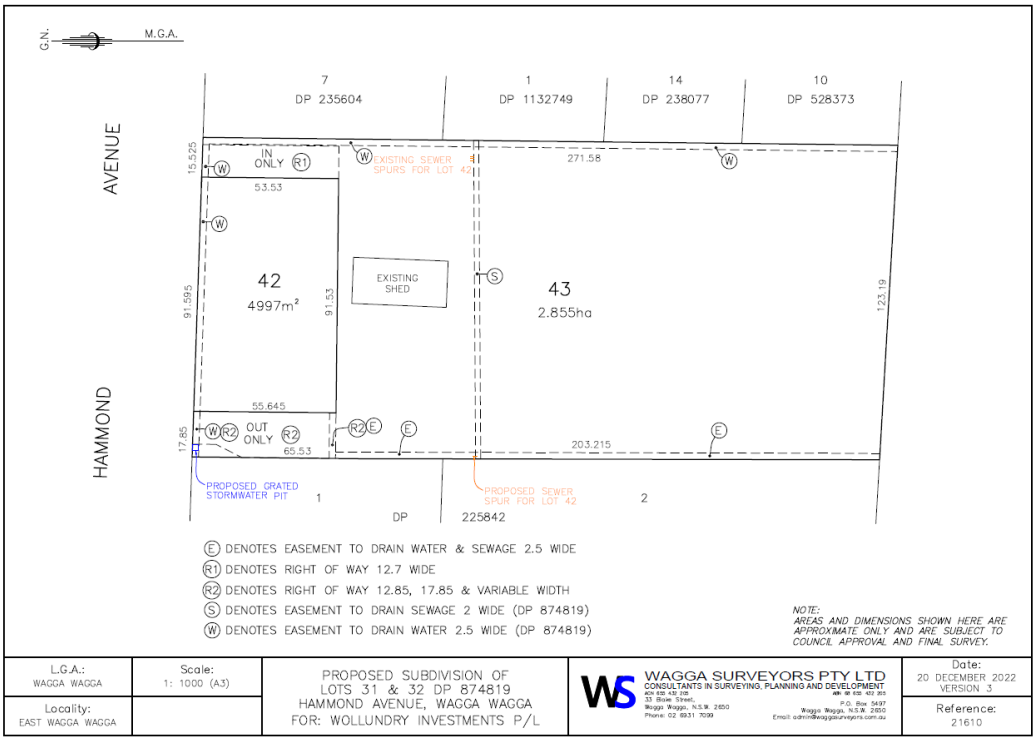

FIGURE 2 - PLAN OF SUBDIVISION AS REVISED ON 20 DECEMBER 2022 (TJH)

FIGURE 3 - SUBJECT SITE AS VIEWED FROM HAMMOND AVENUE (MMJ)

FIGURE 4 - SUBJECT SITE LOOKING EAST ALONG HAMMOND AVENUE (MMJ)

FIGURE 5 - SUBJECT SITE LOOKING WEST ALONG HAMMOND AVENUE (MMJ)

Surrounding Context

The site is zoned B6 Enterprise Corridor

North	*SP2 Infrastructure and RU1 Primary Production Village*	*Hammond Avenue and rural allotments which are bound by Murrumbidgee River to the north and north-east*
South	*B6 Enterprise Corridor and IN1 General Industrial*	*Vacant business and industrial land*
East	*B6 Enterprise Corridor and IN1 Light Industrial*	*Commercial and light industrial premises accessed from Hammond Avenue and Blaxland Road, as well as existing (three) residential premises*
West	*B6 Enterprise Corridor*	*Commercial and light industrial premises*

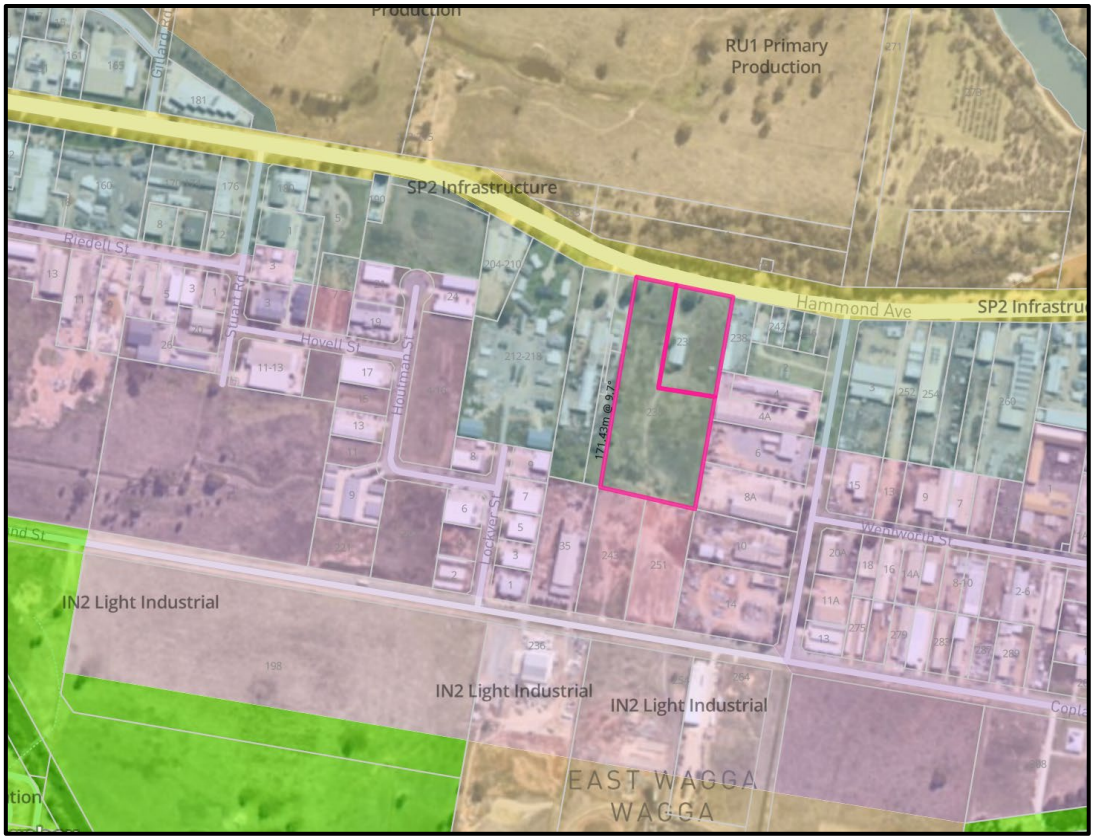

FIGURE 6 - SURROUNDING ZONING (ARCHISTAR)

The surrounding context is characterised by the presence of commercial and industrial developments on the southern side of Hammond Avenue and includes businesses such as The Wagga Iron Foundry, Austwide Homes, JRC Electrical and Wagga Bike Tyres. Despite the southern area of Hammond Avenue having a B6 Enterprise Corridor zone, to the east of the subject site are three existing residential dwellings which would rely on existing use rights. It is noted that due to the change in the character of this area and the incompatibility of the

commercial and industrial land uses with residential , the number of dwellings are reducing with one dwelling demolished in late 2020.

The northern area of Hammond Avenue is characterised by rural, vegetated land. The area is mapped as prime agricultural land with Class I capability for a wide variety of agricultural uses suitable for regular cultivation. The area also includes Crown Road Reserves which are paper roads.

Planning History

The site is generally vacant with the exception of a large barn style shed.

It is noted that there is a current Development Application with Council to undertake a boundary adjustment of the subject lot and Lot 32 DP 874819 (DA22/0250). The DA has now been withdrawn, and the proposed boundary adjustment has been incorporated in this DA.

The future development of the rear lot is unknown at this stage, however the subdivision will allow easements for access / right of way which the proposed development will benefit from.

A search of Council's Online Services - Development Applications showed no other relevant developments on the subject site.

The Proposal

The proposal is for a new service station to operate 24 hours a day – 7 days a week.

The proposal is detailed in the architectural drawings prepared by MCL Building Design and described in this SEE.

Key development details include:

- Boundary adjustment to create proposed Lot 42 4997m^2 in size, and proposed Lot 43 2.855 hectares in size
- Removal of trees on site
- Retention of the existing shed on the site (the shed will become part of the rear allotment as part of the boundary adjustment)
- Construction of a service station including:
    - Sales area / convenience store
    - Erection of a freestanding car fuelling canopy with 8 x fuel dispensers
    - Erection of a freestanding truck fuelling canopy with 9 x fuel dispensers
    - Installation of an underground tank farm together with associated fuel infrastructure system (pipe work, fuel lines, pump units, vents, fill points, vapour recovery, groundwater monitoring wells, etc.)
- Parking for 15 car spaces
- Signage
- Associated site preparation works, site landscaping and drainage

- Hammond Avenue upgrades to include left-in and left-out only access into the site

Boundary adjustment

The proposed development incorporates the modification of the existing boundaries between Lot 31 and Lot 32. The boundary adjustment will modify the size of the existing allotments from:

- Lot 31 - 9468.35 m²
- Lot 32 - 24085.22 m²

The boundary adjustment will result in the following lot configuration:

- Proposed Lot 42 - 4997 m²
- Proposed Lot 43 – 2.855 ha

Site preparation and Tree removal

Site preparation works include minor earthworks as detailed in the cut and fill plan, and removal selected trees on the site.

As the site is relatively flat, little excavation is required (apart from to provide for the underground tanks and associated subfloor engineering works). The earthworks involve general site scraping, with additional fill required. VENM will be utilised where additional fill is required.

Tree removal is required of the existing 6 trees on site, within the development footprint of the proposed service station. This application is supported by an Arboricultural Impact Assessment which assesses the impact of the development on the existing site trees, and the existing trees on the northern side of Hammond Avenue which form part of an avenue of memorial plantings. Trees outside of the site have been deemed suitable for retention subsequent to the implementation of suitable during construction measures, including the establishment of required tree protection zones and structure root zones. It is expected that the preparation of a tree protection plan prior to the issue of a Construction Certificate be conditioned as part of a forthcoming development consent, and such tree protection plan should demonstrate the required impact mitigation measures.

Design Quality Principles

The planning and design principles adopted for the proposed service station on proposed Lot 42 has been prepared by the project architect MCL Building Design and are reflective of typical service station layouts found throughout Australia.

External Materials and Finishes

The external materials and finishes are detailed on the architectural drawings and will comprise a combination of finished aluminium composite panel cladding, and curtain glass. Therefore, the development will have a modern appearance. The vertical arrangement of panels, vertical and horizontal articulation elements containing glass and cladding, all contribute to a modulated façade.

Signage is proposed throughout the development including:

- 1 x internally illuminated business identification pylon sign (10.015 metres high x 2.4 metres wide) within the proposed landscaped area on the Hammond Avenue frontage;
- 2 x single sided illuminated business logo / identification wall signs on the eastern and western elevations of the service station building;
- multiple internally illuminated business identification fascia signs on the front elevation of the service station and car and truck refuelling canopies; and
- various illuminated and non-illuminated directional and traffic management signs (e.g. give way, pedestrian crossing, height limit bar, drive-thru, no entry) situated throughout the site.

The external details have been carefully considered with MCL Building Design undertaking a site analysis not only in terms of built form but also materials to ensure that the development, will integrate with the existing setting but also provide a benchmark for future development in the area.

Services and Infrastructure
The site is situated within an existing light industrial / business area and accordingly, the development will be connected to the existing public utility infrastructure available (i.e. power, water, sewer, gas, telecommunications and the like). It is understood there is sufficient capacity to accommodate the needs of the proposal subject to appropriate augmentation works which has been confirmed by Edison Consultants who have completed a preliminary services review which is provided as part of the DA package.

Energy Efficiency/Sustainability
The proposed development has been designed to achieve the relevant requirements for sustainability including the requirements of the BCA and relevant Australian Standards.

