



Statement of Environmental Effects

Proposed Redevelopment of Existing Service Station to
include Food and Drink Premises

4 Dunheved Road
WERRINGTON COUNTY NSW 2747

Prepared for Caltex Petroleum Australia | March 2017

This page has been left blank intentionally

Statement of Environmental Effects

Final

Report Job No. 16305 | Prepared by KDC Pty Ltd Caltex Australia Petroleum Pty Ltd | March 2017

Prepared by Ryan Falkenmire

Reviewed by Erin Beattie

Title Planner, KDC Pty Ltd

Title Planner, KDC Pty Ltd

Signature



Signature



Date 20th March 2017

Date 24th March 2017

This Report has been prepared in accordance with the brief provided by Caltex Australia Petroleum Pty Ltd and has relied upon the information collected at or under the times and conditions specified in the Report. All findings, conclusions or recommendations contained within the Report are based only on the aforementioned circumstances. Furthermore, the Report is for the use of the Client only and no responsibility will be taken for its use by other parties.

Approved by Beatrice Bowen

Title Development Manager, Caltex Australia Limited

Date March 2017



KDC Pty Ltd • ABN 61 148 085 492 • www.kobydc.com.au
Suite 2B, 125 Bull Street, Newcastle West NSW 2302

This page has been left blank intentionally

Contents

Executive Summary	ix
1 Introduction	1
1.1 Existing Uses on Site	1
1.2 Consultation with Council	3
1.3 History	3
2 Site Analysis	4
2.1 Site Location and Context	4
2.2 Site Description	4
2.3 Surrounding Development	5
3 Description of Proposed Development	7
3.1 Elements of the Proposed Development	7
3.1.1 Service Station	7
3.1.2 Food and Drink Premises	8
3.2 Vehicular Access and Parking	8
3.3 Signage	8
3.3.1 Service Station	9
3.3.2 Guzman Y Gomez Food and Drink Premises	9
3.4 Landscaping and Tree Removal	9
3.5 Demolition	9
3.6 Stormwater Management	10
3.7 Construction Management	10
3.8 Built Form	11
4 Relevant Legislation and Planning Controls	13
4.1 Environmental Planning and Assessment Act 1979	13
4.2 Roads Act 1993	13
4.3 Sydney Water Act 1994	13
4.4 Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014	13
4.5 State Environmental Planning Policies (SEPPs)	14
4.5.1 State Environmental Planning Policy 33 – Hazardous and Offensive Development	14
4.5.2 State Environmental Planning Policy 55 - Remediation of Land	14
4.5.3 State Environmental Planning Policy 64 – Advertising and Signage	14
4.5.4 State Environmental Planning Policy (Infrastructure) 2007	15
4.5.5 Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River (No–1997)	16
4.6 Penrith Local Environmental Plan 2010	16
4.6.1 Land Zoning	16
4.6.2 Relevant LEP 2010 Clauses	19
4.7 Development Control Plan	21
4.7.1 Penrith Development Control Plan 2014	21
4.8 Concurrences and Referrals	22
5 Assessment of Planning Issues	23
5.1 Compliance with Planning Instruments and Controls	23
5.2 Traffic, Access and Parking	23
5.3 Visual Impact	25
5.4 Signage	25
5.5 Amenity	25
5.5.1 Noise	25

5.5.2	Odour	27
5.5.3	Overshadowing	28
5.5.4	Lighting	28
5.6	Safety and Security	28
5.7	Multi-Level Risk Assessment	28
5.8	Landscaping	28
5.9	Tree Removal	29
5.10	Water Management	29
5.11	Sediment and Erosion Control	29
5.12	Waste Management	29
5.13	Land Suitability	30
5.13.1	Contamination	30
5.14	Social and Economic Impacts	30
5.15	Ecologically Sustainable Development	31
5.16	Building Access	32
5.17	Operational Management	32
6	Conclusion	33

Figures

Figure 1 - Locality Plan	4
Figure 2 - Cadastre Map	5
Figure 3 - LEP Zoning Map Extract (LZN_012)	17
Figure 4 - LEP Height of Buildings Map Extract (HOB_012)	20
Figure 5 - LEP FSR Map Extract (FSR_012)	20
Figure 6 – Extract from Noise Assessment indicating required noise attenuation barriers	27

Tables

Table 1 - Penrith DCP 2014	39
Table 2 - SEPP 64 Schedule 1 Assessment Criteria	60

Photographs

Photograph 1 – View of the site from Dunheved Road	1
Photograph 2 – View of the site from Henry Lawson Avenue	2
Photograph 3 – View of development from intersection of Dunheved Road /Henry Lawson Avenue	2
Photograph 4 – Existing workshop on site	10

Appendices

Appendix A - Architectural Plans	35
Appendix B – Civil Plans	37
Appendix C - Compliance Tables	39
Appendix D – Traffic and Parking Report	63
Appendix E – Site Monitoring Reports	65
Appendix F – Waste Management Plan	67
Appendix G – Crime Risk Assessment	69
Appendix H – Operational Management Plan	71
Appendix I – Survey Plan	73
Appendix J – Landscape Plans	75
Appendix K – Noise Assessment	77
Appendix L – Staging Plan	79

This page has been left blank intentionally

Executive Summary

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council (Council) in support of a Development Application (DA) at 4 Dunheved Road, Werrington County, 2747 NSW for the following:

- Demolition of the existing vehicle repair workshop, service station convenience store building and car wash facility;
- Construction of a new service station convenience store building integrating a food and drink premises with drive-thru facility (GFA 373m²);
- Car parking reconfiguration, from 18 car spaces on site to 21;
- Associated upgrades to landscaping and signage; and
- Other minor works as illustrated on the proposed Architectural Drawings included at Appendix A.

The proposal represents an opportunity to redevelop the site to provide a contemporary integrated development offering convenient fuel and food service. The proposed redevelopment offers a rationalised site layout which will continue to deliver fuel services from the site as well as food and drink offerings. The redevelopment approach is convenient, efficient and functional for the public. Furthermore, the proposal bodes well from a sustainability perspective as a significant portion of the existing site features and infrastructure will be retained.

The redevelopment including the construction of a new service station convenience store with integrated food and drink premises, will provide valuable services and convenient facilities for residents living within the Werrington County area, employees within the locality and motorists travelling west-bound along Dunheved Road. The proposal is considered to be in the public interest as it will deliver a number of public, social and economic benefits with minimal adverse impacts.

The proposal is generally compliant with relevant legislative requirements, including Environmental Planning Instruments and the Penrith Development Control Plan 2014 (DCP). The proposed use is permitted on the site under the Penrith Local Environmental Plan (LEP) 2010 and is compliant with the applicable LEP clauses including (but not limited to) height of buildings and floor space ratio.

The proposed development incorporates a high quality presentation to Dunheved Road and Henry Lawson Avenue. The proposal is compatible with surrounding land uses and has been designed to cause minimal adverse environmental and amenity impact, particularly to the existing Henry Sports Club and residential properties within the vicinity of the site.

The proposed built form has been architecturally designed to reflect the modern Caltex design specifications. It is considered that the proposal will make a positive contribution to the built form of the area and the operation of the current Caltex operation located on the site. Furthermore, a sustainable approach has been undertaken as the site will retain a significant portion of existing elements including fuel canopy, fuel dispensers and UPSS (Underground Petroleum Storage Systems).

This SEE addresses the potential impacts arising from the proposal on surrounding properties and the existing use of the site as a service station; including traffic implications, parking provision, access suitability, noise impact, visual amenity and waste and water management practices within the development site. Where necessary, mitigation measures are proposed to minimise these impacts and reduce potential risk associated with the development. Furthermore, the future occupants will employ strict management procedures for the premises to ensure that the development is a safe, efficient and pleasant environment in which to work and visit.

Overall, the proposal demonstrates an opportunity to reinvigorate the site by providing additional retail offerings to patrons and the wider community whilst retaining the existing fuel infrastructure on the site. The food and drink premises with drive-through facility will provide a convenient, accessible and reliable retail outlet to satisfy the demands of a range of local residents, workers and tourists who visit the site and surrounding areas.



Through the proposal's merits and absence of any significant adverse environmental impacts, the DA is considered to be in the public's interest and recommended for Council's support subject to standard conditions.

1 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council (Council) in support of a Development Application (DA) at 4 Dunheved Road, Werrington County, 2747 NSW for the following:

- Demolition of the existing vehicle repair workshop, service station convenience store building and car wash facility;
- Construction of a new service station convenience store building integrating a food and drink premises with drive-thru facility (GFA 373m²);
- Car parking reconfiguration, from 18 car spaces on site to 21;
- Cantilevered link span extension around the existing canopy;
- Associated upgrades to landscaping and signage; and
- Other minor works as illustrated on the proposed Architectural Drawings included at Appendix A.

Construction Certificates for the development will be sought separately.

This SEE has been prepared by KDC Pty Ltd (KDC) on behalf of Caltex Australia Petroleum Pty Ltd (Caltex). It describes the site, its environs, the proposed development and provides an assessment of the proposal in terms of the matters for consideration under Section 79C (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979). It should be read in conjunction with the supporting information and Architectural Drawings prepared by Ramakers Architects appended to this SEE (Appendix A).

1.1 Existing Uses on Site

The site currently supports a service station operation with convenience store, car wash and vehicle repair station. It is noted this land use and site elements including underground petroleum storage systems (UPSS), existing fuel canopy and dispensers will all remain in situ.

The following photographs depict the current conditions of the site..

Photograph 1 – View of the site from Dunheved Road



Photograph 2 – View of the site from Henry Lawson Avenue



Photograph 3 – View of development from intersection of Dunheved Road / Henry Lawson Avenue



1.2 Consultation with Council

A formal Pre-DA meeting was held on the 24th November 2016 at Penrith Council (Ref. No. PL16/0134) where the proposed development was presented by the Developer's Town Planner. Attendees at the meeting were:

Penrith City Council Officers

Belinda Borg – Acting Principal Planner
Carlie Fulton – Senior Environmental Health Officer
Daniel Davidson – Senior Traffic Engineer
Joshua Hull – Development Engineer
Ryan Maestri – Environmental Health and Building Surveyor
Chris Martyn – Planning Administration

Development Team

Ryan Falkenmire – Town Planner

Minutes received from this meeting have been reviewed and comments addressed both in this SEE and in the provision of the attached appendices. The following inclusions are noted:

- All LEP and DCP clauses have been addressed as part of this SEE.
- The proposal demonstrates a high-quality design with a uniform and modern presentation to both street frontages. The built form is articulated, with high end materials and finishes, creating an overall aesthetically pleasing built form that remains compatible and sympathetic to the surrounding area.
- A median strip within the site on the Henry Lawson Avenue access point provided.
- Details of the operation have been provided within Section 3 of this SEE and the Plan of Management provided at Appendix H.
- Significant landscaping, including the provision of an earth mound is proposed along the Henry Lawson Avenue boundary of the site, which provides a visual and acoustic barrier to the adjacent residential properties.
- Adequate information is believed to have been provided in response to engineering requests; including stormwater, traffic and access (refer to Appendices C and D respectively).
- Acoustic (Appendix K) and traffic reports (Appendix D) have been provided.
- Landscape buffer on the western and northern boundaries for acoustic attenuation and landscaping.
- Waste management has been considered with a Waste Management Plan appended at Appendix F.
- Site contamination and monitoring details have been provided at Appendix E.
- A landscape plan prepared by a suitably qualified architect has been provided at Appendix J.
- All information listed within the minutes to be provided with the DA, has been provided.

The feedback provided in the Pre-DA meeting (and subsequent liaison) has resulted in a design that is compliant with Council's Local Environmental Plan 2010 (LEP) and generally compliant with the Penrith Council Development Control Plan 2014.

1.3 History

The site is currently legally described as Lot 4 in DP 565623. The site has safely and efficiently operated as a service station with associated car wash and vehicle repair services.

2 Site Analysis

2.1 Site Location and Context

The site exists in the suburb of Werrington County, located east of The Northern Road and north of the Great Western Highway. The site is bound by Henry Sports club along its northern boundary; residential properties to the east; a vacant allotment zoned for public recreational purposes adjoining the western boundary; and land to the south beyond the Dunheved Road are a number of commercial and retail premises comprising the Werrington County Village.

The surrounding area is characterised by commercial and residential land uses, with a vegetation buffer zoned for public recreational purposes located immediately west of the site, adjacent to Dunheved Road.

Figure 1 - Locality Plan



2.2 Site Description

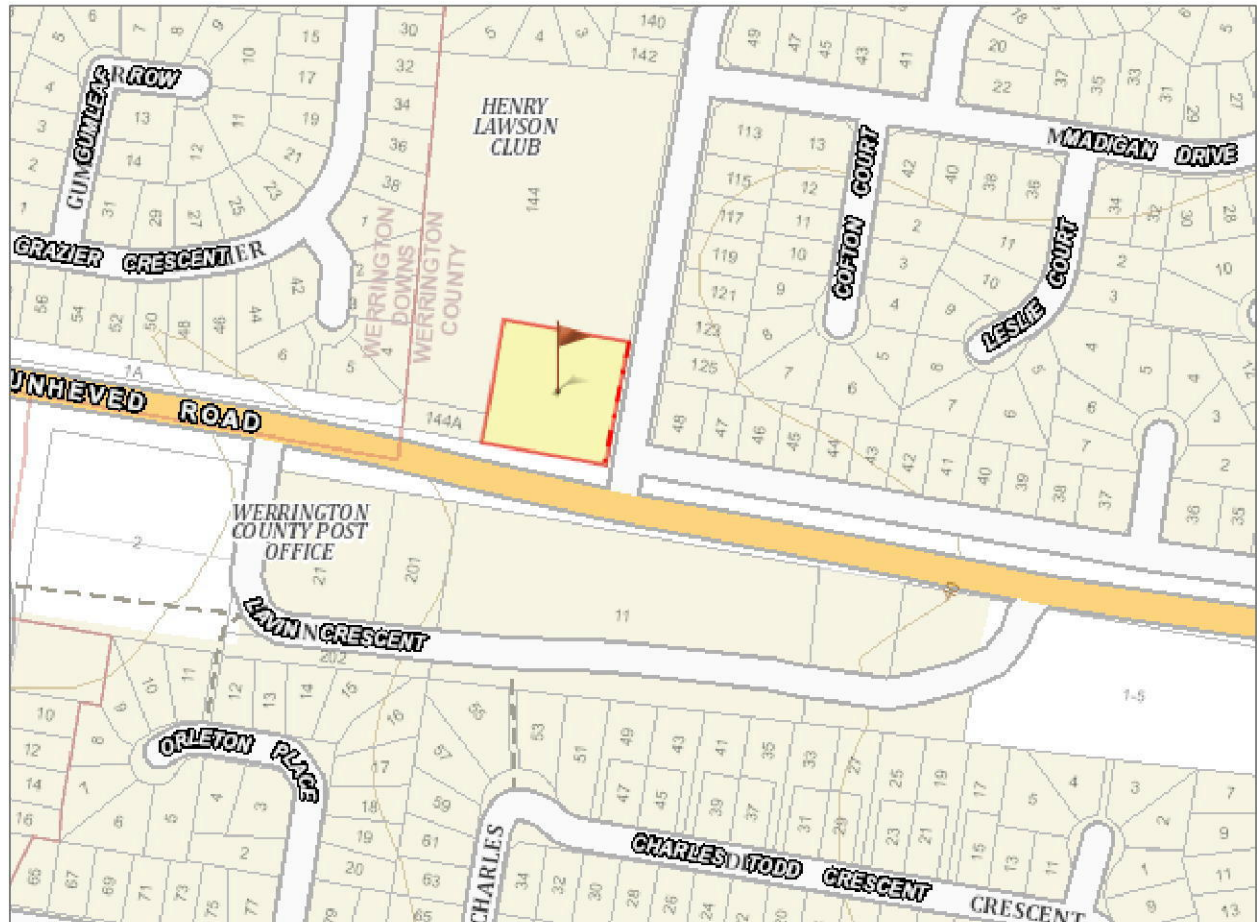
The site is described as Lot 4 in DP 565623 (4 Dunheved Road, Werrington County, 2747) and has 62 metres of primary frontage to Dunheved Road and 60 metres secondary frontage to Henry Lawson Avenue. The site currently supports a service station operation, car wash and vehicle repair station. In association with the service station the site contains fuel dispensers with overhead canopy, convenience store refuse/service areas, car parking spaces and landscaping.

The portion of the site affected by this DA site is relatively flat, with a gentle slope towards Henry Lawson Avenue. The site experiences an elevation between 40 and 42 metres AHD. The total area of the site is 3,708m² as shown in the Survey Plan appended at Appendix I.

The current proposal is to demolish the existing car wash, vehicle repair station and convenience store; and to rebuild a new convenience store with integrated food and drink premises and drive-through facility.

Other ancillary works are to be undertaken including alterations to on-site parking and landscaping to accommodate the proposed redevelopment. The existing fuel canopy, fuel dispensers, UPSS and site access points will be retained.

Figure 2 - Cadastre Map



2.3 Surrounding Development

Land to the north and west of the site is currently used for the Henry Sports Club and recreational land that is vegetated. Land further north and west beyond the Henry Sports Club property is generally residential.

Land to the south beyond the Dunheved Road supports a number of commercial and retail premises comprising the Werrington County Village. Land further to the south accommodates residential properties.

Land to the east comprises residential properties which extend along Dunheved Road, separated by Henry Lawson Avenue.

This page has been left blank intentionally

3 Description of Proposed Development

This section of the SEE provides a detailed description of the proposed development.

3.1 Elements of the Proposed Development

The proposal includes the following uses within the site:

3.1.1 Service Station

The service station and convenience store will continue to be operated by Caltex and will include:

- Petrol filling area (appropriately bunded) with fuel canopy over 5 bowsers (existing);
- Cantilevered link span extension around the existing canopy;
- New convenience store building (GFA 373m²) comprising customer service counter and retail floor space, office, food area, store room, cool room, drive-through pay/pick-up window, amenities and service yard;
- Underground fuel tanks and associated infrastructure (existing); and
- Business identification signage.

Tank Details

The underground fuel tanks are to remain in situ with no changes proposed to existing fuel lines, dispensers or fuel infrastructure. The underground storage systems will continue to comply with AS 4897-2008 and the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Construction Management Regulations 2014*.

Operational Hours and Staff

The existing hours of operation are 24 hours a day, 7 days a week. No changes to the existing hours of operation are proposed as part of this DA. Approximately 2-4 staff will be present on site at any one time.

Deliveries and Servicing

The delivery schedule for fuel, groceries and other items will continue to occur outside peak periods.

Fuel deliveries will be made using a 19 metre articulated vehicle as illustrated within the Swept Path Diagrams enclosed in Appendix A and discussed within the Traffic Report at Appendix D.

Convenience store deliveries shall be made outside of peak times. The loading bay caters for the single unit medium rigid vehicle required for deliveries and the turning template is shown on the site plans in Appendix A and discussed within the Traffic Report at Appendix D.

It is considered that the above operational details will have a negligible impact on surrounding amenity given the nature of adjoining land uses and the similarity to the existing on-site delivery and servicing practices.

Waste Management

Waste will be stored in the designated service yard where there will be a minimum of two bulk bins provided (for the separation of general waste and recycling). Waste collection will be undertaken by a private contractor during daytime hours. The refuse storage area is located at the northern end of the building within the service yard. Further details on waste management are provided in the Waste Management Plan at Appendix F.

3.1.2 Food and Drink Premises

The proposed food and drink premises is integrated within the service station convenience store; and comprises kitchen and food preparation areas, cool room, storage areas, amenities, wash-up area, service counters and drive-through pay/pick-up windows. The food and drink component will have a GFA of approximately 62m². The building will provide seating for 31 patrons.

Deliveries and Servicing

Deliveries shall be made outside of peak times. The loading bay caters for the medium rigid vehicle required for deliveries and the turning template is shown on the site plans in Appendix A and discussed within the Traffic Report in Appendix D.

Operational Hours and Staff

The use is proposed to operate 24 hours a day, consistent with the approved hours of the service station; with appropriate security measures in place as detailed in the Crime Risk Assessment provided at Appendix G. An Operational Management Plan for this intended use is provided at Appendix H. Approximately 3-10 staff will be present at the site at any time.

Waste Management

Waste will be stored in the designated service yard in the north where there will be a minimum of two bulk bins provided (for the separation of general waste and recycling). Waste collection will be undertaken by a private contractor during daytime hours. The refuse area is located at the northern end of the building, adjacent to the plant yard and loading bay. Further details on Waste Management are provided in the Waste Management Plan at Appendix F.

3.2 Vehicular Access and Parking

The existing separated vehicular entry/exit points via Dunheved Road will remain for the redevelopment of the site. This existing access allows left-turn movements in and out of the site.