Accessibility
The proposed development has been designed to achieve the relevant requirements for access for people with a disability including the requirements of the BCA and relevant Australian Standards.

Vehicle Access and Car Parking
Two vehicle crossovers are proposed to the eastern and western edges of the site as carriageway easements over proposed Lot 32 as per this DA. This agreement can be imposed as a condition of consent, requiring execution prior to the issue of a construction certificate.

The proposed entry and exit has been revised since originally lodging the application with Council. The design was revised in December 2022 following a referral response from Transport for NSW (TfNSW) to be in the form of one deceleration lane for vehicle ingress from Hammond Avenue westbound only, described as Auxiliary Left Turn Lane (AUL).

The application and proposed access and road upgrades require concurrence from TfNSW as Hammond Avenue is a State Road under their control.

The proposed development caters for 15 car parking spaces on site (for both visitor and staff), including one accessible car space with typical free space space.

A traffic engineering assessment has been undertaken by TTM to assess the traffic implications of the proposal, including the adequacy of the on-site parking provision, the suitability of the site access and parking areas and the likely impacts on traffic conditions. The assessment is provided as part of the DA package.

Stormwater
A civil engineering strategy for the site has been developed which provides a best fit solution within the constraints of the existing landform, structures and pavements, and the proposed architectural layout. A Stormwater Concept design has been prepared by BDD Engineering.

All surface water from under the canopy areas will be collected and diverted to a Stormwater Treatment and Capture Separator System (such as a SPEL Puraceptor Class 1 or equivalent) prior to discharge into the basin and localised stormwater/sewer system. The SPEL Puraceptor Class 1 (or equivalent) is an integrated oil-spill capture and light liquid treatment separator that provides an environmentally sustainable and certified solution for the treatment and capture of hydrocarbons in surface water runoff from service station forecourts for stormwater discharge. This system is proposed in lieu of site bunding.

The general details of this treatment system are provided in the attached "*SPEL Puraceptor Class 1 Operation and Maintenance Manual*" document provided by SPEL Stormwater.

In summary, the following key components best describes how this system works:-

<u>Dynamics and basic working operation (or approved equivalent).</u>

a) Hydrocarbon treatment/separation operation.
The Puraceptor Class 1 is a gravity-type, passive, full retention flow process that treats all flows through two chambers. Low velocity laminar flow provides quiescent conditions in the separator enabling the light liquid content of the water to separate and rise to the surface due to the difference in density of the oil and water. Contaminated water cannot flow directly across the surface before effective separation has taken place. Treatment process involves the `cleaner` water passing from the primary chamber by underflow into the secondary chamber and finally through a coalescing filter mounted in the secondary chamber to `collect` smaller droplets of hydrocarbons and encourage larger droplets to form enabling better removal by gravity to the collecting area in the sealed secondary chamber.

b) Spills capture operation.
The primary chamber is over- sized to retain the maximum spillage legally required at the service station. The spill is contained in the primary chamber, with all flow from the primary chamber stopped by the sealing action of the Auto Closure Device (A.C.D.) The spill cannot scour from the separator and is contained in the chamber until the

time the emergency recovery response team removes it by reduction. Refer below for more details on the ACD.

Full Retention (Closed System) Flow Treatment

The SPEL Puraceptor Class 1 is sized to treat and capture all flows. There is no bypass facility, meaning all pollutants are captured and retained between maintenance cycles.

Coalescing filter

The coalescer is a high- reticulated and high-contact surface filter with a minimum life span of eight years. It is mounted into the secondary chamber, providing a coalescing process for the separation of smaller oil droplets. Incorporated in the secondary chamber prevents the coalescer from being blocked in the event of major spillages and large amounts of accumulated hydrocarbon or heavy silt content in the surface water. It can be simply lifted out for cleaning during routine maintenance.

Auto Closure Device

A precisely engineered device comprising a water-buoyant ball that is sensitive to any change in the water density as a consequence of light liquids build up, thereby automatically activating a process of depressing the ACD to shut off the separator, thereby providing maximum protection to receiving waters in the unlikely event of a major emergency.

Oil Alert Probe

The Puraceptor Class 1 is fitted with an SPEL oil alert probe Model: OILSET 1000 in the primary chamber for oil spill detection and maintenance monitoring which includes an alarm panel for remote mounting. The alarm is triggered when hydrocarbon build-up accumulates to 10% of the primary chamber`s volume.

Fire Trap SPEL

Puraceptor Class 1 tanks contain an immersed inlet dip pipe to extinguish flames and prevent inflammable vapours from passing through to the drainage system. It is also prevents mosquito breeding. No Scouring: Suitable for Flood & Tidal Conditions The horizontal configuration, internally sealed treatment chambers and its coalescing function ensures no risk of scouring including when the separator is submerged in flood or tidal events.

This treatment system (or equivalent) will be constantly monitored by routine maintenance during operation. Maintenance is performed by the deduction method (suction) every 6 months as a minimum, or should the probe alarm be activated. In the instance of an alarm being triggered, the site manager will immediately log a call with the trade waste contractors to come and perform maintenance on the unit to remove all contaminants. These contaminants (ie. oil, silt, floatables, etc.) will be removed from the site by road tanker and disposed of at an appropriate location. A Maintenance Programme will be kept on-site at all times, with a service ledger recording all maintenance and inspection activities. This will provide a useful and efficient record (for both the operators and Council) to ensure that consistent inspections are conducted as required.

The stormwater drainage solution has been designed to generally comply with current 'best practices' engineering solutions and, in doing so will provide an appropriate and sustainable stormwater management system for the life of the development.

Landscaping
A Landscape Plan has been prepared by DSB Landscape Architects. The landscape design contributes to the streetscape of the public domain and softens the built form so the development will seamlessly integrate into the existing streetscape.

Landscaping is proposed to the peripheries of the development. Plantings will include a combination of larger evergreen trees, together with smaller shrubs and groundcovers.

A detailed landscaping plan is submitted with the application.

Waste Management and Deliveries
General waste from the service station operations will be stored in on-site bins located in the designated bin storage areas and disposed of via commercial collection arrangements. Collection will be undertaken by a commercial waste contractor on a regular basis, estimated at 2 x per week. Bulk bins are proposed for the site which will be collected by Council's standard 10.52m long frontloading Refuse Collection Vehicle (RCV).

Fuel, general convenience stock and convenience product deliveries will be delivered on a scheduled basis, or upon request (depending on demand). All deliveries will be scheduled to occur outside of peak trading times where possible. There are to be no delivery vehicles attending the site between the hours of 10 pm and 7 am Monday to Saturday or 10 pm and 8 am on Sundays and Public Holidays.

Fuel tankers are generally the size of a Semi-Trailer or a B-Double. A B-triple access has been allowed for to deliver fuel as the minimum class of service vehicle of the proposed service station. A fuel fill point lactation has been established at the southern end of the petrol canopy. The fuel tanker will temporarily prop within the Truck Canopy to refuel the underground fuel tanks. The truck canopy successfully accesses vehicles up to a B-Double and A-Double, hence there are no issues with the fuel tanker access.

Service station
The proposed service station will be operated by Liberty. Since 2001, Liberty have been concentrating on supplying fuel to independent retailers and wholesalers. Today, Liberty distributes hundreds of millions of litres of fuel a year, being one of the largest wholesalers operating right across Australia. Liberty strive to give independent retailers the best service, the most reliable supply, and the best deal for their customers.

The proposed service station will operate 24 Hours, 7 days a week. Once operational, it is envisaged that this new centre will likely employ some 8-10 people (being made up of various full-time/part-time employees used throughout alternate shifts). The service station is likely to operate with 2 staff at any-one-time, with an additional 2-3 staff for the food service offering. Daily staff duties will include customer service, stock keeping of convenience items, general cleaning of buildings/amenities and necessary monitoring of petroleum systems.

As well as fuel, the service station will provide pre-packaged retail food and drink products, as well as coffee and bakery treats. Food and drink products are additionally proposed within the fast food section along with amenities including a dedicated area for truckers.

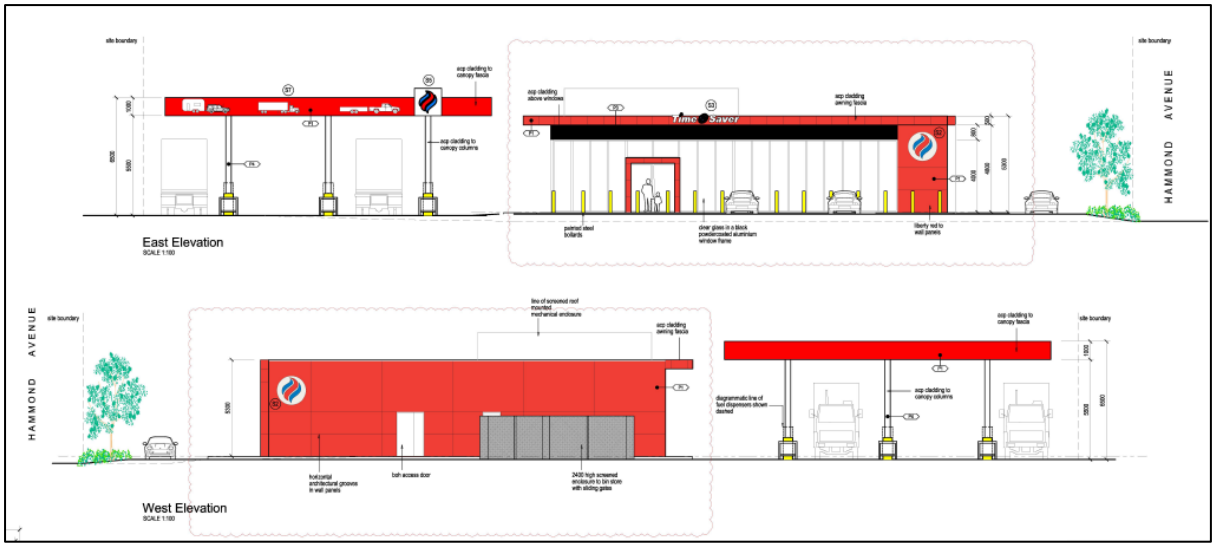

FIGURE 7 - PROPOSED EAST AND WEST ELEVATIONS (MCL BUILDING DESIGN)

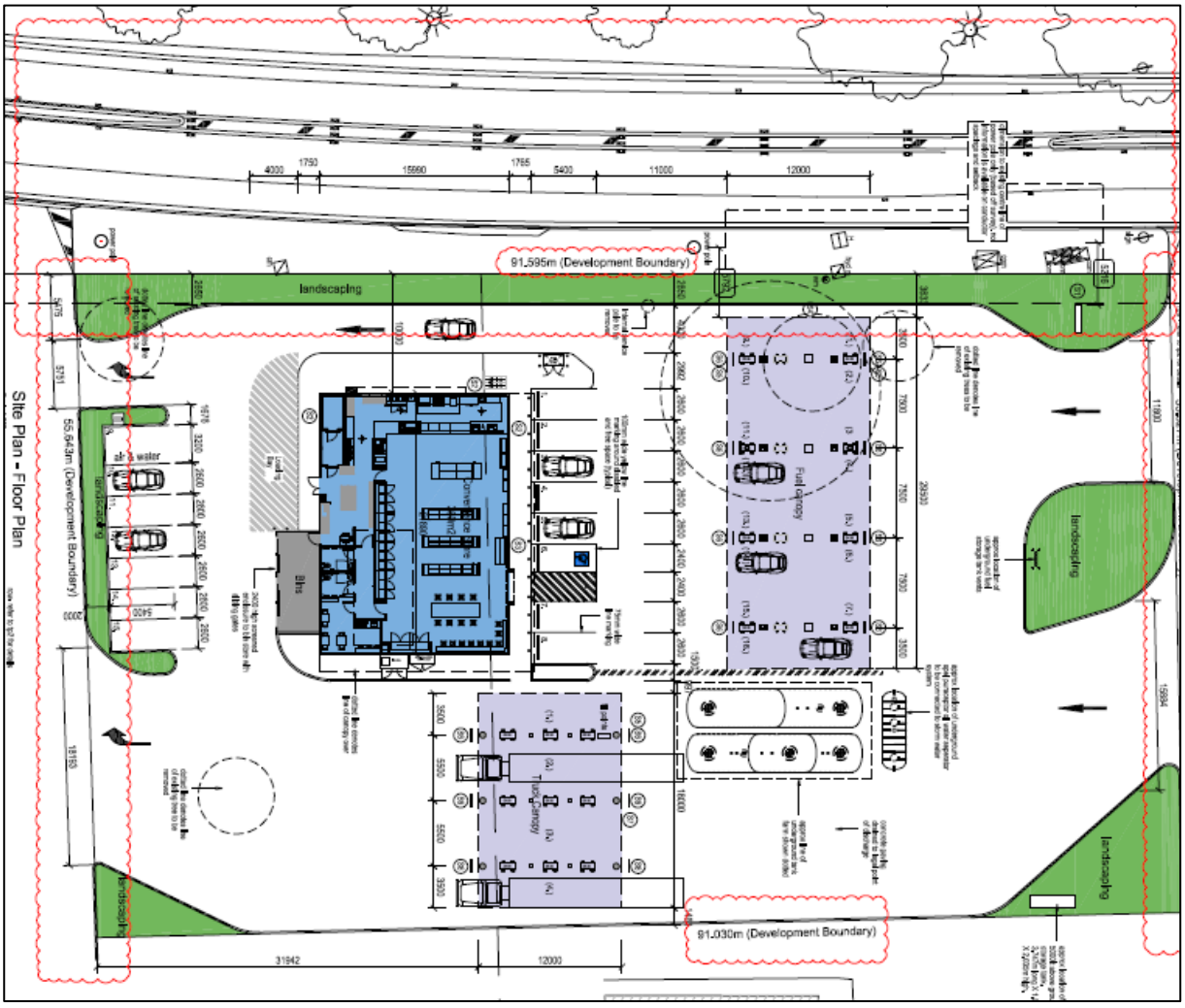

FIGURE 8 - PROPOSED SITE PLAN (MCL BUILDING DESIGN)

Operational Management Plan

To assist with operations commencing in the future, an Operational Management Plan (OMP) has been developed which should be read in conjunction with the proposed development documentation supplied for this development application.

The objectives of this OMP aim to: -

- demonstrate the operator's commitment to the ongoing amenity of their staff, customers and adjoining and nearby properties.
- identify safety measures and actions for managing antisocial behaviour.
- set out specific actions and procedures to manage patrons and the operations at the site.
- establish a process to receive and remedy complaints and/or issues generated by the development.
- promote communication between the operators, Council, and the local community and residents.

Developed as a result of these objectives, the OMP outlines provisions for antisocial behaviour, waste management, operational obligations, complaints, and health and safety. The OMPs should be a 'Dynamic Document' which can be updated to respond to changing procedures and practices. The approved plans shall then be implemented for the lifetime of the development on the subject site.

Planning Assessment

This section provides an assessment of the proposal in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act).*

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

1(a)(i) the provisions of any environmental planning instrument

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in Non-Rural Areas

Clause 9 and 10 of the SEPP (Vegetation in Non-Rural Areas) 2017 outlines that consent is required for the clearing of certain vegetation in non-rural areas.

Selected trees are proposed for removal from the site as part of the development of the service station. The trees are not mapped as significant vegetation. The removal of vegetation on site is included as part of the proposed development. The site is to be planted with smaller and larger trees to the front and peripheries of the site.

In addition, an Arboricultural Impact Assessment has been prepared for the proposed development and is provided with this DA. The report concludes that the existing trees on site are suitable for removal, and a single tree on the adjacent property (west) and the trees on the northern side of Hammond Avenue are suitable for retention subject t suitable amelioration measures being implemented during the construction of the proposed service station and the road widening works to Hammond Avenue. It is expected that conditions of consent will be enforced relating to the preparation of tree protection plan for implementation during construction, and establishment of required tree protection zones and structure root zones.

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 Advertising and Signage

Business identification signs are proposed throughout the site consisting of a standard signage package to reflect the Liberty corporate image (as shown in the signage plans). This includes a combination pylon, canopy, fascia/wall, blade and promo/banner signage throughout including corporate logos and promotional material, together with traffic directional signage to assist customers.

In accordance with the SEPP the consent authority is required to consider this Chapter as part of the development process as follows:

Schedule 1 Assessment criteria

TABLE 2 COMPLIANCE WITH CHAPTER 3 ADVERTISING SIGNAGE

1 Character of the area	
• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes. The signage proposed is consistent with that of a commercial nature proposed within the East Wagga Wagga local area.
• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is not a theme for outdoor advertising in the area. The signage is consistent with the East Wagga Wagga local area.
2 Special areas	
• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	No. The proposal does not detract from amenity or visual quality of any environmentally sensitive areas (none identified), heritage areas (none identified), natural or other conservation areas (none identified), open space areas (none identified), waterways (ground water identified only), rural landscapes or residential areas (to the east of the site)
3 Views and vistas	
• Does the proposal obscure or compromise important views?	No. No important views are available to or from the site. The proposed size and location of signage will not obstruct view lines within the main road corridor environment.
• Does the proposal dominate the skyline and reduce the quality of vistas?	No. The signage does not dominate the skyline.
• Does the proposal respect the viewing rights of other advertisers?	Yes. The signage allows for the same opportunity for viewing rights of other advertisers
4 Streetscape, setting or landscape	
• Is the scale, proportion, and form of the proposal appropriate for the streetscape, setting or landscape?	Yes. The scale of the signage will be similar to other signage in the area.
• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	Yes. The signage will contribute to the visual interest of the streetscape.
• Does the proposal reduce clutter by rationalising and simplifying existing advertising?	Yes. The signage is simple in form and will not add clutter to the area.
• Does the proposal screen unsightliness?	N/A. The signage is not required to screen unsightliness
• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	Yes and No. The majority of business signage throughout will not protrude above buildings, structures or tree canopies (none identified) in the area. However, a freestanding pylon is proposed at 10.15 metres in height, which will exceed the height of proposed structures on the site itself. Notwithstanding, is consistent with other pylon signage heights for service stations along Hammond Avenue. A DCP variation statement is provided in relation to the non-compliance.
• Does the proposal require ongoing vegetation management?	No. The signage does not require ongoing vegetation management.
5 Site and building	
• Is the proposal compatible with the scale proportion and other characteristics of the site or building or both on which the proposed signage is to be located?	Yes. The signage will be compatible with the scale, and proportion of the building on which the proposed signage is to be located. Additionally, the signage is in proportion and scale with other similar service stations along Hammond Avenue

• Does the proposal respect important features of the site or building or both?	Yes. The signage is considerate of the East Wagga Wagga local area in which the development is located.
• Does the proposal show innovation and imagination in its relationship to the site or building or both?	The signage is placed to appropriately identify the use whilst providing adequate privacy for users of the building.
6 Associated devices and logos with advertisements and advertising structures	
• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Yes. Internal and low light directional illumination is proposed as an integral part of the signage.
7 Illumination	
• Would illumination result in unacceptable glare?	No, the illumination will not result in an unacceptable glare and be in accordance with the relevant Australian Standard. It will also be controlled/timed to operating hours only.
• Would illumination affect safety for pedestrians, vehicles or aircraft?	No, the illumination will not affect safety for pedestrians, vehicles or aircraft
• Would illumination detract from the amenity of any residence or other form of accommodation?	No, the illumination will not detract from the amenity of any residence or other form of accommodation (to the east of the site)
• Can the intensity of the illumination be adjusted, if necessary?	Yes, the intensity of the illumination can be adjusted, if necessary.
• Is the illumination subject to a curfew?	Yes, the illumination subject to a curfew consistent with the operating hours.
8 Safety	
• Would the proposal reduce the safety for any public road?	The proposal will not affect the safety of the public road (Hammond Avenue). In fact, it will help assist the safety of that road for vehicles wanting to access the proposed development.
• Would the proposal reduce the safety for pedestrians or bicyclists?	The proposal will not affect the safety for pedestrians or bicyclists
• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposal will not affect the safety for pedestrians, by obscuring sightlines from public areas.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 3 Hazardous and offensive development

The former *SEPP No. 33 – Hazardous and Offensive Development* was formally introduced within NSW in March 1992 for the purpose of ensuring that all potentially hazardous or offensive industry development proposals are properly assessed. The provisions of this SEPP are now contained within Chapter 3 of SEPP (Resilience and Hazards) 2021. A Preliminary Hazard Assessment – SEPP (Resilience and Hazards) 2021 Chapter 3 Review is provided as a supporting document to this application.

Chapter 4 Remediation of Land

In accordance with Chapter 4 of the SEPP the consent authority is required to consider this Policy as part of the development process. The object of this Policy is to provide for a Statewide planning approach to the remediation of contaminated land. *Clause 4.6* of this policy identifies:-

*"**4.6 Contamination and remediation to be considered in determining development application***

(1) A consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

(4) The land concerned is:

(a) land that is within an investigation area,
(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:

(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge)."

In this regard, this application does not necessarily seek a change of use of the subject land (being vacant land) and, therefore, the provisions of *Parts (2)* and *(3)* of this Clause do not apply in this instance. Notwithstanding, a Preliminary Site Investigation was undertaken by E5 Environmental. This report concluded:

Based on the field observations and review of analytical data collected during the assessment of the site at 226 – 236 Hammond Avenue, Wagga Wagga, NSW, the following conclusions have been reached.

- *The proposed development site has primarily been vacant or used for rural purposes and does not appear to have a history of major industrial / manufacturing use save for car parking for users of the adjacent facility.*
- *No olfactory evidence of contamination, staining or other visual indicators of contamination were observed at the proposed site.*
- *Historical air photos back to 2003 do not appear to show any land use of the development site that is different from the current observed use (i.e., vacant).*
- *No filling or dumped wastes were evident at the site in its current state nor were these evident in air photos back to 2003.*
- *No concrete pads, footings or rubble was noted on the surface of the site that may*
- *indicate past industrial use of the proposed development portion of the site.*
- *The CSIRO Atlas of Australian Acid Sulphate Soils database indicates that the site and surrounds have a soil classification of Bn(p4) which indicates a low probability of occurrence.*
- *The site is not on the NSW Contaminated Site List as of May 2022 nor is it adjacent to any sites on the list.*
- *Limited shallow soil sampling and analysis found the following:*
    - ***TRH and BTEX.** Laboratory analysis of soil samples indicated that none of the soil samples tested found any TRH (F1 or F2) or BTEX compounds at concentrations above adopted guidelines.*
    - ***PAH Compounds.** Laboratory analysis of soil samples indicated that none of the soil samples tested found any PAH compounds at concentrations above adopted guidelines.*
    - ***OC & OP Pesticides.** Laboratory analysis of soil samples indicated that none of the soil samples tested found any OC & OP Pesticides at concentrations above the limit of detection.*
- ***PCB.** Laboratory analysis of soil samples indicated that none of the soil samples tested found any PCBs at concentrations above the limit of detection.*
- ***Metals.** Laboratory analysis of soil samples indicated that none of the soil samples tested found any of the 8 priority metals (As, Cd, Cr, Cu, Pb, Ni, Zn, Hg) at concentrations above adopted guidelines.*

*Based on the observations made during the site walkover, analysis of site conditions and limited soil sampling and analyses, e5 is of the opinion that there is a **Low risk** of contamination present onsite at levels that would present a risk to the use for the proposed development (i.e., a service station).*

Therefore, the land is suitable for the proposed use under the obligations and considerations of Chapter 4 of the SEPP. Council can be satisfied that contamination is not a prohibiting factor to the use of the subject site as a service station.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

The aim of this chapter is to facilitate the effective delivery of infrastructure across the State. It also provides for consultation with relevant public authorities during the assessment process or prior to development commencing.