The existing combined entry/exit point via Henry Lawson Avenue. Is to be maintained also; albeit with minor modifications to accommodate the proposed drive-through facility. Details are provided in the Traffic Impact Assessment Report attached at Appendix D and architectural plans at Appendix A.

The existing driveways will provide for the turning movements of cars and service vehicles (including petrol delivery tankers), in accordance with the Australian Standard for Parking Facilities (Part 1: Off-street car parking and Part 2: Off-street commercial vehicle facilities), AS 2890.1:2004 and AS 2890.2 –2002. Within the site, parking spaces will be typically 2.6 metres wide by 5.4 metres long. The 1 disabled parking space will be 2.6 metres wide, with a 2.6-metre-wide adjacent area for wheelchairs.

A total of 21 parking spaces (including 1 disabled space) are provided within the site to service the development. Compliance with DCP and RMS car parking controls is discussed further below in Section 5.2 of this SEE.

3.3 Signage

For the redevelopment of the site, the main pylon sign along the Dunheved Road frontage is to be replaced with one new freestanding pylon sign in approximately the same location, being:

- An internally illuminated signage board identifying the Guzman Y Gomez Food and Drink Premises, Caltex "The Foodary" service, and the Caltex Service Station.

The dimensions of this sign are 8.5m in height x 2.2m in width.

In addition, the following user-specific signage is proposed within the site:

3.3.1 Service Station

Signage for the Caltex Service Station and its Foodary convenience store component comprises:

- Illuminated Price Board sign on Dunheved Road frontage;
- Illuminated fuel canopy fascia signage, including the 'The Foodary' logo;
- Building fascia 'The Foodary' letterset signage located on western elevation;
- Mesh wall signage displaying 'The Foodary' on the eastern elevation;
- The Foodary drive-through menu boards; and
- Other ancillary directional signage, pump numbers and pump information boards as illustrated on the proposed plans.

3.3.2 Guzman Y Gomez Food and Drink Premises

Signage for the food and drink premises comprises:

- Button 'GyG' identification signage on southern, western, and eastern elevations; and
- Other ancillary 'drive-thru', 'thank you' and 'no entry' directional signs, menu boards and height clearance gantry are proposed in the locations illustrated on plans.

Proposed external signage at the site integrates well with the overall building design and is unobtrusive. Refer to the Architectural plans attached in Appendix A for all signage details and locations.

3.4 Landscaping and Tree Removal

Trees and vegetation will be retained where possible, however some elements of the existing vegetation will necessarily be removed to accommodate the proposed redevelopment and vehicle manoeuvrability. Vegetation to be retained includes street trees located along the property frontage and one tree in the western carpark planter area.

Vegetation to be removed includes the row of palm trees situated to the north of the existing retail building, in addition to shrubs and low level plantings located along the eastern boundary. To compensate for the removal of trees and vegetation as identified on the landscape plans appended at Appendix J, the proposed landscape scheme proposes new tree plantings, modern low level shrubs and groundcover.

The planting palette is based on the character of the surrounding developments and the durability of the species selected. The primary groundcover proposed around the site's boundary consists of Dianella 'Little Jess' and Lomandra 'Lime Tuff' which will provide a durable, yet attractive site presentation. Shrub plantings along the road frontages include Calistemon 'Great Balls of Fire', with Acmena smithii 'Fire Screen' shrubs also located along the western and northern boundaries. A number of tree plantings have also been proposed throughout the site, including Tristaniopsis laurina 'Luscious' trees planted along the northern boundary.

3.5 Demolition

It is proposed to remove the existing convenience store, vehicle repair station and car wash bay and other site elements as indicated on the Demolition Plan provided in Appendix A.

3.6 Stormwater Management

The water management proposed for the development is detailed in the plans prepared by Lindsay Dynan, provided at Appendix B. The stormwater scheme has been designed to retain as much of the existing system as possible. A 3000L rainwater tank is proposed to meet the Penrith DCP standard of 80% of non-potable water re-use. The rainwater tank will be situated to the north of the service yard.

Stormwater site data has been outlined below.

Pre-Development

Site Area = 3708m²

Impervious Area = 3080m²

Pervious Area = 628m²

Post-Development

Site Area = 3708m²

Impervious Area = 3203m²

Pervious Area = 505m²

The total impervious area of the site is to be increased by 123m² in the redevelopment. Accordingly, the stormwater management proposal ensures that an improved post-development outcome is achieved, in line with current practice.

All stormwater discharging from the operational apron/forecourt area and fill point area will continue to be treated through the existing on-site treatment method. The existing on-site treatment method collects polluted stormwater from the area under the canopy/fill area and separates pollutants from water before discharging into the stormwater system. This system shall be maintained.

3.7 Construction Management

It is proposed to retain and retro-fit the existing workshop during the construction phase of the redevelopment to allow fuel trading to continue on site where practical. Once the new convenience store building has been constructed, the existing workshop will be demolished and replaced with car parking and landscaped areas. A staging plan has been provided at Appendix L, and it is requested that conditions of a Development Consent for this proposed redevelopment, reflect the intended construction staging.

Photograph 4 – Existing workshop on site



Construction Management Plan(s) will be prepared and submitted to the Certifier for approval prior to the issue of a Construction Certificate(s).

3.8 Built Form

The proposed building is of a modern design, consistent with the next generation Caltex service station design. The nominated materials and finishes for the service station and convenience store are identified on the architectural plans included at Appendix A and include mix of masonry finishes, timber cladding, laser cut signage and shopfront glazing. The external colour palette is urban and the design is essentially modern for this form of development. The built form represents a shift away from the traditional service station built form, in an effort to significantly improve the visual appeal and attractiveness of the site commensurate with the enhanced retail platform.

This page has been left blank intentionally

4 Relevant Legislation and Planning Controls

The following Environmental Planning Instruments (EPIs) and Development Control Plans (DCPs) are relevant to the proposed development:

- Environmental Planning and Assessment Act 1979;
- Roads Act 1993;
- Sydney Water Act 1994;
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014;
- State Environmental Planning Policy 33 - Hazardous and Offensive Development;
- State Environmental Planning Policy 55 – Remediation of Land;
- State Environmental Planning Policy 64 – Advertising and Signage;
- State Environmental Planning Policy (Infrastructure) 2007;
- Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River (No-1997)
- Penrith Local Environmental Plan 2010; and
- Penrith Development Control Plan 2014.

4.1 Environmental Planning and Assessment Act 1979

The proposal, as with all development applications, is subject to the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Section 79C (1) of the Environmental Planning and Assessment Act, 1979 (EPA Act, 1979) provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 79C (1), is provided within this SEE.

4.2 Roads Act 1993

Under Section 138 of the Roads Act, consent is required from the appropriate roads authority to:

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road,

Therefore, approval is required under Section 138 for the proposed works to the Henry Lawson Avenue vehicle crossing. Henry Lawson Avenue is not listed as an RMS classified road, therefore, Penrith City Council is the relevant roads authority in this instance; and this DA will not be treated as integrated development. An application for the works within the road reserve shall be submitted to Council following Development Consent. Full details of the works are provided on the plans at Appendix A.

4.3 Sydney Water Act 1994

The proposal shall be referred to Sydney Water for approval in accordance with Section 78 of the Sydney Water Act 1994.

4.4 Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014

Part 4 *Use of Storage Systems* of the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014* requires an environmental protection plan to be in place prior to the use of a storage system containing petroleum.

An environmental protection plan has been prepared for the site that complies with the Environmental Protection Authority (EPA) guidelines. It will be reviewed and updated as required and a copy will be kept on site at all times. This application proposes no changes to the existing UPSS and associated infrastructure on the site, therefore, the site will continue to adhere with all relevant EPA legislation.

4.5 State Environmental Planning Policies (SEPPs)

4.5.1 State Environmental Planning Policy 33 – Hazardous and Offensive Development

This policy aims to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

There are no changes proposed to the location of the existing fuel dispensers and fuel points. As the service station fill points and petrol dispensers are at least 8m from the nearest site boundary, the proposed service station is considered non-hazardous and as such will not require a preliminary hazard analysis to be conducted.

SEPP 33 screening also requires a study of the transporting/delivery frequencies for the site. It is envisaged that deliveries for the site, for fuels will be about three (3) times a week, or 156 times per year. According to the 'Transport Screening Thresholds', up to 45 movements per week or 750 movements per year for fuel are acceptable prior to becoming potentially hazardous. These numbers are well below the threshold.

The proposed service station is considered to be non-hazardous for the surrounding residential and commercial uses as defined under SEPP 33. Accordingly, the proposal is consistent with the aims and objectives of SEPP 33 and the site is suitable in accommodating the proposed upgrades.

4.5.2 State Environmental Planning Policy 55 - Remediation of Land

Clause 7(1) of the SEPP states:

- (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.*

Site environmental information including groundwater monitoring reports and environmental data has been provided at Appendix E of this SEE. Pursuant to EPA legislation and standards, Caltex commissions monitoring and investigation of all sites to ensure the service station sites remain safe and suitable for ongoing use.

The existing UPSS will remain unchanged as part of this application. As the site will continue to be used as a service station operation after the proposed works, with no significant earthworks or excavation proposed within the vicinity of UPSS as part of the site works, Council must be satisfied the land is suitable for the intended construction and use of the service station and food premises development.

All proposed works shall be carried out in accordance with the applicable guidelines; and appropriate notice shall be given in accordance with the SEPP.

The proposal therefore achieves compliance with SEPP 55.

4.5.3 State Environmental Planning Policy 64 – Advertising and Signage

Clause 8 of SEPP 64 states the following:

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

It is considered that the proposal satisfies the relevant criteria outlined within SEPP 64. Consistency of the development with Clause 3(1)(a) is discussed further in Section 5.4 of this SEE. A detailed assessment of the proposal against the Schedule 1 Assessment Criteria is provided in Appendix C.

4.5.4 State Environmental Planning Policy (Infrastructure) 2007

Clause 101 - Development with frontage to classified road

The site has frontage to Dunheved Road, which is a classified road. Clause 101 of this SEPP outlines the requirements for 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.*
- (2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*
- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*
 - (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
 - (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

Whilst the site has frontage to a classified road, the proposed redevelopment of the site including proposed drive-through facility, will not significantly or adversely impact on the operation of the classified road. A Traffic Impact Assessment has been undertaken by Intersect Traffic Pty Ltd which addresses potential traffic related impacts from the proposal and finds the proposal acceptable (refer to Appendix D). The design of the proposed redevelopment ensures that vehicles continue to have satisfactory and safe access to and from the site.