Clause 2.118 Development with frontage to classified road

The objectives of this clause are:

> *(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
> *(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

The proposed development has direct frontage to Hammond Avenue. The proposed Hammond Avenue access includes a Short Urban Auxiliary Lane (AUL(s)) treatment into the site. There will therefore be no adverse traffic implications, the envisaged access road system will be suitable and appropriate and will not have any adverse road safety or operational implications.

It is anticipated the above considerations will be addressed by Council and Transport for NSW (TfNSW) within any forthcoming DA assessment process. A traffic engineering assessment has been undertaken by TTM to assess the traffic implications of the proposal, including the adequacy of the on-site parking provision, the suitability of the site access and parking areas and the likely impacts on traffic conditions. The report concludes:

> *The proposal to construct a service station development upon the subject land at 226-236 Hammond Avenue, East Wagga Wagga is summarised as follows from a traffic engineering perspective:*

- *The Applicant satisfies the minimum number of car parking spaces required by the Wagga Wagga DCP.*
- *The subject site warrants provision of an Auxiliary Left Turn Lane (AUL) on Hammond Avenue for entry into the site. This can form as a condition on the Planning Permit whereby a Functional Layout Plan / Detailed Design would be prepared to the satisfaction of the Responsible Authority (TfNSW).*
- *A Strategic Concept Layout Plan has been prepared by TTM Consulting and is attached in Appendix A showing the proposed left-turn deceleration lane. The left-turn lane is 72.6 metres long which is satisfactory for a 2.5 m/s2 deceleration speed and 10 kph entry speed.*
- *The Practical Absorption Capacity assessment confirms the traffic volumes entering and exiting the site are appropriate and will not cause unacceptable delays to the adjacent road network.*
- *The swept path diagrams confirm all associated vehicles successfully enter and exit the site.*
- *There are adequate truck and car fuel pumps to accommodate the anticipated demand within the service station.*
- *The car parking spaces and aisles comfortably satisfy Australian Standards.*
- *The loading bay is well above the minimum bay dimensions required for an MRV.*
- *Gradients are not shown on the plans, however the site is mostly flat and so there is no reason as to why this cannot be satisfied. A condition can be placed on the permit to ensure gradients satisfy:*
  - *AS2890.2:2002 (Parking Facilities – Off-street Commercial Vehicle Facilities)*
  - *AS2890.1:2004 (Parking Facilities – Off-street Car Parking),*

- *AS2890.6:2009 (Parking Facilities – Off-Street Parking for People with Disabilities).*

- *The Applicant has provision for 2 bicycle spaces which satisfies the bicycle parking requirements outlined in the Wagga Wagga DCP 2010. The bicycle parking layout is satisfactory from a traffic engineering perspective.*
- *It is estimated the sight distance would be at least 240 metres to the east when exiting which is well above the minimum SISD required.*

TTM Consulting considers the Applicant warrants the sought Planning Permit from a traffic engineering perspective subject to conditions.

Based on this assessment, it is considered that the proposed new service station will not compromise the effective and ongoing operation and function of the Hammond Avenue accordingly.

Strategic Concept Plans have been prepared by TTM that details the proposed road widening works

Clause 2.119 Impact of road noise or vibration on non-road development

This clause applies to any development for residential accommodation on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles a rail corridor that the consent authority considers likely to be affected by noise and vibration.

In accordance with Subclause 3, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

> *(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am;*
> *(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

Through suitable construction methods, measures can be put in place to ensure the appropriate noise qualifications can be met. This can be imposed as a condition of consent, requiring execution prior to the issue of a construction certificate. Council can be satisfied that the development can be made suitable for the proposed land uses and all relevant requirements of Clause 2.119 have been appropriately considered and addressed.

Clause 2.121 Traffic-generating development

The relevant size and capacity of the proposed service station development qualifies the proposal as traffic generating development under the *SEPP* (as defined in *Schedule 3*) and, thus, the provisions of *Clause 2.121* must be addresses as follows:-

> *"…(3) Before determining a development application for development to which this clause applies, the consent authority must:*

(a) give written notice of the application to RMS within 7 days after the application is made, and

(b) take into consideration:

(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, RMS advises that it will not be making a submission), and

(ii) the accessibility of the site concerned, including:

(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and

(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and

(iii) any potential traffic safety, road congestion or parking implications of the development.

(4) The consent authority must give RMS a copy of the determination of the application within 7 days after the determination is made…"

It is anticipated the above considerations will be addressed by Council and Transport for NSW (TfNSW) within any forthcoming DA assessment process. Again, TTM Consulting considers the Applicant warrants the sought Planning Permit from a traffic engineering perspective.

Accordingly, the nature of this proposal will not compromise the intent of this Policy. Being mindful of the above, it is considered that this proposal is consistent with the objectives of the adopted statutory and non-statutory planning controls for the site.

Wagga Wagga Local Environmental Plan (WWLEP 2010)

The *Wagga Wagga Local Environmental Plan 2011 (WWLEP 2010)* aims to make local environmental planning provisions for land in Moree Plains in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.

The following matters of *MPELP 2011* are of relevance to the development as follows:

Permitted or Prohibited Development (Clause 2.1 – Clause 2.3)
The site is zoned B6 Enterprise Corridor under *WWLEP 2011* as shown in the extract from the Land Zoning Map. *Service stations* are permitted with consent and compatible with the objectives of the B6 Enterprise Corridor zone which seek in particular to:

- *To promote businesses along main roads and to encourage a mix of compatible uses.*
- *To provide a range of employment uses (including business, office, retail and light industrial uses).*
- *To maintain the economic strength of centres by limiting retailing activity.*
- *To maintain the effective operation and function of main roads and limit opportunities for additional access to and from the Sturt Highway.*
- *To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To facilitate the development of large-scale business premises that do not detract from the core commercial functions of the Wagga Wagga central business district.*

- *To protect the primacy of the Wagga Wagga central business district.*
- *To facilitate a mix of uses along the Sturt Highway that services the needs of the travelling public.*

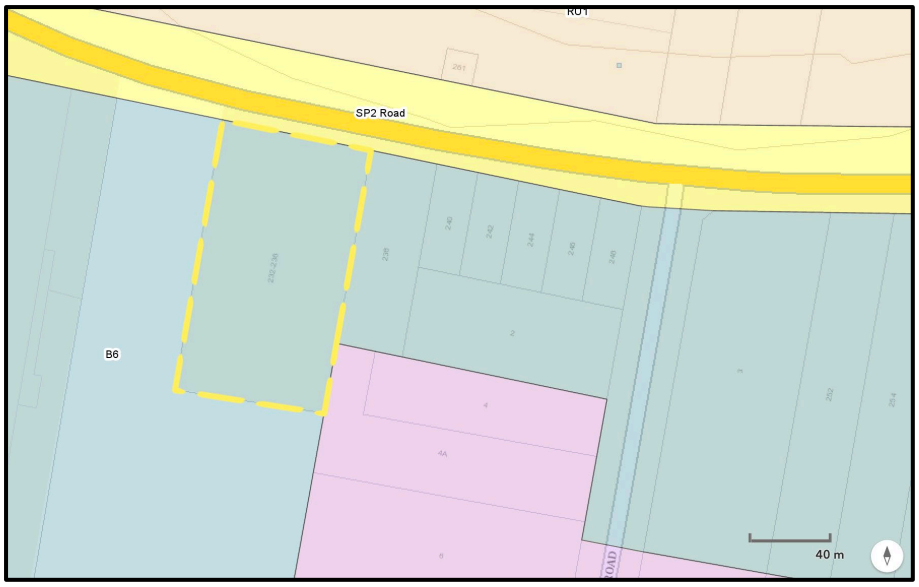

FIGURE 9 ZONING (NSW PLANNING PORTAL)

Minimum lot size (Clause 4.1)

This clause sets the minimum size of land for subdivision, to ensure development outcomes that are consistent with the character of the area, and do not result in unreasonable environmental impacts or land fragmentation.

There is no mapped minimum lot size as per the Figure below. The proposed boundary adjustment will result in a change to the sizes of the existing Lot 31 and 32, as follows:

- Lot 31 - 9468.35 m²
- Lot 32 - 24085.22 m²

The boundary adjustment will result in the following lot configuration:

- Proposed Lot 42 - 4997 m²
- Proposed Lot 43 – 2.855 ha

Despite the absence of a minimum lot size applying to the land, the proposed site areas are considered to be appropriate based on the context, and to support efficient development of the B6 zoned land.

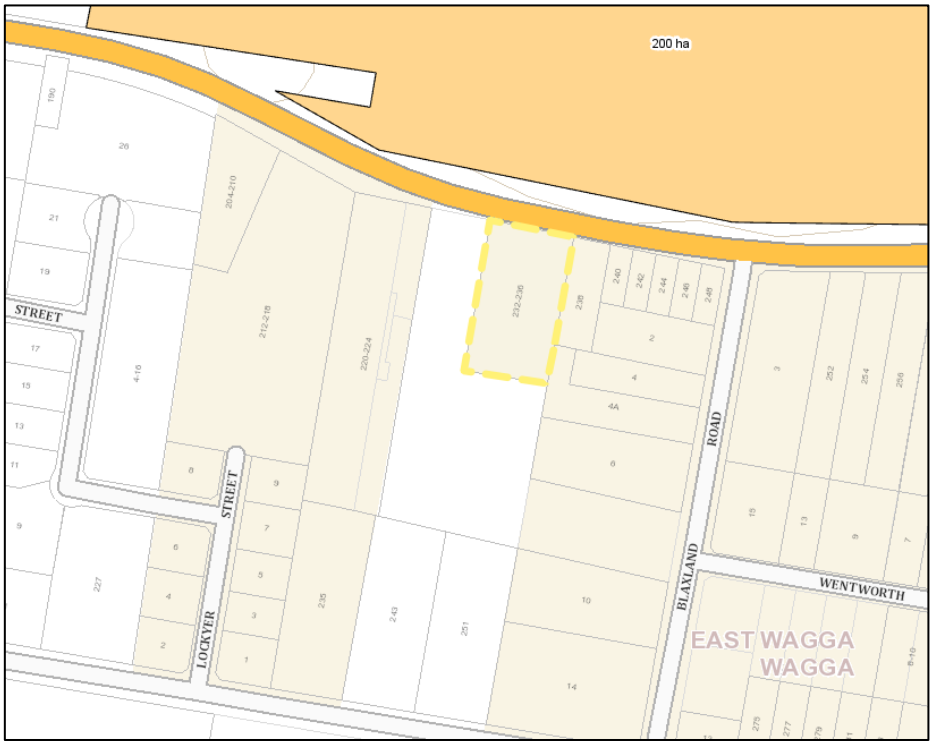

FIGURE 10 - MINIMUM LOT SIZE (NSW PLANNING PORTAL)

Earthworks (Clause 7.1A)

This clause seeks to ensure that any proposed earthworks do not have a detrimental impact on environmental functions and/or features surrounding the land.

Sub-clause 3 reads as follows:

> *(3) Before granting development consent for earthworks, the consent authority must consider the following matters—*
>
> *(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
>
> *(b) the effect of the proposed development on the likely future use or redevelopment of the land,*
>
> *(c) the quality of the fill or the soil to be excavated, or both,*
>
> *(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,*
>
> *(e) the source of any fill material and the destination of any excavated material,*
>
> *(f) the likelihood of disturbing relics,*
>
> *(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

The proposed earthworks include excavation for the underground fuel tanks and associated limited excavations for services and building infrastructure. In this regard, a Preliminary Site Investigation has been undertaken by E5 Environmental (attached to this application) to address the aforementioned matters for consideration. The report provides recommendations for the construction of the service station development and the associated underground fuel storage tanks.