Clause 104 - Traffic-generating development

The proposal also triggers traffic generating development as per Clause 104 and Schedule 3 of the SEPP and will therefore need referral to the RMS. The consent authority shall take into consideration any comments made by RMS in respect of the proposal as well as the accessibility of the site, including:

- ii)(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) And any potential traffic safety, road congestion or parking implications of the development.*

In this regard, the Traffic Impact Assessment undertaken by Intersect Traffic Pty Ltd concludes that the surrounding road network is capable of accommodating the traffic flows to be generated by the proposal, with minimal impact in terms of traffic delays or congestion. Furthermore, the on-site configuration of car parking, aisles and circulation for customer and servicing vehicles is considered satisfactory.

Clause

The proposal is consistent with the objectives and intent of the relevant clauses of SEPP (Infrastructure) 2007.

4.5.5 Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River (No-1997)

SREP 20 is applicable in this instance as the site is situated within the Penrith LGA. SREP 20 aims to 'protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.' SREP 20 contains general planning considerations, specific planning policies and recommended strategies that apply to development proposals.

The site has not been identified as being within an environmentally sensitive area, nor will the proposal result in any significant adverse impacts on the catchment or environmental processes. Water quality, traffic, noise, flora and fauna impacts have all been considered as part of the proposal, with the proposed works determined to be within acceptable parameters with regard to the planning considerations and policies of SREP 20.

4.6 Penrith Local Environmental Plan 2010

The site is within the land application area of the Penrith Local Environmental Plan 2010 (LEP 2010).

4.6.1 Land Zoning

The site zoned B2 Local Centre Zone, as illustrated in Figure 3.

Figure 3 - LEP Zoning Map Extract (LZN_012)



B2 Local Centre Zone

The objectives of the B2 zone are as follows:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide retail facilities for the local community commensurate with the centre's role in the local and regional retail hierarchy.
- To ensure that future housing does not detract from the economic and employment functions of a centre.
- To ensure that development reflects the desired future character and dwelling densities of the area.

The land use table for the B2 Local Centre zone is provided below:

Permitted without consent

Home occupations

Permitted with consent

*Boarding houses; Building identification signs; Business identification signs; Car parks; Child care centres; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Flood mitigation works; Function centres; Home businesses; Home industries; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; **Service stations**; Shop top housing; Tourist and visitor accommodation*

Prohibited

Any development not specified in item 2 or 3

The proposal is considered to satisfy the objectives of the B2 Zone. The retail mix proposed will support the viability of the Werrington County local centre precinct and the proposal is compatible in scale, form and character with the surrounding area.

Under the Penrith LEP, the proposed land use(s) are defined as follows:

service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

Service stations are listed as permissible with development consent within the B2 Local Centre zone.

The proposed *food and drink premises* is permissible in the B2 zone under the higher-order definition of *commercial premises*, explored below:

Food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

Note. Food and drink premises are a type of retail premises.

retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following;

- (a) bulky goods premises,
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

Note. Retail premises are a type of commercial premises

Commercial premises means any of the following:

-
- (a) business premises,*
 - (b) office premises,*
 - (c) retail premises.*

Therefore, the proposed land uses are therefore in accordance with the objectives of the zone and permitted with consent on the site.

4.6.2 Relevant LEP 2010 Clauses

The relevant clauses of LEP 2010 are explored below.

Clause 2.7 Demolition

Under this clause demolition works require consent. Demolition works included as part of this proposal are described in Section 3.5 of this SEE and detailed on the Demolition Plan in Appendix A.

Clause 4.3 Height of buildings

The maximum height permissible on the site is 15 metres (refer to Figure 4). The proposed building on site is single storey, with the maximum building height being 5.725 metres above natural ground level. The canopy will have a maximum height of 5.725m. The tallest proposed sign within the development is 8.5 metres in height. Therefore, all buildings and structures proposed on site comply with the height limitation.

Figure 4 - LEP Height of Buildings Map Extract (HOB_012)

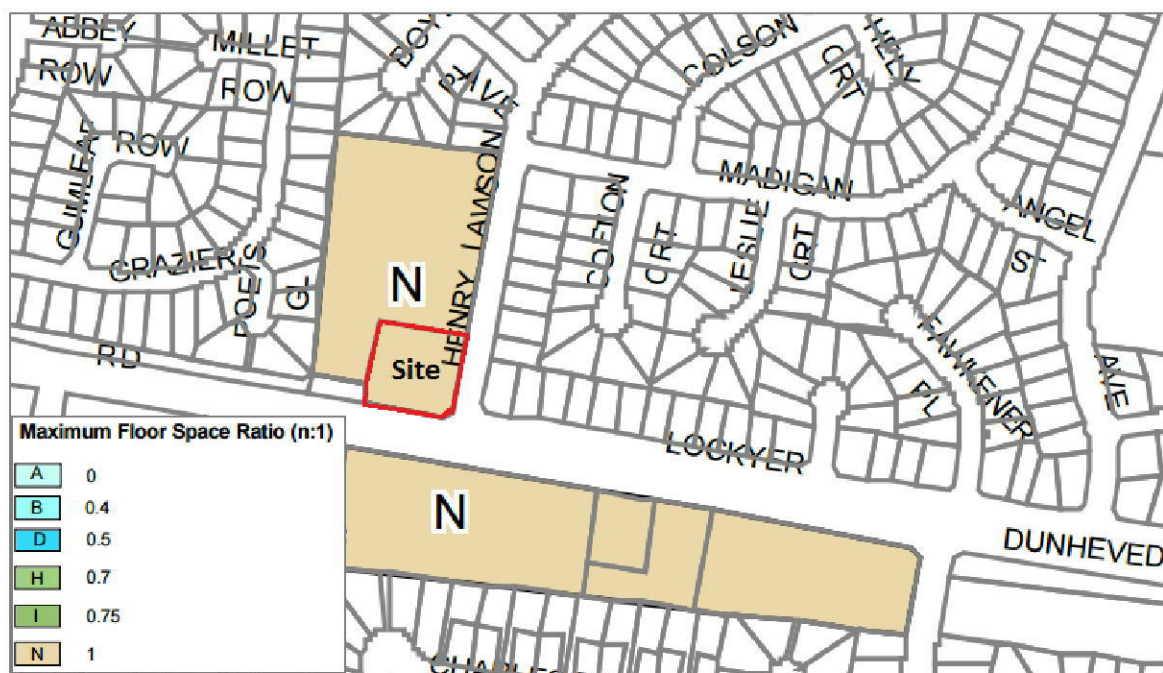


Clause 4.4 Floor Space Ratio

The maximum Floor Space Ratio (FSR) for the site is 1:1 (refer to Figure 5). The combined GFA of all proposed buildings is 373m². The site has an area of 3,708m², resulting in an FSR of 0.1:1 – significantly less than that permitted on the site.

The proposal is therefore compliant with this clause of LEP.

Figure 5 - LEP FSR Map Extract (FSR_012)



Clause 5.9 Preservation of trees or vegetation

The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation. Removal of prescribed vegetation requires development consent from Council.

Vegetation internal to the site that is proposed to be removed is identified on the landscape plans contained in Appendix J. Vegetation to be removed includes all the palm trees located to the north-east of the existing retail building, shrubs and other low level plantings along the eastern boundary. These trees and vegetation are not identified as significant or prescribed trees.

To compensate for the removal of the trees, new trees and vegetation will be planted in replacement, as detailed on the Landscape Plan at Appendix J.

Clause 5.9 Heritage Conservation

The site has not been identified as containing a heritage items, nor is it located within a heritage conservation area. Furthermore, no heritage items exist within the vicinity of the site.

7.1 Earthworks

Under this clause, development consent is required for earthworks.

(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 proposal involves minor earthworks within the site in order to assist the access design and suitable stormwater management. A suitable stormwater management design accompanies the development application and is provided at Appendix B. Proposed levels and existing levels are illustrated on the civil drawings at Appendix B.

The extent of cut and fill can be contained within the site boundaries, with minimal impact on neighbouring properties.

4.7 Development Control Plan

4.7.1 Penrith Development Control Plan 2014

The Penrith Development Control Plan 2014 (DCP 2014) applies to all land within the local government area of Penrith, including the subject site.

The Penrith DCP 2014 Chapters relevant to the proposed development are:

- Part C – City-wide Controls; and
- Part D – Land Use Controls.

A full assessment against the relevant components of the DCP is included in table format at Appendix C. The proposed redevelopment is compliant with the applicable controls of the DCP.

4.8 Concurrences and Referrals

Whilst the development is not integrated development, the following referrals to other agencies may be required during the assessment process for this proposal, seeking comment:

- Pursuant to Clause 104 and Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007, the proposed development is classified as *traffic generating development* and as such requires referral to the RMS.
- The proposal shall be referred to Sydney Water for approval in accordance with Section 78 of the Sydney Water Act 1994.

5 Assessment of Planning Issues

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this SEE. The assessment considers only those matters under Section 79C (1) of the EP&A Act 1979 that are relevant to the proposal.

5.1 Compliance with Planning Instruments and Controls

Unless otherwise stated, the proposed development either complies with or is consistent with all relevant planning instruments and controls set out in Section 4 of this SEE, in that:

- A SEPP 33 Risk Screening analysis contained within this SEE found that the proposal is non-hazardous to the surrounding land uses and suitable for the proposed use;
- The proposal will achieve compliance with SEPP 55 – Remediation of Land;
- Proposed signage is consistent with the criteria contained in SEPP 64 – Advertising and Signage;
- The proposal meets traffic and access requirements pursuant to SEPP Infrastructure 2007;
- The proposed uses are permissible under the definitions of Service Station and Food and Drink Premises within the B2 Local Centre zone and consistent with the zone objectives under Penrith LEP 2010;
- The proposed redevelopment is compliant with the applicable development standards of Penrith LEP 2010; and
- The proposal is consistent with the objectives and relevant controls within Penrith DCP 2014;

A detailed assessment of the proposed development against the relevant provisions of the Penrith DCP 2014 is provided in the table at Appendix C.

5.2 Traffic, Access and Parking

Access and Internal Circulation

Vehicular access to the site will remain from Dunheved Road and Henry Lawson Avenue. Minor changes are proposed to the Henry Lawson Avenue access, however; these are negligible and access to the site will remain safe and functional. There are good sight lines achieved along both site frontages.