Therefore, Council can be satisfied that the work proposed can be undertaken in an appropriate manner, without any unreasonable disruptions and/or any significant adverse impacts on surrounding properties.

Biodiversity (Clause 7.3)

The objectives of this clause are to protect, maintain or improve the diversity of the native vegetation. The proposal includes tree removal of up to four trees on site.

FIGURE 11 BIODIVERSITY (NSW PLANNING PORTAL)

Biodiversity is mapped to the front and rear (out of scope of the project) of the site. The site inspection determined that there was no significant biodiversity on site as per the map.

The front of the site contains single trees proposed to be removed by a qualified arborist. A preclearance survey will be undertaken prior to construction, it is expected that this will be conditioned as part of the consent. Where necessary, any biodiversity on site, with the assistance or suitably qualified persons, will be relocated to the nearest public reserve.

Groundwater vulnerability (Clause 7.6)

The objective of this clause is to protect and preserve groundwater sources and the site is identified as being wholly within the ground water resources map.

FIGURE 12 WATER RESOURCES (NSW PLANNING PORTAL)

The development proposes a services station and the consent authority can be satisfied that the development is unlikely to adversely impact on existing groundwater sources with controlled excavation and installation of structures required for the operation. The development is unlikely to adversely impact on future extraction from groundwater sources being developed on only a part of the site and for a used that does not require domestic or stock water supplies. The development is designed to prevent adverse environmental impacts, including the risk of contamination of groundwater sources from on-site storage or disposal facilities through the implementation of stormwater systems e.g. All surface water from under the canopy areas will be collected and diverted to a Stormwater Treatment and Capture Separator System (such as a SPEL Puraceptor Class 1 or equivalent) prior to discharge into the basin and localised stormwater/sewer system. The SPEL Puraceptor Class 1 (or equivalent) is an integrated oil-spill capture and light liquid treatment separator that provides an environmentally sustainable and certified solution for the treatment and capture of hydrocarbons in surface water runoff from service station forecourts for stormwater discharge.

1(a)(ii) the provisions of any proposed instrument

There are no draft or proposed Environmental Planning Instruments relevant to the proposed development of site.

1(a)(iii) the provisions of any development control plan

The relevant development control plan applying to the site and the proposed development is the Wagga Wagga Development Control Plan (DCP) 2010.

The Wagga Wagga DCP 2010 applies to all land within the Local Government Area (LGA) of Wagga Wagga. The Wagga Wagga DCP 2010 (DCP) was approved by Council on 27 May 2010 and will become effective on the making of the Wagga Wagga Local Environmental Plan 2010.

Where the proposed development involves a minor variation to the controls contained within DCP, *Subsection 4.15(3A) of the Act* enables Council to be flexible in applying the provisions and controls of the DCP and to allow reasonable alternative solutions that achieve the objectives of those controls/standards for dealing with that aspect of the development.

The following parts of the DCP are of relevance to the development and subject site:

Part A Section 2 Controls that apply to all development

- 2.1 Vehicle access and movements
- 2.2 Off-street parking
- 2.3 Landscaping
- 2.4 Signage
- 2.5 Safety and security
- 2.6 Erosion and Sediment Control Principles

Part D Section 10 Business Development

- 10.6 Enterprise Corridor Zone

A detailed assessment is provided in *Appendix A*.

The DCP aims to allow flexibility in the application of such development controls to promote innovation and design excellence. As such, two variations are proposed in relation to the height of the proposed pylon sign, and the setback of the proposed fuel canopy. Variation statements for each are provided below.

TABLE 3 - DCP VARIATION STATEMENT - PYLON SIGN HEIGHT

(a) The control being varied Part B, 2.4 Signage, C40 Maximum height for a pole or pylon sign upon a site located within a business zone is 8metres above ground level, provided the height of the sign does not protrude above the dominant skyline (including any buildings, structures or tree canopy). **(b) The extent of the proposed variation and the unique circumstances as to why the variation is requested** The single pylon sign is proposed to a height of 10.15m, which is in excess of the 8m DCP control. The proposed variation is considered acceptable in this circumstance due to the locational characteristics of the site. The Hammond Avenue Enterprise Corridor precinct is made up of large development sites which are predominantly located on the southern side of Hammond Avenue, due to the north being zoned rural zone. The additional of one pylon sign, greater than the DCP variation ensures that patrons are provided suitable sight distances to view the sign, affording them sufficient time to utilise the specific turning lanes into the proposed service station.

The proposed height is considered appropriate in the context as it does not protrude above the dominant skyline, and the proposed signage is consistent with other signs within proximity to the subject site on Hammond Avenue. Notably, the Nixon's Engineering sign at 254 Hammond Avenue.

(c) Demonstrate how the objectives are met with the proposed variations

The objectives of the control include:

- O1 Complement the SEPP 64 and provide more detailed controls that reflect the environmental conditions and character of the local government are of Wagga Wagga.
- O2 Support a consistent approach for signs and advertising across the local government are of Wagga Wagga.
- O3 Allow reasonable opportunities for signs and advertising associated with business and tourism developments.
- O4 Ensure signs do not detract from the urban or rural landscape.
- O5 Minimise visual clutter from the proliferation of signs and advertising and from poor rationalisation of signs.
- O6 Clarify where signs will not be supported or encouraged.

The proposed pylon sign is considered to be consistent with the objectives in that it is consistent with the principles of SEPP (Industry and Development) (previously referred to as SEPP 64).

The location of the subject site warrants to use of larger scale signs. This is consistent with existing signs in the Hammond Avenue Enterprise Corridor.

(d) Demonstrate that the development will not have additional adverse impacts as a result of the variation.

The proposed variation will not result in additional adverse impacts.

The proposed pylon sign has been assessed against the requirements of SEPP (Industry and Development) and is deemed consistent with the principles.

TABLE 4 - DCP VARIATION STATEMENT - FUEL CANOPY SETBACK

(a) The control being varied
Part D, Section 10.6, C7 Awnings may project into the front setback to a maximum depth of 2m. The awning is to be designed as an integrated element of the facade.

(b) The extent of the proposed variation and the unique circumstances as to why the variation is requested

The DCP allows awnings to be setback 2m less than building (DCP requires 10m). The proposed fuel canopy is setback 3.633m. The variation is requested on the basis that the fuel canopy is not an awning as such, it is a separate structure to the proposed building.

The fuel canopy is a separate articulation element, providing weather protection to patrons of the site using the refuelling stations, to ensure that amenity is maintained. On this basis, it is considered that the control should not apply as the control specifies that the "awning is to be designed as an integrated element of the façade". The fuel canopy is wholly within the site, and does not disturb the operation / functionality of the streetscape or Hammond Avenue.

(c) Demonstrate how the objectives are met with the proposed variations

The objectives of the control include:

- O1 Promote functional site design while providing flexibility to respond to site conditions.
- O2 Allow for flexibility within the front setback area to be partly used for car parking provided it is complemented by quality landscaping.
- O3 Provide for adequate loading facilities to minimise on-street disturbance.
- O4 Encourage improved built outcomes by encouraging consolidation of smaller sites.

The proposed development is considered to achieve the objectives of the control, particularly that it promotes the functional use of the site.

The proposed fuel canopy is a greater height than the proposed building, and maintains a 18.165m separation from the building. The building separation, and the staggering of the heights (7.5m for the fuel canopy and 5.3m for the building) reduces the bulk and scale of the overall development and encourages improved building outcomes.

(d) Demonstrate that the development will not have additional adverse impacts as a result of the variation.

The proposed variation will not result in additional adverse impacts. The separation of the fuel canopy from the proposed convenience store building, and the staggering of building heights ensures that the built form is broken up and of appropriate bulk and scale. The proposed development is considered to be a positive contribution to the Hammond Avenue streetscape.

1(a)(iiia) the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement under section 7.4.

There are no planning agreements existing or proposed to be entered into under Section 7.4 of the EP&A Act.

1(a)(iv) the provisions of the regulations that apply to the land to which the development application relates.

EPAR 2021

All relevant information to be included in the DA has been provided in accordance with Part 3, Division 1 Making development applications of the *Environmental Planning and Assessment*

Regulation 2021 (EPAR 2021). Furthermore, all building work will be carried out in accordance with Clause 69 of the *EPAR 2021*, which requires the consent authority to consider the provisions of the Building Code of Australia (BCA).

POEO (Underground Petroleum Storage Systems) Regulations 2019

The design of the underground petroleum storage system is compliant with *AS 4897 -2008 and with Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulations 2019* and *Protection of the Environment Operations (Clean Air) Regulation 2010*.

In summary, compliance with these regulations will involve the following:

- Adjacent property occupants will be advised by letter of the intended commencement date of works at the site. A contact name and number will be provided should neighbours have any concern or enquiries during the period of the works;
- The site will be secured by chain wire fencing which will be fitted with shade cloth to provide visual isolation and appropriately manage dust control;
- Additional soil erosion and sediment control measures will be installed on site which will ensure suspended solids do not flow from the site and enter off-site stormwater routes;
- As required, the proposed underground tank and fuel system will be commissioned in accordance with EPA Guidelines and other relevant legislative requirements;
- Excavations will be backfilled with clean fill and compacted. Lost volumes (if applicable) will be made up by importing appropriate fill, having first validated at source to ensure that it complies with epa prescribed criteria for imported fill;
- Soil will be stockpiled on-site in a suitable location for reuse where appropriate with contaminated soil to be taken off-site for treatment/re-use or disposal (if any). In the event that dust becomes an issue, on-site stockpiles will be covered with plastic and/or wetted down to minimise dust generation;
- The proposed new fuel storage system has been designed in accordance with part 2 – division 1 of the POEO (UPSS) Regulations 2019. In this regard, the new underground fuel storage enviro-tank will be installed within the identified 'tank farm' and sealed with concrete. Mandatory pollution protection equipment, and a secondary leak detection system will be installed also as required;
- Following completion of the fuel system installation works, the site will be classified as a 'new storage system' under the POEO (UPSS) regulations 2019. As such, groundwater monitoring wells will be installed and sampled in compliance with part 3 of the regulations; and
- All below/above ground fuel infrastructure works will be carried out by appropriate tradesmen.

Should approval for this proposal be forthcoming, appropriate conditions of Development Consent will enable compliance with the POEO (UPSS) Regulations 2019 and should include the submission of all necessary reports relative to the above processes (such as Equipment Integrity Test, 'Works as Executed Plans', and the nomination of the "Person Responsible" and the "Duly Qualified Person", etc.). It is noted that the service station operations will commence immediately following the completion of physical site works.

Accordingly, the fuel infrastructure installation and construction works will be carried out with minimal interference with adjoining land uses or the surrounding environment.

1(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Section 4.15(1)(b) requires the consideration of the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

This development application has considered the following impacts:

Environmental Impacts

Vegetation impacts
The site contains no significant vegetation therefore there are no significant vegetation impacts.

A Landscape Plan has been prepared by DSB Landscape Architects. The landscape design contributes to the streetscape of the public domain and softens the built form so the development will seamlessly integrate into the existing streetscape.

Landscaping is proposed to the peripheries of the development. Plantings will include a combination of larger evergreen trees, together with smaller shrubs and groundcovers.

A detailed landscaping plan is submitted with the application.

Impact on Soil Resources
Construction activities have the potential to impact on soil resources by way of erosion and sedimentation. A soil and erosion control plan has been prepared and is attached to the application. Conditions of consent should be imposed, if consent is granted, in relation to soil and water management controls to be implemented during construction.

Satisfactory implementation of these controls will prevent significant impacts on soil resources.

Stormwater Management
A satisfactory drainage design has been provided with the application.

The stormwater drainage solution has been designed to generally comply with current ‘best practices’ engineering solutions and, in doing so will provide an appropriate and sustainable stormwater management system for the life of the development.