The driveways provide for the turning movements of cars and service vehicles (including petrol delivery tankers), in accordance with the Australian Standard for Parking Facilities (*Part 1: Off-street car parking* and *Part 2: Off-street commercial vehicle facilities*), AS 2890.1:2004 and AS 2890.2 –2002.

The service vehicles using the site to service the convenience store and take away food outlet will enter the site in a forward direction from Dunheved Road and reverse into the loading area in front of the service yard before exiting the site in a forward direction via Dunheved Road as shown with the swept turn paths on the development plans. The swept turn paths show a standard single unit vehicle servicing the convenience store and take away food outlet as this will be the largest size vehicle used for this purpose.

Swept paths are shown on the development plans contained within Appendix A for the fuel delivery vehicle (19 metre articulated vehicle) with entry via Dunheved Road and forward exit via Dunheved Road. This operation does not change as a result of this development and replicates the existing servicing of the site by fuel tankers. It is therefore concluded that the proposed development can be suitably serviced by the largest service vehicles required for servicing with forward entry and exit from the site.

Within the site, parking spaces will be typically 2.6 metres wide by 5.4 metres long. Disabled parking space will be 2.6 metres wide, with a 2.6-metre-wide adjacent area for wheelchairs. These dimensions satisfy the requirements of the Australian Standard for Parking Facilities (*Part 1: Off-street car parking* and *Part 6: Off-street parking for people with disabilities*), AS 2890.1:2004 and AS 2890.6:2009.

Parking

Service Station & Convenience Stores

Under the provisions of the Penrith City Council DCP (2014), service stations are specified in the car parking rates as requiring:

- *6 spaces per work bay plus 4 spaces per 100m² of gross floor area of convenience store.*

Calculations (DCP Guideline)

$168 \text{ (Convenience store selling area in m}^2\text{)} / 100 \times 4 = 6.72 \text{ (7 spaces)}$

Drive-in take away food outlets

The Penrith City Council DCP (2014) does not provide a specific parking supply rate for take away food outlets with drive through facilities. Therefore, parking rates have been assessed against the *RTA Guide to Traffic Generating Development*, which considers the specific development type of drive-thru take-away food and drink premises.

The RMS Guide to Traffic Generating Development specifies the provision of parking as follows:

*Developments with on-site seating and drive through facilities greater of:
1 space per 2 seats (internal); or
1 space per 3 seats (internal and external).*

Calculations (RMS Guideline)

1 space per 2 seats (internal)

$19 / 2 = 9.5 \text{ (10) spaces required.}$

1 space per 3 seats (internal and external)

$31 / 3 = 10.3 \text{ (11) spaces required in total.}$

In addition to this, an exclusive area for queuing of cars for a drive through facility is required (queue length of 5 to 12 cars measured from pick up point). There should also be a minimum of four car spaces for cars queued from ordering point.

Parking Requirement

Total on-site car parking requirement = $(168 / 100 \times 4) + (31 / 3) = 17.05 \text{ (18 spaces).}$

The proposed redevelopment proposes a car parking provision of 21 car spaces including 1 accessible space. Therefore, the proposed development is compliant with both the requirement of the *RTA Guide to Traffic Generating Development* and Penrith City Council DCP (2014) with the proposal exceeding the on-site car parking requirements.

The proposal also comprises a queuing space within the drive through lane for 8 vehicles spaces behind the collection point including 4 spaces behind the ordering point demonstrating the drive through lane complies with the requirements of the *RTA's Guide to Traffic Generating Developments* and therefore is considered suitable.

Accordingly, the above assessment of parking requirements against the proposed development has demonstrated compliance with the site achieving a high level of suitability with regard to future parking demand.

5.3 Visual Impact

The proposed works will positively impact upon the visual amenity and built character of the area as follows:

- The proposed built form comprises a single-storey building, which result in development of an appropriate scale and bulk in this location;
- The site is suitably located within an identified business / employment area zoned B2 Local Centre;
- The proposed development will be presented to Dunheved Road and Henry Lawson Avenue behind an appropriately landscaped setback area;
- The development presents contemporary building design to the both frontages, a modernisation from the existing site development;
- The development incorporates high quality and contemporary colours and materials;
- A consistent theme for signage within the site is proposed, in order to achieve an orderly and coordinated site presentation; and
- On-site landscape works and plantings will make a positive contribution to the streetscape and enhance the overall amenity of the corner site.

5.4 Signage

An integrated approach has been adopted for signage within the site, comprising a mix of flush wall signs and branding on the building facades, as well as freestanding advertising signage and suitable directional signs.

It is considered that the proposed signage is compatible with the existing and desired character of the area and will be of an appropriate height, scale and proportion given the site's location and setting.

The proposed signage will be of a high quality and finish and will be illuminated at an acceptable level that will not result in unreasonable glare that would affect the safety of vehicles or pedestrians, nor will the illuminated signage detract from the amenity of neighbouring development.

Overall, the proposed signage is appropriate for the use and setting of the site and will contribute to the visual interest of the area. The proposed signage replaces all existing signage within the site.

The proposed signage meets the objectives and provisions of SEPP 64 and the Penrith DCP 2014, as demonstrated in Appendix C.

5.5 Amenity

5.5.1 Noise

Muller Acoustic Consulting Pty Ltd (MAC) was commissioned by KDC Pty Ltd (KDC) to prepare a Noise Assessment (NA) to quantify emissions for a proposed service station redevelopment which incorporates a take away food and drink premises. The noise assessment quantified potential operational, sleep disturbance and construction (and demolition) noise emissions from the project and recommended reasonable and feasible noise controls where required.

Construction Noise

The results of the noise assessment demonstrate that levels during standard construction hours may impact the nearest receivers to the project during construction/demolition activities, with exceedances above the noise management level. It is recommended that noise management and mitigation measures be adopted during noise intensive construction/demolition activities. Recommendations for consideration during construction/demolition activities for this project may include:

- implement boundary fences/retaining walls as early as possible to maximise their attenuation benefits to surrounding receivers;
- toolbox and induction of personnel prior to shift to discuss noise control measures that may be implemented to reduce noise emissions to the community;
- where possible use mobile screens or construction hording to act as barriers between construction works and receivers;
- all plant should be shut down when not in use. Plant to be parked/started at farthest point from relevant assessment locations;
- operating plant in a conservative manner (no over-revving);
- selection of the quietest suitable machinery available for each activity;
- avoidance of noisy plant/machinery working simultaneously where practicable;
- minimisation of metallic impact noise;
- all plant are to utilise a broadband reverse alarm in lieu of the traditional hi frequency type reverse alarm; and
- undertake letter box drops to notify receivers of potential works.

Furthermore, working hours on site during construction are to be restricted to:

- 7:00 am to 6:00 pm between Monday and Friday (or as specified by Council consent conditions).
- 8:00 am to 1:00 pm on Saturday (or as specified by Council consent conditions).

Work shall not be undertaken on Sundays or public holidays. The appointed site supervisor will conduct regular inspections to ensure that operations are conducted in an acceptable manner. The use of any plant and machinery shall not cause vibrations to be felt or capable of being measured at any premises.

The above-mentioned measures and procedures can be incorporated into the Construction Management Plan to be prepared at the Construction Certificate stage.

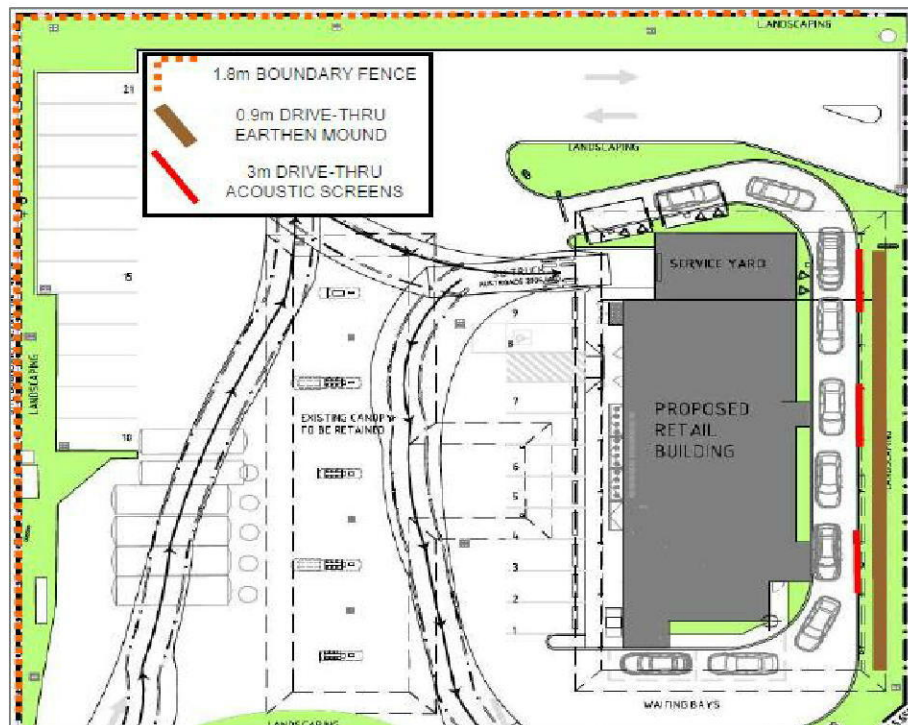
Operational Noise

The Noise Assessment provides an assessment of the ongoing noise impacts associated with the development of a service station and food and drink premises with drive-through operating 24 hours a day. As part of this assessment 17 residential noise receivers (including 1 for future development), and three commercial noise receivers were identified. The assessment considered operational noise generators including customer vehicle noise, tyre inflation, service station customers, noise generated from fuel and deliveries as well as waste collection and mechanical plant equipment. These noise generators were assessed against both day and night time noise criterion.

Based on the outcomes of this assessment the following mitigation measures were recommended to protect the surrounding noise sensitive receivers (refer to Figure _ below):

- Construction of an impervious barrier along the western and northern boundaries. The barriers should be constructed to an RL of 1.8m above the carpark level and consist of materials that have a surface density of at least 10kg/m², and not contain any gaps (i.e. colourbond or equivalent);
- Construction of an earthen mound running along the eastern boundary of the drive thru lane. The mound should be constructed to an RL of 0.9m above the drive thru level and not contain any gaps (see Figure 2 within noise assessment for indicative layout);
- Construction of acoustic screens adjacent to the drive-thru order and pickup points. The screens are to be 4.0m in width and to an RL of 3.0m above ground level of the drive-thru lanes and consist of materials with a surface density of at least 10kg/m² (such as lapped and capped timber or equivalent) and not contain any gaps (see Figure 2 within noise assessment for indicative acoustic screen layout); and
- The mechanical plant deck will be located within the service area and will be screened by an impervious barrier extending at least 500mm above the top of the condenser units.