Traffic Impacts
Two vehicle crossovers are proposed to the eastern and western edges of the site as carriageway easements. This agreement can be imposed as a condition of consent, requiring execution prior to the issue of a construction certificate.

Access is proposed in the form of deceleration lanes for vehicle ingress, described as a Short Urban Auxiliary Lane (AUL(s)) treatment into the site.

The proposed development caters for 15 x car parking spaces (for both visitor and staff)

A traffic engineering assessment has been undertaken by TTM to assess the traffic implications of the proposal, including the adequacy of the on-site parking provision, the suitability of the site access and parking areas and the likely impacts on traffic conditions.

Social and Economic Impacts

The identified positive impacts are summarised below:

- The proposal will generate direct employment opportunities with flow on employment multipliers benefitting the local community.
- The development will be compliant with relevant disability standards and will meet the needs of people with physical disabilities, sensory disabilities, and intellectual disabilities.
- The proposal will provide much needed services to the area meeting the daily needs of the surrounding residents, workers, and visitors.
- The proposal will result in economic benefits associated with the construction works.
- The proposal is consistent with the planning intent for business development along main roads.
- The development will have a positive impact on the environment by enhancing and improving the site and by ensuring minimal impact on downstream water quality as a result of the development.

The proposed development will likely have minimal adverse social or economic impacts. The amenity impacts of the proposed development have been further considered in detail below.

Operational Management
To assist with operations commencing in the future, an OMP has been developed which should be read in conjunction with the proposed development documentation supplied for this development application. Implementation of this OMP demonstrate the operator's commitment to the ongoing amenity of their staff, customers and adjoining and nearby properties. They identify safety measures and actions for managing antisocial behaviour, to ensure operations are conducted to maximise safety and security of the site and surrounds.

Noise
Through suitable construction methods, measures can be put in place to ensure the appropriate noise qualifications can be met. This can be imposed as a condition of consent, requiring execution prior to the issue of a construction certificate. Council can be satisfied that the development can be made suitable for the proposed land uses and all relevant requirements of the SEPP have been appropriately considered and addressed.

Kitchen Odour Control

Details of suitable filtration system both for rangehood and exhaust system and management of odour will be provided prior to issuing the Construction certificate and can be conditioned.

Lighting
Appropriate lighting within the site will ensure safe and secure operations during night-time periods, consistent with CPTED guidelines.

The illumination will not result in an unacceptable glare or light spill, and will be controlled within the boundary and peripheries of the site as required. It will also be controlled/timed to operating hours only. The illumination will not promote safety for pedestrians and vehicles, but at the same time not detract from the amenity of any residence.

Details of lighting and management will be provided prior to issuing the Construction certificate and can be conditioned.

Crime Prevention
The high quality of the building design has included design objectives that are consistent with safer by design guidelines and CPTED principles.

The development is deemed to be safe or safe subject to the implementation of a range of recommendations, around security, lighting, landscaping, management, access, and vandalism. Overall, the social benefits of the proposed redevelopment have been found to significantly outweigh any potential negative impacts.

This application is supported by a Crime Risk Report which assesses the proposed development and concludes that the social benefits of the proposed redevelopment have been found to significantly outweigh any potential negative impacts, and that any anticipated negative impacts can be mitigated through the imposition of development consent conditions consistent with submitted the Operational Management Plan.

1(c) the suitability of the site for the development

Section 4.15(1)(c) requires consideration of the suitability of the site for the development.

The proposal is considered appropriate regarding the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining developments.

There are no site constraints that would prevent the proposal.

1(d) any submissions made in accordance with this Act or the regulations.

Council will need to undertake consultation in accordance with the requirements contained within the Wagga Wagga DCP 2010. Any submissions received in relation to the development will be reviewed and considered.

1(e) the public interest.

The proposal is in the public interest as it provides services to meet the needs of the community and does not result in any significant adverse impacts. Additionally, both short term and longer-term employment opportunities will be created because of the construction of this development.

Conclusions

The proposed construction and use of a service station will allow for an aesthetically pleasing and functional development on what is currently underdeveloped and unutilised land. The proposal will provide a new modern national tenancy that will deliver additional services and facilities for residents and employees within the area.

The proposal is generally compliant with relevant legislative requirements and Environmental Planning Instruments.

The proposal is consistent with the objectives for the B6 Enterprise Corridor Zone and is compliant with the relevant LEP clauses, SEPP's and DCP requirements.

The proposed building is of a contemporary building design employing high quality materials, attractive landscape features, and appropriate setbacks which compliments the streetscape.

The proposed land uses are permissible and desirable within the zone and provide services to the local community.

The proposal includes appropriate stormwater management and landscape treatment, which has been designed to complement the surrounding environment, and minimises potential impacts on neighbouring properties.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties including traffic, circulation and parking, noise, contamination, hazard risk, visual amenity and waste and water management. Where necessary, mitigation measures are proposed to minimise these potential impacts and reduce potential risk associated with the development.

Given the merit of the design and the absence of any significant adverse environmental impacts or planning issues, the DA is in the public's interest and worthy of Council's support.

Appendix A - DCP Compliance Tables

Part A Section 2 Controls that apply to all development

2.1 Vehicle access and movements

Vehicular access to the site is proposed as follows:

- One approximately 19.5 metres wide entry only vehicle crossing with provision for a left and right-turn deceleration lane on Hammond Avenue towards the east end of the site.
- One approximately 10-22 metres wide left-turn exit only vehicle crossing on Hammond Avenue towards the west end of the site.

Two carriageway easements (approximately 19.5 metres and 15.28 metres wide respectively) are proposed along the side boundaries providing entry and exit for the proposed service station and any future development into the site.

The existing vehicle crossing towards the centre of the site will be removed as part of the proposal.

TABLE 5 - COMPLIANCE WDCP 2010 PART 2.1

Item	Control	Compliance
Controls	C1 Access should be from an alternative secondary frontage or other non-arterial road where possible.	There are no other alternative frontages to Hammond Street, however access to the site is proposed to be consolidated with the rear lot, with one access dedicated for ingress and the other for egress.
	C2 A Traffic Impact Study may be required where adverse local traffic impacts may result from the development. The traffic impact study is to include the suitability of the proposal in terms of the design and location of the proposed access, and the likely nature, volume or frequency of traffic to be generated by the development.	This DA is supported by a Traffic Engineering Assessment by TTM Consulting and assesses the adequacy of the on-site parking provision, the suitability of the site access and parking areas and the likely impacts on traffic conditions.
	C3 Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it.	Ingress and egress will comply with this control, with access points for entry and exit separated.
	C4 Provide adequate areas for loading and unloading of goods on site. The loading space and facilities are to be appropriate to the scale of development.	Sufficient areas for loading are provided.
	C5 Access driveways are to be located in accordance with the relevant Australian Standard at the time of lodgement of an application.	Driveways will comply with the relevant Australian Standards.

	C6 Ensure adequate sight lines for proposed driveways.	The Traffic Engineering Assessment by TTM Consulting includes a sight line assessment which identifies the minimum SISD is 123m. A minimum SISD of 240m can be achieved.

2.2 Off-street parking

The proposed development provides car parking for the overall service station incorporating service station convenience store (4-5 staff and 350m2 GFA), car fuelling positions (16) and truck fuelling positions (4) with the following:

- Car parking spaces – 15 incl. 1 accessible space
- Bicycle spaces – 2
- Loading Bay – 1

A traffic engineering assessment has been undertaken by TTM to assess the traffic implications of the proposal, including the adequacy of the on-site parking provision, the suitability of the site access and parking areas and the likely impacts on traffic conditions and concludes:

> *The proposal to construct a service station development upon the subject land at 226-236 Hammond Avenue, East Wagga Wagga is summarised as follows from a traffic engineering perspective:*
>
> - *The Applicant satisfies the minimum number of car parking spaces required by the Wagga Wagga DCP.*
> - *The subject site warrants provision of an Auxiliary Left Turn Lane (AUL) on Hammond Avenue for entry into the site. This can form as a condition on the Planning Permit whereby a Functional Layout Plan / Detailed Design would be prepared to the satisfaction of the Responsible Authority (TfNSW).*
> - *A Strategic Concept Layout Plan has been prepared by TTM Consulting and is attached in Appendix A showing the proposed left-turn deceleration lane. The left-turn lane is 72.6 metres long which is satisfactory for a 2.5 m/s2 deceleration speed and 10 kph entry speed.*
> - *The Practical Absorption Capacity assessment confirms the traffic volumes entering and exiting the site are appropriate and will not cause unacceptable delays to the adjacent road network.*
> - *The swept path diagrams confirm all associated vehicles successfully enter and exit the site.*
> - *There are adequate truck and car fuel pumps to accommodate the anticipated demand within the service station.*
> - *The car parking spaces and aisles comfortably satisfy Australian Standards.*
> - *The loading bay is well above the minimum bay dimensions required for an MRV.*
> - *Gradients are not shown on the plans, however the site is mostly flat and so there is no reason as to why this cannot be satisfied. A condition can be placed on the permit to ensure gradients satisfy:*
>   - *AS2890.2:2002 (Parking Facilities – Off-street Commercial Vehicle Facilities)*
>   - *AS2890.1:2004 (Parking Facilities – Off-street Car Parking),*

- *AS2890.6:2009 (Parking Facilities – Off-Street Parking for People with Disabilities).*

- *The Applicant has provision for 2 bicycle spaces which satisfies the bicycle parking requirements outlined in the Wagga Wagga DCP 2010. The bicycle parking layout is satisfactory from a traffic engineering perspective.*
- *It is estimated the sight distance would be at least 240 metres to the east when exiting which is well above the minimum SISD required.*

TTM Consulting considers the Applicant warrants the sought Planning Permit from a traffic engineering perspective subject to conditions.

TABLE 6 - COMPLIANCE WDCP 2010 PART 2.2

Item	Control	Compliance
Controls	C1 Parking is to be provided in accordance with the table below. For uses not listed, similar land uses should be used as a guide in assessing car parking requirements.	Service stations require 1 space per staff member with the convenience component as per retail being 1 space per 33m^2. The proposed development includes 15 spaces including 1 accessible space. Total of 5 staff on site requires 5 car spaces, and the convenience store requires 10.6 spaces. The proposed car parking approach is considered appropriate and compliant given the nature of service station operations. The use of the convenience store component is predominantly used as a supplementary service to the fuel bowsers. Therefore customers who utilise the convenience store are generally those who are using a bowser for refuelling / parking, while they supplement their purchase of fuel with a convenience item available in store.
	C2 The design and layout of parking is to be in accordance with the relevant Australian Standard at the time of lodgement of an application.	Car parking design and manoeuvring areas are in accordance with the relevant Australian Standards and confirmed by the Traffic Engineering Assessment.
	C3 Parking spaces are to be provided for disabled persons. Accessible parking spaces to comply with the relevant Australian Standard	One accessible car space is included, which complies with the relevant Australian Standards and confirmed by

	at the time of lodgement of an application.	the Traffic Engineering Assessment.
	C4 For mixed use developments, the parking required is the total of requirements for each use. Variations can be considered where it can be demonstrated that the peak demand for each land use component is staggered or that development as a whole generates less parking than separable parts.	Not applicable.
	C5 In the case of redevelopment or change of use (other than in the B3 zone) the parking requirements are to be calculated by: a. Determining the parking requirement of the current or previous use in accordance with the table, then b. Determining the parking requirement for the new use, then c. Subtracting the existing requirement from the requirement for the proposed use to determine the number of spaces required (i.e. a credit is provided for any shortfall that exists on the site for the current use).	Not applicable.
	C6 In the case of redevelopment or change of use within the B3 zone where there is no increase in gross floor area, no additional car parking spaces will be required, except in the following instances: a. Outbuildings are proposed to be used in association with the development, or b. A Traffic Impact Assessment (TIA) is required by Council for the development.	Not applicable.
	C7 Variations to the parking requirements may be considered where minor alterations and additions are proposed and the changes do not encroach or reduce the current off-street parking spaces.	Not applicable.
	C8 A traffic and parking study may be required for certain proposals, including but not limited to proposals for schools and other education uses including child care centres, business parks, hospitals, cinemas and gyms.	This DA s supported by a Traffic Engineering Assessment completed by TTM Consulting.
	C9 Provide trees within the parking area at a rate of 1 tree per 5 spaces in a row. Each tree to have a minimum mature spread of 5m and to be located in a planting bed with minimum width of 1.5m (between back of kerbs) and minimum area of 3.5m2.	Landscaping is provided where the car parking adjoins the adjoining site. This landscaped area includes 7 car spaces and two trees proposed for planting.