Figure 6 – Extract from Noise Assessment indicating required noise attenuation barriers



It was determined noise levels from combined activities are predicted to satisfy the relevant INP noise criteria at all nearest receivers subject to the incorporation of the recommended mitigation measures on the site.

It is anticipated Council will include these mitigation measures as conditions of consent. This will ensure the acoustic amenity of nearby residents and commercial premises are protected.

Therefore, the ongoing operation of the development is not expected to cause increased noise emissions that would create a concern for neighbouring properties in the surrounding business or residential zones. The proposed service station and food and drink premises, with associated on site car parking and drive-through facility, are not likely to generate any unreasonable noise impacts in the context of site with the implementation of the above-mentioned mitigation measures, given the location of the site on an arterial road, and the surrounding residential/ commercial land uses.

5.5.2 Odour

It is not expected that the proposal will have a significant impact on surrounding premises from any potential odours associated with activities undertaken on the site:

In relation to the service station, stage 2 vapour recovery (VR2) equipment has been installed at the petrol tanks which is designed to capture the displaced vapour and return it to the underground fuel storage tank or other appropriate vessel. VR2 systems are intended to limit the emissions of fuel vapour when vehicles refuel by recovering at least 85% of the displaced vapour. In accordance with Protection of the Environment Operations (Clean Air) Regulation, the VR2 system will be tested for vapour system recovery performance before commissioning, and whenever components required to ensure the integrity of the system are removed and replaced, for example, during maintenance.

In relation to the food and drink premises, the proposal will have no significant impact as a result of potential odours associated with cooking and waste storage on the premises. Operation of the kitchen areas will remain in accordance with the Food Standards Code in *The Food Act 2003* and Australian Standard 4674 – *Design Construction and Fit-out of Food Premises*.

During construction and earthworks, the following measures shall be implemented to minimise odours:

- Covering of stockpiles;
- Use of fine mist sprays and /or odour mitigating agent on impacted areas and materials; and
- Adequate maintenance of equipment and machinery to minimise exhaust emissions.

5.5.3 Overshadowing

Due to the orientation of the site, the location and height of the proposed buildings and fencing, and the site adjoining roads to two frontages, the proposal will not have any unreasonable impact as a result of shadowing.

5.5.4 Lighting

Appropriate lighting will be installed on the proposed premises, including lighting for the car parking and outdoor areas. External lighting will contribute to the overall safety of the site, in conjunction with other security measures such as CCTV cameras.

It is considered that the proposed lighting will result in minimal impact on adjoining properties and the surrounding streetscape.

5.6 Safety and Security

The development has been designed to, and shall be managed to minimise and discourage criminal activity and ensure the safety of customers, staff and the local community. The proposal has been designed to be consistent with Crime Prevention through Environmental Design (CPTED) principles. It is understood that the proposal may be referred to the NSW Police Service under Council's Crime Prevention Through Environmental Design (CPTED) protocol.

A Crime Risk Assessment has been undertaken and is included at Appendix G. The purpose of the Crime Risk Assessment is to identify and assess crime risk associated with the proposed developments which will trade 24 hours a day, and to minimise opportunities for crime through design. The Crime Risk Assessment in relation to the proposal has regard for the 4 key strategies (surveillance, access control, territorial reinforcement and activity and space management) of Crime Prevention and Public Safety.

As it is intended to maintain operation of the service station through construction, utilising the workshop as a temporary service station sales building, the Crime Risk Assessment has considered necessary measures for minimising crime risk and optimising customer, staff and public safety.

5.7 Multi-Level Risk Assessment

The Preliminary Risk Screening analysis found that the proposed development is considered non-hazardous to the surrounding land uses; and therefore, does not require a subsequent preliminary hazard analysis to be conducted in accordance with SEPP 33.

The proposal was found to be non-hazardous for surrounding residential and commercial uses as defined under SEPP33 as the fuel dispensers will remain in the same location as per existing arrangements. Furthermore, the number of fuel deliveries to the site is well within appropriate thresholds as indicated in Section 4 of this SEE.

5.8 Landscaping

The proposed landscape works aim to improve the amenity of the development and the surrounding area. The landscape design meet Council's planning objectives through the consideration of environmental, ecological concerns and public amenity. The existing site characteristics have been considered and have been realised in the built form through a number of landscape related elements, these include:

- Boundary planting that defines and enhances the site;
- Tree planting and retention to soften the drive-through facility and provide shade;
- Planting that complements the existing character of the surrounding development;
- Plant selection of native species with low maintenance requirements; and
- Retention of existing trees wherever possible.

In summary, new landscaping will help integrate the built form and hardstand areas on the site and provide a positive contribution to the overall landscape character of the area.

5.9 Tree Removal

The vegetation internal to the site will necessarily be removed including palm trees and other low level shrubs. All of the existing surrounding vegetation will be retained and protected during the works.

To compensate for the removal of the trees, the landscape plan includes *Tristania laurina* 'Luscious' trees and other low level plantings throughout the site which will help define and enhance the development.

5.10 Water Management

The water management proposed for the development is detailed in the plans prepared by Lindsay Dynan, provided at Appendix B.

All new impervious areas excluding the bund will be treated as a separate catchment and will be designed in accordance with Penrith Council guidelines. All runoff generated in this area will be directed towards the new stormwater inlet pits on the site, as indicated on the plans enclosed in Appendix B. As indicated in the pre- and post- development schedule contained within Section 3.6 of this SEE and the plans enclosed in Appendix B and in accordance with Penrith City Council requirements, no OSD is required for the site.

All stormwater discharging from the operational apron/forecourt area and fill point area will be treated through the oil water coalescing plate separator. This is a compulsory environmental requirement under the Office of Water Guideline for discharges from premises with refuelling points in Non-Metropolitan NSW and the Protection of the Environment Operations Act 1997 (PEO Act). The oil water coalescing plate separator collects polluted stormwater from the area under the canopy/fill area and adequately separates pollutants from water before discharging into the stormwater system.

5.11 Sediment and Erosion Control

All sediment control devices will be constructed, placed and maintained in accordance with respective Council specifications and Landcom "soil and construction" manual and as shown on the proposed Erosion and Sediment Control Plans at Appendix B.

5.12 Waste Management

The types of waste generated during operation of the site will include food wastes, recyclable paper and cardboard, plastics, containers, residual waste and hazardous waste (e.g. fuel spills). Each of the premises shall be responsible for sorting and storing its operational waste independently. The food and drink premises is provided with a waste storage area in which waste can be separated and stored ready for private collection from within the site. These waste storage yard is readily accessible to service vehicles utilising the shared loading bay.

A Waste Management Plan has been prepared for the proposal, addressing each stage of the development from demolition through to the ongoing management of waste when each of the premises is operational. This Waste Management Plan has been prepared in accordance with Penrith Council's DCP 2014 requirements and will be implemented throughout the development. The Waste Management Plan is provided at Appendix F.

5.13 Land Suitability

5.13.1 Contamination

The site data and previous environmental reports pertaining to the site are enclosed at Appendix E. The purpose of providing this data was to establish the soil and groundwater contamination status at the site prior to the proposed development.

With regard to potential groundwater contamination from the onsite fuel storage, the UPSS (double wall fiberglass fuel tanks) have been designed and installed and tested in accordance with AS 4897-2008 and the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014 and associated guidelines produced by the Department of Environment, Climate Change and Water.

A UPSS must not be used unless an Environment Protection Plan (EPP) has been developed and implemented at the site, in accordance with the requirements of Clause 19 of the UPSS Regulation. The Regulation requires the EPP to contain the procedural documents and records specific to the UPSS. An EPP has been developed for the service station and will continue to be kept onsite so that practical written procedures are on hand to detect leaks and spills and appropriate action can be taken when they are identified.

The site is therefore considered suitable for the proposed redevelopment.

5.14 Social and Economic Impacts

An analysis of the social and economic impacts associated with the development of the site is detailed in this section to ensure that, where relevant, social and economic considerations are an integral part of the development assessment process.

The proposed redevelopment of the site including construction of new convenience store for the existing service station with food and drink premises and drive-through facility on the site is anticipated to have an ongoing positive social and economic impact on the local Werrington County area and the broader community.

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;
- Specific safety and security measures will be incorporated into the operational procedures of the development to ensure a safe and secure environment for patrons and staff; and
- 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 potential for adverse impacts arising from the development have been explored as follows:

- Dust, traffic etc. from construction activities.

Comment – Impacts on surrounding premises from construction activities will be temporary in nature and will be addressed in the Construction Management Plan (CMP). Mitigation measures will be included in the CMP and consistent with the erosion and sediment control techniques and practices to be implemented for this site, to ensure construction impacts on surrounding premises are kept to a minimum.

- Increased traffic and vehicle movements

Comment – A very large proportion of vehicles which will access the site will be “drop in” trips or passing trade (i.e. vehicles already in traffic passing the site). Notwithstanding, the Traffic Impact Assessment Report has assessed the proposal and found that the design of the development in terms of vehicle access, circulation, parking and servicing is appropriate and that the road system serving the site will be capable of accommodating the additional traffic flows.

- Odour

Comment – In accordance with relevant legislation, the site has been installed with VR2 system which will recover at least 85% of displaced vapour (as detailed in Section 5.5.2 of this SEE).

- Antisocial behaviour

Comment – Potential antisocial behaviour at the site should be considered given the 24-hour nature of the proposal. Specific security measures will be used such as CCTV cameras, external lighting and appropriate landscaping to deter would-be-offenders. A Crime Risk Assessment has been undertaken and is included at Appendix G.

Given the overall positive impacts associated with the proposal and the implementation of mitigation measures as mention within this SEE, the proposal is expected to provide a net community benefit to the local and wider community.

5.15 Ecologically Sustainable Development

The proposal demonstrates a sustainability and efficiency, given an addition retail offering that serves the needs of the community will be consolidated into an existing land use on the site. The proposal represents an opportunity to evolve the notion of convenience through an energy efficient and resourceful manner. Furthermore, both the proposed food and drink premises and existing service station will operate to best practice standards with regard to efficiency in energy use.

Furthermore, the proposal has been designed to meet the principles of Ecologically Sustainable Development (ESD) as best as possible and to be energy efficient and comply with the requirements of DCP 2014.

The following design principles have been used to ensure sustainable building design and operation:

- Building insulation;
- Building orientation;
- Capitalise on natural lighting;
- Energy efficient lighting;
- Paper, cardboard, plastic and glass recycling program in place;
- Use of environmentally friendly cleaning products and discarding of packaging accordingly;
- Reduced flush or twin flush cisterns fitted; and
- Use of native landscaping suitable to the local climate.

The proposal complies with the Building Code of Australia and Council’s DCP requirements in this regard.

5.16 Building Access

Access to the buildings will be compliant with the relevant legislation and criteria including The Building Code of Australia (BCA), the Disability Discrimination Act 1992 and AS1428 – *Design for Access and Mobility* to ensure that adequate pedestrian and disabled access is provided for the development. As illustrated on the proposed plans, access for the disabled is made available throughout the site, carpark, building entrances and within the buildings.

5.17 Operational Management

An Operational Management Plan (refer to Appendix H) outlines the on-site management procedures for the site to limit noise, provide appropriate security and safety for staff and customers and to ensure minimal environmental impact to surrounding properties. Inclusion of the enclosed OMP as part of the operation will positively contribute to the amenity of surrounding residents.

6 Conclusion

The current application seeks development consent for redevelopment of an existing service station development with ancillary uses located at 4 Dunheved Road in Werrington County. The redevelopment maintains the primary use of the land as a service station; removes the ancillary car wash and vehicle repair workshop; and introduces a food and drink premises with drive-through facility to the site.

The redevelopment will provide a worthwhile upgrade to the infrastructure on site and the provision of services; and result in a transformation that delivers improved and integrated retail services.

. The proposed new Guzman Y Gomez food and drink premises, consolidated with the service station convenience store, provides a range of services that meet the needs of the community. The proposed is an example of an efficient use of an existing site, enhancing the service provided to the community in a sustainable manner.

The proposal is generally compliant with relevant legislative requirements, Environmental Planning Instruments and the Penrith Development Control Plan 2014. The proposal is consistent with the objectives for the B2 Local Centre zone and is compliant with the applicable LEP development standards.

The redevelopment incorporates high quality building presentation to Dunheved Road as well as Henry Lawson Avenue and an integrated overall development approach, involving land uses that are permissible, compatible and desirable in the location. The proposal incorporates appropriate management measures, that respect the surrounding environment; and minimises potential impacts on neighbouring properties and the environment. Furthermore, as demonstrated in this SEE, the site is capable of accommodating the food and drink premises and drive-through from a traffic, access, parking perspective, with no significant adverse social or environmental implications.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties including traffic and access, noise, 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. This includes incorporation of appropriate acoustic treatments along the site boundaries to attenuate noise impacts. Furthermore, each of the occupants will employ strict management procedures for the premises to ensure that the development is a safe, efficient and pleasant environment in which to work and visit.

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

This page has been left blank intentionally

Appendix A - Architectural Plans

Ramakers Architects

This page has been left blank intentionally

Appendix B – Civil Plans

Lindsay Dynan Pty Ltd

This page has been left blank intentionally

Appendix C - Compliance Tables

KDC Pty Ltd

Table 1 - Penrith DCP 2014

DCP	Requirement	Comment	Compliance
Part C – City-wide Controls			
C1.2. Design Principles	<p>1.2.5. Safety and Security (Principles of Crime Prevention through Environmental Design)</p> <p>The design of buildings and public spaces has an impact on perceptions of safety and security, as well as actual opportunities for crime. When development is appropriately designed, it can reduce the likelihood of crimes being committed.</p>	<p>The development has been designed to, and shall be managed to minimise and discourage criminal activity and ensure the safety of customers, staff and the local community.</p> <p>The proposal has been designed to be consistent with Crime Prevention through Environmental Design (CPTED) principles.</p>	Y
C2.1 Preservation of Trees and Vegetation	<p>1. Development Consent</p> <p>a) In accordance with Clause 5.9 of Penrith LEP 2010, a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation which is prescribed by this Plan without development consent, or a permit granted by Council. The terms 'ringbark', 'top' and 'lop' are defined in Appendix F1 - Definitions.</p>	<p>a) The proposal includes the removal of palm trees. These trees are not identified as items of heritage significance, prescribed trees, nor are they listed as an endangered species within the Threatened Species Conservation Act 1995. Compensation planting is adequate to provide amenity and natural outlook to the site.</p>	Y
C3.1. The Water Cycle/Water Conservation	<p>1) Alterations/Additions to Existing Buildings</p> <p>For extensions to non-residential buildings or residential extensions that do not trigger BASIX, the following controls apply:</p> <p>a) Water saving devices must be incorporated into any internal renovation (taps, toilets, etc.).</p> <p>b) Rainwater tank(s) and gutter systems shall be installed to capture rainwater and reuse for irrigation, toilet flushing and other non-drinking purposes. Installation of rainwater tanks shall comply with the relevant</p>	<p>a) Water efficient fixtures and devices shall be incorporated in the building where possible.</p> <p>b) A 3000L rainwater tank has been proposed for the site. The tank will be designed to comply with the relevant standards established by Sydney Water.</p>	Y

	<p>standards established by Sydney Water.</p> <p>c) If water saving devices and/or rainwater tanks are not to be installed, the applicant will need to submit a statement explaining why the installation of these measures is not economically feasible or is technically difficult.</p>	c) N/A.	
C 3.2. Catchment Management and Water Quality	<p>1) Approval to Discharge Contaminants Water discharge from any development must not contain contaminants, unless necessary licenses and/or approvals are obtained from relevant government authorities. All liquids (including water) produced and/or discharged from the site shall not contain pollutants above acceptable levels. Acceptable levels will be determined at the time of consideration of individual proposals by Council, the Office of Environment and Heritage and, if required, Sydney Water.</p> <p>2) Addressing Potential Catchment Impacts All applications to Council, where there is the potential to impact upon a water system, are required to identify in the application the relevant water systems in the catchment area of the site that may be affected and address how any potential impacts will be mitigated/avoided.</p> <p>3) Water Quality for all Land Uses Council's Water Sensitive Urban Design (WSUD) Policy (2013) has been prepared to improve water conservation, quality and quantity in both new development and some redevelopments. The policy seeks to clarify which developments need to achieve the targets for water conservation, quality and</p>	<p>1) All stormwater discharging from the operational apron/forecourt area and fill point area will be treated as per existing arrangements.</p> <p>2) The proposal primarily includes redevelopment of the existing convenience store. Therefore, there will be minimal increase to catchment area impacts. The site maintains a service station us, requiring substantial hardstand.</p> <p>3) The civil engineering plans within Appendix B include details of water management on site including re-use within the development to satisfy the requirement.</p>	Y

	<p>quantity. Where any development could result in water quality impacts in nearby surface water systems, the water quality at that system is to be monitored for pollutants prior to the commencement of works, and at regular intervals during construction and/or operation. Water quality entering natural areas shall either maintain or improve on pre-development levels.</p> <p>4) Council Approval Requirements for WSUD Systems Development types required to meet water conservation and stormwater quality and quantity targets are defined in Table C3.1. The performance criteria required to be met are listed below under subsection '5) WSUD Development Controls'. Affected developments must submit a WSUD Strategy (report dealing with measures to be implemented as part of the development) with a Development Application.</p>	<p>4) Refer to the engineering plans and details included at Appendix B.</p>	
C3.4. Groundwater	<p>2) Protecting Groundwater</p> <p>a) Applicants are required to consider the impact of the proposed development on underlying and surrounding groundwater resources and adopt appropriate measures to avoid these impacts.</p>	<p>a) In order to prevent rises in groundwater levels and minimise the potential for erosion, the following practices will be adopted:</p> <ul style="list-style-type: none"> - All building materials will comply with the manufacturer's advice regarding the durability of the material and its suitability in potential saline conditions. - Managing the use of recycled water or reuse of on-site waste water; this can result in increased salt loads over time. 	Y
C3.6 Stormwater Management and Drainage	<p>1) Natural Environment</p> <p>a) Runoff must not be discharged into bushland areas, including threatened ecological communities.</p>	<p>a) The drainage layout identifies the proposed management of stormwater for the site (Drawing No. DA02). To ensure runoff from the site during construction does not enter any off-site stormwater pits, it is proposed to employ erosion and sediment control measures as identified on the Erosion & Sediment Control</p>	Y

	<p>b) Pipe outlets shall be treated with measures to dissipate stormwater velocity, except where waters enter a formed channel or similar structure that is unlikely to be damaged by water flowing in at high velocity.</p> <p>2) Drainage</p> <p>a) The development of any lot should take into account the existing drainage patterns of the area, including any localised ponding, and whether the proposed development is likely to affect:</p> <p>i) Access to the site;</p> <p>ii) Drainage on adjoining properties;</p> <p>iii) Localised nuisance flooding on adjoining properties; and</p> <p>iv) Natural overland flow or drainage paths.</p> <p>On-Site Stormwater Detention (OSD)</p> <p>a) Adequate stormwater systems shall be designed and constructed to ensure that, for all rainwater events up to and including the 1:100 Average Recurrence Interval (ARI) event, new developments and redevelopments do not increase stormwater peak flows in any downstream areas.</p> <p>b) On-site stormwater detention systems must release water after any rainfall event to maximise future capacity and, therefore, cannot include rainwater tanks, water retention basins or dams.</p> <p>c) Detention storage is to be located at a level that is above the 1:5 ARI flood level.</p>	<p>Plan within Appendix A (Drawing DA01).</p> <p>b) Site runoff data provided enclosed within Appendix B.</p> <p>a) Noted. Existing drainage network will be retained where possible with new pit installed as required.</p> <p>a) N/A.</p> <p>b) N/A.</p> <p>c) N/A.</p>	
--	---	---	--