		Along the Hammond Street frontage, the extent of the front boundary is proposed to be landscaped to a minimum width of 2.5m and includes a combination of trees and ground covers.
	C10 Planting beds located within a car park are to have a subsoil drainage system connected into the stormwater system of the site.	The Landscape Plan identifies the incorporation of subsoil drains to the low side / edge or the garden bed to collect excessive water run-off. The subsoil drainage will be connected to stormwater sump connection / inlet.
	C11 To ensure sightlines are maintained for drivers and pedestrians, trees used within or adjacent to car parking areas shall have a minimum clear trunk height of 2.5m, with shrubs and ground covers not to exceed 500mm in height.	Noted.

2.3 Landscaping

A Landscape Plan has been prepared by DSB Landscape Architects. The landscape design contributes to the streetscape of the public domain and softens the built form so the development will seamlessly integrate into the existing streetscape.

Landscaping is proposed to the peripheries of the development. Plantings will include a combination of larger evergreen trees, together with smaller shrubs and groundcovers.

TABLE 7 - COMPLIANCE WDCP 2010 PART 2.3 LANDSCAPING

Item	Control	Compliance
Controls	C1 A landscape plan is required for applications for : - Commercial and Industrial developments - Residential development (other than dwelling houses).	This DA is supported by a Landscape Plan.
	C2 Natural features at the site, such as trees, rock outcrops, cliffs, ledges and indigenous species and vegetation communities are to be retained and incorporated into the design of the development.	Minimal earthworks are proposed as part of the development, however tree removal is included.
	C3 Use native and indigenous plants, especially low water	The proposed landscaping includes mix of native and exotic species which are low

	consumption plants in preference to exotic species.	maintenance vegetation and ideal for the location.
	C4 Trees should be planted at the front and rear of properties to provide tree canopy.	Trees are proposed along the front boundary.
	C5 Provide landscaping in the front and side setback areas, and on other parts of the site to improve the streetscape, soften the appearance of buildings and paved areas, and to provide visual screening.	Landscaping is proposed along the front and side boundaries with the exception along vehicle entry and exit points.
	C6 Landscaping should provide shade in summer without reducing solar access in winter. Limited use of deciduous species is acceptable where used to achieve passive solar design.	The landscaping proposed along the front boundary includes street trees, specifically *Carpinus betulus 'Fastigata'* Upright Hornbeam, *Pyrus calleryana 'Capital'* Callery Pear *and Pyrus calleryana 'Fronzam' – Frontier* Callery Pear. Trees will be planted along the northern boundary and will provide some shade to the site.

2.4 Signage

The proposed development includes 8 signs including one pylon sign and a combination of fascia and wall signs. These are illustrated on the Architectural Plans prepared by MCL Building Design Pty Ltd.

TABLE 8 COMPLIANCE WITH WDCP 2010 2.4 SIGNAGE

Item	Control	Compliance
General controls for signage and structures	C1 All signage and structures must relate directly to the lawful approved or exempt land use being conducted on the land to which the signage or structure is to be displayed.	The signage relates to the proposed use as a service station.
	C2 Any sign or structure should reflect the architectural style of the building.	The signage is appropriate for the proposed building.
	C3 Signs should not obscure decorative forms or moulding and should observe a reasonable separation distance from the lines of windows, doors, parapets, piers and the like.	The signage does not obscure decorative forms or moulding and is located a reasonable separation distance from the lines of windows, doors, parapets, piers and the like
	C4 Signs should be of a size and proportion which complement the scale of the existing building as well as surrounding buildings and signs. Signs should not significantly affect the presentation of the existing façade of the building.	The signage is of a size and proportion which complement the scale of the existing building as well as existing and future surrounding buildings and signs.
	C5 The scale of lettering should also be proportioned to the area of the signage panel to which it will be applied.	The scale of lettering is appropriately proportioned.

	C6 Must be securely fixed and maintained in a structurally adequate and safe manner.	The signs will be securely fixed and maintained in a safe manner
	C7 The colour used in the design of a sign or structure should complement the colour finish of the building to which it will relate.	Corporate colours are proposed consistent with the colour finish of the building to which it will relate.
	C8 Corporate colours should be limited to the signage or.	As above.
	C9 The illumination of signage and structures by low set floodlighting is preferred, rather than the use of neon or boxed fluorescent lighting on buildings.	The illumination will not result in an unacceptable glare. It will also be controlled/timed to operating hours only.
	C10 The rationalisation of signage will be generally required where there is existing signage through the use of common directory pylon signs for multi-occupancy developments and by limiting the number of signs that may be erected on any one building or site.	A single occupancy is proposed. Signage is rationalised.
	C11 A sign or structure must not endanger public safety or cause nuisance or a hazard by reason of its location, construction or design by either: (a) Emitting excessive glare or reflection from internal or external illumination or surface materials; (b) Obscuring the view of motorists or pedestrians; (c) Screening potentially hazardous road features; (d) Signage containing designs or messages which may either confuse or distract motorists.	The signage will not endanger public safety or cause nuisance or a hazard by reason of its location, construction or design, rather will guide patrons safely through the development. The illumination of signs will comply with relevant Australian Standards to ensure that there is no obtrusive light spill or glare.
Specific controls for signage and structures		
Fascia Signs	C12 Maximum of one (1) building identification sign per building awning.	Each awning has no more than one building identification per elevation.
	C13 Maximum of one (1) business identification sign per tenancy or occupancy.	The development is for a single occupancy and limited to the front elevation.
	C14 Fascia signs must form part of the awning and must not project above or below the awning fascia.	The fascia signage does form part of the awning; however part of the “Liberty” flame protrudes above the height of the overall awning.
	C15 Fascia signs must not be illuminated.	The fascia sign is internally illuminated. In accordance with SEPP 64, the illumination will not generate unacceptable glare and will be consistent with the relevant Australian Standards.

		The site is located on Hammond Avenue which is a State Road under Transport for NSWs control. It is considered that the illumination of the signs is appropriate for the proposed use and the context of the development site. It will not generate light spill or be obtrusive
	C16 Fascia signs should include business identification (i.e. the name and general nature of the approved business carried out in the building or premises to which the fascia awning is attached).	The fascia sign includes the business identification.
Wall Signs	C17 Maximum of one (1) business identification sign per tenancy elevation.	Rationalised to one (1) business identification sign per building elevation.
	C18 Maximum of one (1) building identification sign per building elevation.	Rationalised to one (1) building identification sign per building elevation.
	C19 Must be integrated with the design of the building on which it is to be displayed and for a building having: (a) An above ground elevation of 200m^2 or more – the advertisement must not exceed 10% of the above ground elevation; (b) An above ground elevation of more than 100m^2, but less than 200 m2 – the advertisement must not exceed 20m^2; and (c) An above ground elevation of 100m^2 or less – the advertisement does not exceed 20% of the above ground elevation.	Integrated with the design of the building on which it is to be displayed and for a building as per (c) the area of wall sign does not exceed 20% of the above ground elevation.
	C20 Must be attached flush to the wall and must not protrude more than 300mm from the wall.	Will be attached flush to the wall and must not protrude more than 300mm from the wall.
	C21 Must not protrude above the parapet or eaves.	Will not protrude above the parapet or eaves.
	C22 Must not cover mechanical ventilation vents.	Will not cover mechanical ventilation vents.
	C23 Must not extend over any window or other external opening.	Will not extend over any window or other external opening.
	C24 Must not obscure significant architectural elements of the building.	Will not obscure significant architectural elements of the building.
Projecting Wall Signs	Various controls	Not proposed.
Under Awning Signs	Various controls	Not proposed.

Pole or Pylon Signs (including monolith style signs)	C37 Maximum of one (1) pole or pylon sign per street frontage.	One (1) pylon sign proposed to Hammond Avenue.
	C38 Minimum clearance of 2.6metres is required from the underside of the pole or pylon sign and the ground level, except where the sign structure is a monolith style accommodating a panel that reaches to or close to the ground.	The sign structure is a monolith style accommodating a panel that reaches to or close to the ground.
	C39 Maximum panel area per sign (whether all used for advertising content or not) for a pole or pylon sign upon a site located within a business zone is 8m2 or 10m2 for a monolith style sign.	The proposed sign is a monolith style sign. The sign exceeds the 10m2 area. The proposed sign area is considered appropriate in the context as it in context with the surrounding commercial and industrial land uses, and of similar scale and area as others within vicinity of the site. Notably, the Nixon's Engineering sign at 254 Hammond Avenue. A variation statement is provided at Table 3 - DCP Variation Statement - Pylon Sign Height.
	C40 Maximum height for a pole or pylon sign upon a site located within a business zone is 8metres above ground level, provided the height of the sign does not protrude above the dominant skyline (including any buildings, structures or tree canopy).	Maximum height is 10.15 metres above ground level. The proposed height is considered appropriate in the context as it does not protrude above the dominant skyline, and the proposed signage is consistent with other signs within proximity to the subject site on Hammond Avenue. Notably, the Nixon's Engineering sign at 254 Hammond Avenue. A Variation Statement is provided above.
	C41 Maximum panel area per sign (whether all used for advertising content or not) for a pole or pylon sign upon land within an Industrial zone is 10m2, including monolith signs.	Not applicable.
	C42 Maximum height of a pole or pylon sign upon a site located within an Industrial zone is 8metres above ground level, provided the height of the sign does not protrude above the dominant skyline (including any buildings, structures or tree canopy).	Not applicable.
	C43 Maximum panel area per sign (whether all used for advertising content or not) for a pole or pylon	Not applicable.

	sign upon land within a rural zone is 4m2.	
	C44 Maximum height of a pole or pylon sign upon a site located within a rural zone is 4metres above ground level, provided the height of the sign does not protrude above the dominant skyline (including any buildings, structures or tree canopy).	Not applicable.
	C45 Will generally not be supported upon a site located within a residential zone. However, a pole or pylon sign may be permitted, in special cases where: (a) The proposed sign is for advertising of an existing approved business; and (b) The proposed sign (in the opinion of Council) will not cause any adverse visual impact upon the streetscape character or amenity of the residential locality and /or view loss to key views or vistas; and (c) The maximum advertising area of the sign is 0.75m2 and the maximum height of the sign is 2m2, above ground level.	Not applicable.

2.5 Safety and security

O1 Incorporate crime prevention strategies in new developments.
O2 Encourage active, pedestrian oriented environments where developments are designed to integrate into the public domain
O3 Maximise opportunities for natural surveillance of public spaces and building or site entrances.

TABLE 9 COMPLIANCE WITH WDCP 2010 2.5 SAFETY

Item	Control	Compliance
Controls	C1 Use good site planning to clearly define public, semi-public and private areas.	Landscaping at the front boundary delineates the boundary of public and private property in this instance. Limited access to staff only areas including the bin storage space will be established through the use of enclosures.
	C2 Entries are to be clearly visible and identifiable from the street, and are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration offices or showroom are to be located at the front of the building.	The development includes clearly defined vehicular entrance and exits into the subject site, and entrance location into the proposed service station building.
	C3 Minimise blank walls along street frontages.	The building of the service station incorporates wall

		panels and wall sign. The eastern elevation will be easily viewed from Hammond Avenue and includes glass panelling, provided ample casual surveillance.
	C4 Avoid areas of potential concealment and 'blind' corners.	The service station building has a small footprint in comparison to the overall site and is positioned in the middle of the subject site. Refuelling stations and associated vehicular circulation space around the building is proposed and will encourage casual surveillance around the development.
	C5 Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties.	The site will be adequately lit, whilst minimising potential nuisance and spill on adjoining properties.
	C6 Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.	Low lying planting is proposed within the site, with landscaping proposed at the front boundary to complement the development but will not hinder natural surveillance within, into or out of the site.
	C7 Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility.	Not applicable.
	C8 Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.	Publicly accessible toilets are located internal to the building.

2.6 Erosion and Sediment Control Principles

Construction activities have the potential to impact on soil resources by way of erosion and sedimentation. A soil and erosion control plan has been prepared and is attached to the application. Conditions of consent should be imposed, if consent is granted, in relation to soil and water management controls to be implemented during construction.

Satisfactory implementation of these controls will prevent significant impacts on soil resources.

TABLE 10 - COMPLIANCE WITH WDCP 2010 2.6 EROSION AND SEDIMENT CONTROL PRINCIPLES

Item	Control	Compliance
Controls	C1. An Erosion and Sediment Control Plan is to be submitted	Sediment and erosion controls will be implemented during construction of the

	with the development application.	development and are outlined on the submitted plans.
	C2. Water diversion or filtration measures including sand bags, silt fencing or straw bale sediment filter fencing are to be implemented on the downslope property boundary, including, where appropriate, the rear of the lot.	Noted. It is expected these will be conditioned as part of a Consent.
	C3. All sediment control measures are to be installed prior to commencement of work on the site. The measures are also to be maintained in a sound and workable condition until completion and must not be removed from the site until permanent rehabilitation/stabilisation measures have been completed	Noted. It is expected these will be conditioned as part of a Consent.
	C4. Vehicle admittance onto the site shall be restricted during wet or muddy conditions.	Noted.
	C5. The placement of blue metal, gravel or similar materials is required on the identified single access point if access is necessary under wet or muddy conditions. This will prevent erosion by concentrated run-off and minimise tracking of mud from the site on to the road.	Noted.
	C6. Temporary fencing is to be installed along the boundary adjoining roadways to prevent vehicles by-passing the designated driveway access.	Noted. It is expected these will be conditioned as part of a Consent.
	C7. Locate stockpiles so that the material is wholly within the property boundary and not in a position where it can be washed into the gutter or roadway.	Noted. It is expected these will be conditioned as part of a Consent.
	C8. Coverage of stockpiles should be provided to prevent loss by wind erosion, unless the material is too coarse to be windblown (e.g. coarse sand).	Noted. It is expected these will be conditioned as part of a Consent.
	C9. Sediment fencing must be provided down slope of all stockpiles. Where the catchment exceeds 2 ha, a diversion	Not applicable.

	bank/fence must be constructed immediately upslope of all stockpiles.	
	C10. Disturbed areas are to be stabilised disturbed areas with seeded topsoil or turf as quickly as possible or by no later than 14 days, after completion of construction works. Use of turfed terraces or turf strips along embankments may facilitate quick stabilisation of those areas.	Noted.
	C11. All erosion and sediment control devices should be kept in place until the site is fully stabilised and /or landscaped.	Noted.

Part D Section 10 Business Development

10.6 Enterprise Corridor Zone

The site is located in Precinct 5. This precinct comprises a mix of veterinary, bulky goods, building supplies, exhibition homes, industry, business, recreation and storage.

Appendix E identifies that the subject site is affected by a Private Service Road / Internal Connection. The proposed development does not inhibit the Private Service Road / Internal Connection to go ahead. The placement of the proposed service station is at the front of the site and as per the newly created lot subject to a current boundary adjustment DA (DA22/0250) which will allow the Private Service Road / Internal Connection to be completed to the rear, if and when deemed necessary by the future development of the surrounding area.

The development maintains the desired future outcome of the precinct upon the use as a service station.

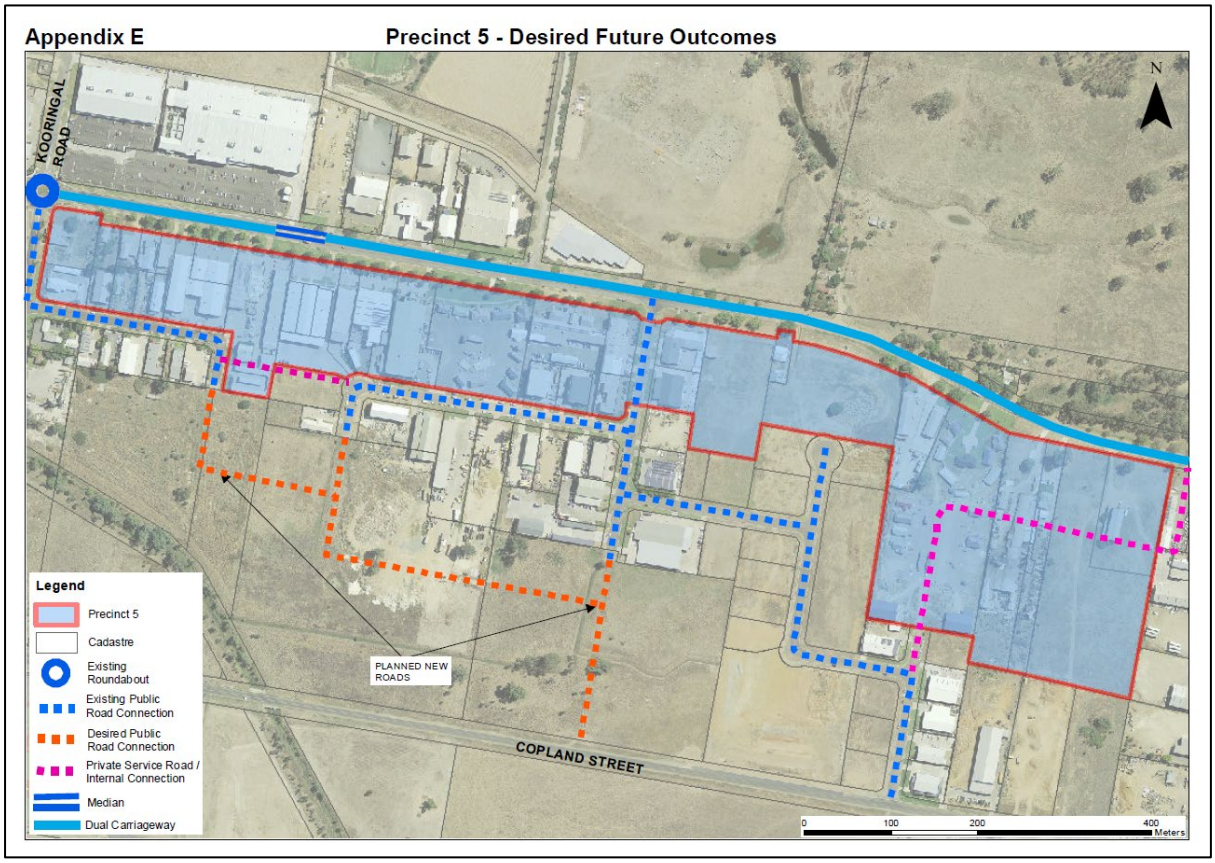

FIGURE 13 PRECINCT OUTCOMES (WDCP2010 – 10.6 ENTERPRISE CORRIDOR)

Control	Compliance
C1 All developments on sites and consolidation of sites larger than 1 hectare within the B6 zone are required to be in accordance with an urban design based on a master plan approved by Council. Controls C2 to C11 should be taken into account when preparing master plans.	The proposed service station is located on proposed Lot 42, which has an area of 4997m2. A master plan has not been prepared for proposed Lot 43 as the only development to take place in relation to this lot is the proposed boundary adjustment. It is understood that future development of proposed Lot 43, is likely to require a masterplan in accordance with this control.
C2 The front setback for new development is to be a minimum of 10m or consistent with adjoining properties that have a dominant building alignment closer to the street.	The proposed service station building has been setback 10m from Hammond Avenue in accordance with this control.
C3 Developments are to provide an active interface to the street. Avoid blank walls and "back of house" services to street elevations.	The front (north) elevation incorporates various materials including tinted glazing and coloured horizontal panelling in order to create an active interface with visual appeal.
C4 All parking, vehicle access, loading and unloading facilities to be from rear lanes where available.	Access to the site is only available from Hammond Avenue. Car parking, and loading/unloading facilities are located

	adjacent to the building to ensure ease of access.
C5 The front area is to be landscaped. The setback area may be used for site access and parking provided that at least 15% of the setback area is landscaped.	Landscape Concept Plans have been developed by DSB Landscape which proposed landscaping along the entire boundary frontage for proposed Lot 42. The minimum depth of the landscaping is 2.655m.
C6 Side and rear setbacks will be considered whilst having regard to fire and safety separation requirements as determined in accordance with the Building Code of Australia.	The proposed building is setback 20.9m from the newly created western boundary, and 54.1m to the newly created eastern boundary.
C7 Awnings may project into the front setback to a maximum depth of 2m. The awning is to be designed as an integrated element of the facade.	There is no awning proposed as part of the overall development. The proposed development does include a two separate canopy structures over the fuelling areas. These structures are not considered to be awnings as such, as they are separate / standalone structures. Despite this, this is addressed as a variation as the setback to the fuel canopy proposed is 3.633m. A variation statement is provided at Table 4 - DCP Variation Statement - Fuel Canopy Setback
C8 Loading facilities are to be provided for within the site area and distinguished from car parking areas.	Loading facilities are located along the western elevation, separate to the general car parking areas.
C9 Driveway crossings must be large enough to accommodate vehicles related to loading and unloading.	Driveway crossings have been designed to accommodate all vehicles up to a B-double. Refer to the Traffic Impact Statement and the Swept Path Diagrams prepared by TTM Consulting (Vic) Pty Ltd.
C10 Car parking and loading and unloading areas must be designed to ensure adequate manoeuvrability.	The Traffic Consultants have prepared Swept Path Diagrams which assess the capability of all vehicles up to B-doubles to move into, within, and out of the site. The diagrams demonstrate that the car parking, loading and unloading areas are suitably designed to allow adequate manoeuvrability in accordance with the relevant Australian Standards. Swept Path Diagrams have been submitted as part of the Development Application.
C11 Limited access onto Sturt Highway will be permitted. Where practical, service lanes should be provided.	Separated ingress and egress is proposed as part of the service station development. The location of the ingress and egress points will allow for shared use by proposed Lots 42 and 43.

	Preliminary discussions with Transport for NSW indicated in principle support, subject to an application that details road works to Hammond Avenue to allow for turning lanes into the site in an East and West direction. These plans have been submitted as per the advice provided by Transport for NSW.

Building and Boundary Design

Control	**Compliance**
C1 A change in plane (i.e. an inundation) of a minimum of 300mm in each elevation addressing the street frontage is required for every 25m of wall length.	The front façade (north), being the only street frontage, has a maximum wall length of 15.99m, therefore no change in plane elevation is required by this control.
C2 Minimise expanses of blank walls, and use articulation and materials to create visually interesting street elevations.	Blank walls are avoided on the street elevation. The northern elevation incorporates tinted glazing, horizontal walls with grooves. Combined with the landscaping, the overall street elevation provides visual appeal.
C3 Building facades are to be designed using non-reflective materials and finishes.	The panelling proposed is non-reflective, and the tinted glazing will have low reflectivity as per the relevant Australian Standards.
C4 Security fencing, cyclone mesh and chain wire fencing are not encouraged forward of the building line. Where fencing is required at the property boundary, it should be decorative, open in character and no greater than 1.8m in height and be complemented by quality landscaping. Black open mesh fencing is preferred.	No fencing is proposed as part of this DA.