	<p>d) On-site detention systems are to be designed using a catchment wide approach. Advice should be sought from Council's Engineering Services Unit in this regard.</p> <p>e) For developments above 2 hectares, designs shall be prepared by a suitably qualified civil engineer.</p> <p>f) On-site stormwater detention mechanisms should have a maintenance program in place.</p> <p>g) On-site stormwater detention mechanisms should be placed on the title of the relevant allotment/property to ensure their retention and maintenance.</p>	<p>d) N/A.</p> <p>e). N/A.</p> <p>f) N/A.</p> <p>g) N/A.</p>	
C4.1. Site Stability and Earthworks	<p>3) Development Application Requirements</p> <p>a) Any development application that proposes earthworks and therefore changes to the levels of a site, is required to clearly address the following in the Statement of Environmental Effects or a Geotechnical Report (if required, see 3 b):</p> <p>i) The location and extent of the earthworks on the site;</p> <p>ii) Justification for the need to change the land levels in terms of the overall development;</p> <p>iii) Any other impacts from the changed land levels as a consequence of the earthworks.</p> <p>b) Where a building is proposed on land where the existing slope gradient is higher than 15% (or the land is likely to be subject to any land stability issues), the development application may be required to include a Geotechnical Report (prepared by a suitably qualified consultant).</p>	<p>a) The proposal does not require significant earthworks as the site is already formalised for the existing development. Details of the proposed levels and earthworks are provided in the civil plans provided at Appendix B. Detailed earthworks documentation will be prepared at Construction Certificate Stage.</p> <p>b) The proposal does not trigger the requirement for a Geotechnical Report.</p> <p>c) Noted.</p>	Y

	c) Council will not permit a building to be placed on land where the existing slope gradient before development is greater than 20%.		
C4.3 Erosion and Sedimentation	<p>1) Erosion and Sediment Controls Plans (ESCP)</p> <p>a) All applications for subdivision and development which involve site disturbance must be accompanied by an Erosion and Sediment Control Plan (ESCP), except in the following circumstances:</p> <p>i) The construction of minor structures including carports, pergolas, verandahs, garden sheds and the like; and</p> <p>ii) Dwelling additions and alterations which are deemed by Council as not likely to cause erosion and sediment loss from the site.</p> <p>b) An ESCP is necessary to ensure that a strategy to manage erosion and sedimentation is considered at an early stage in the planning process. The ESCP must consider the potential for soil erosion and sedimentation during all stages of the development – demolition, construction and operation of the development. The ESCP must demonstrate that appropriate controls have been planned which will, when implemented, minimise erosion of soil from the site and, accordingly, sedimentation of drainage systems and waterways.</p> <p>c) The ESCP must be submitted in accordance with best practice guidelines for erosion and sediment control, including Landcom's, Managing Urban Stormwater – Soils and Construction, 2004.</p>	<p>a) An ESCP has been provided within Appendix B (refer to Drawing DA01). This plan will be strictly followed during the works.</p> <p>b) All site works will be undertaken in accordance with the relevant Australian Standards and Council requirements, with detailed earthworks design plans to be provided for Construction Certificate.</p> <p>c) All sediment control devices will be constructed, placed and maintained in accordance with respective Council specifications and Landcom "soil and construction" manual.</p> <p>Mesh and gravel inlet filters are proposed around the existing pits. Sedimentation fencing is</p>	Y

		<p>proposed around all stockpile areas.</p> <p>It is considered erosion and sediment control will be appropriately managed throughout both construction and operation across the site. Refer to engineering plans at Appendix B.</p>	
C 4.4. Contaminated Lands	<p>4.4.1. Preventing Contamination</p> <p>1) Development applications for new or for expanding existing developments may be required to include information on the potential for the activity to contaminate.</p> <p>2) Environmental impact assessments are required to address the potential and likelihood of contamination.</p> <p>3) In assessing development applications for activities which could be potential sources of contamination, Council will ensure it is satisfied that the proposed technical and management controls will be adequate to prevent contamination. Conditions of consent may be imposed by Council to ensure adequate controls are applied to an activity or development.</p> <p>4) Periodic environmental audits of activities may be required as a condition of consent by Council.</p> <p>4.4.2. Triggers for Contamination Investigation</p> <p>1) Any application must provide appropriate information relating to past, present and proposed land uses.</p>	<p>1) Environmental reports and groundwater data have been included with this Development Application (refer to Appendix E).</p> <p>2) Potential and likelihood of contamination has been addressed in Section 5 of this SEE.</p> <p>3) Sources of contamination have been considered and addressed as part of this proposal. Refer to Section 5 for more detail.</p> <p>4) Regular environmental audits of the site are conducted.</p> <p>1) Relevant contamination information for the site has been provided with Appendix E.</p>	Y
C4.5 Salinity	<p>1) Salinity Analysis</p> <p>a) A detailed salinity analysis will be necessary if:</p> <p>i) The site of the proposed development has been identified as being subject to a potential risk of salinity (refer</p>	<p>1) Given the scope of works, the proposal is unlikely to increase salinity potential with only a moderate increase in impermeable surface.</p>	Y

	to the map Salinity Potential in Western Sydney 2002), or ii) An initial investigation shows the site is saline or affected by salinity.		
C5.1 Waste Management Plans	<p>1) Applicants are to submit a Waste Management Plan when lodging a development application for:</p> <p>a) Demolition or construction of buildings;</p> <p>b) Change of use of buildings for rural, residential, commercial and industrial developments;</p> <p>c) Subdivision of land and/or buildings; or</p> <p>d) Alterations to 50% or more of the existing gross floor area of buildings, or additions to buildings resulting in a 50% increase (or more) to the existing gross floor area.</p> <p>2) The Waste Management Plan must include details of:</p> <p>a) The types and volumes of wastes and recyclables likely to be generated as a result of the development;</p> <p>b) How waste and recyclables will be stored and treated on site;</p> <p>c) How the residual non-reusable or non-recyclable wastes and recyclables are to be disposed of; and</p> <p>d) How ongoing waste management will operate once the development is complete (for the life of the development).</p>	<p>1) A Waste Management Plan (WMP) has been prepared in consideration of the proposed development and is attached at Appendix F.</p> <p>2) Noted. Refer to Appendix F for more detail.</p>	Y
C5.2. Development Specific Controls	<p>5.2.4. Non-Residential Development Controls</p> <p>2) For any building comprising three or more storeys and not containing dwellings, a suitable system for the interim storage and transportation of waste and recyclables from each storey to the waste storage/collection area is to be integrated within the building's design.</p>	<p>2) A waste storage area is located to the north of the building within the service yard.</p>	

	<p>3) Waste storage and collection areas should be:</p> <p>a) Flexible in their design so as to allow for future changes in the operation, tenancies and uses;</p> <p>b) Located away from primary street frontages, where applicable;</p> <p>c) Suitably screened from public areas so as to reduce the impacts of noise, odour and visual amenity; and</p> <p>d) Designed and located to consider possible traffic hazards (pedestrian/vehicular) likely to be caused by the storage and collection of waste.</p> <p>7) Where a communal facility exists, each tenant should have a designated area which is clearly signposted.</p> <p>8) Should a collection vehicle be required to enter the property, the driveway and manoeuvring area must be suitable for a collection vehicle in terms of both its strength and design.</p> <p>9) The system for waste management must be compatible with the collection service(s) to be used whether Council or private contractor.</p> <p>10) Swept paths demonstrating adequate manoeuvring area are to be provided with the application.</p>	<p>a) All waste storage areas are integrated in the building designs and are unobtrusive.</p> <p>b) Waste storage areas have been appropriately positioned within the context of the site, located away from street frontages.</p> <p>c) The waste storage and handling areas are screened from view.</p> <p>d) Storage areas are integrated in the building design and are unobtrusive. No interference with the loading or parking areas will occur.</p> <p>7) Noted. Bins will be provided for each use on the site.</p> <p>8) Driveway and manoeuvring areas are suitable for collection vehicles. Refer to the swept paths contained within Appendix A.</p> <p>9) Suitable arrangements for waste collection will be made for the site.</p> <p>10) Refuse vehicles are able to access the waste storage area with adequate manoeuvring. Refer to the swept paths enclosed at Appendix A.</p>	
C6.1 Landscape Controls	<p>1) Development Categories This section classifies all development in the Penrith local government area into 3 categories (see Table C6.2 below). Each of these categories has different requirements in relation to the</p>	<p>1) The proposal is considered to fall into Category 2 as the works will be below \$2 million. Detailed Landscape Plans and additional details have been provided at Appendix J.</p>	Y

	<p>landscape design component of the development (i.e. different parts of this section apply to different types of developments).</p> <p>2) Submission Requirements Depending on the type of development proposed, different types of vegetation and landscaping information will be required as part of the development application. Table C6.3 below lists the type of information to be submitted for the various categories of development.</p>	<p>2) Landscape Detail Plan and additional details have been provided which satisfy this control.</p>	
C 8.1. Pedestrian Amenity	<p>1) Permeability a) Through site links for pedestrians are to be designed with accessible paths of travel that are:</p> <p>i) A minimum width of 4m for the full length and clear of any obstruction, including columns, stairs etc.;</p> <p>ii) Direct and fully publicly accessible thoroughfares for pedestrians; and iii) Open-air for the full length, with active street frontages or a street address at all ends.</p> <p>b) Arcades are to be an accessible path of travel that:</p> <p>i) Have a minimum width of 4m for the full length, clear of any obstruction, including columns, stairs etc.;</p> <p>ii) Are direct and publicly accessible thoroughfares for pedestrians during business/trading hours;</p> <p>iii) Have active frontages on either side for the full length;</p> <p>iv) Where practicable, have access to natural light for at least 30% of the length; v) Where enclosed, have clear glazed entry doors to at least 50% of the entrance; and vi)</p>	<p>a) Public domain/pedestrian connectivity will remain generally unchanged for the site in light of the proposed works.</p> <p>b) N/A.</p>	Y

	<p>Where security gates are in operation, designed to be visually permeable.</p> <p>c) Lanes are to be designated pedestrian routes that:</p> <p>i) Are accessible paths of travel, with a minimum width of 6m for the full length and clear of any obstruction; and</p> <p>ii) Appropriately lit and sign-posted to indicate the street(s) to which the lane connects.</p> <p>d) Opportunities to increase a site's permeability, particularly in the form described above, should be provided: i. for sites comprising 5 hectares or more in area; or ii. at locations identified in particular Key Precincts under this DCP.</p> <p>e) The principles of Crime Prevention through Environmental Design (CPTED) (as identified in Site Planning and Design Principles Section of this Plan) should be incorporated into a Public Domain site's permeability to create a safe and secure environment and encourage activity along these areas.</p>	<p>c) N/A.</p> <p>d) Buildings are to be appropriately designed to address the street and other public domain areas, and all street frontages will contain quality landscaping that establishes a high standard of character and design.</p> <p>e) A Crime Risk Assessment has been prepared for the proposal, and is provided at Appendix G. Internal site surveillance opportunities are optimised by the proposed design. Building entrances are oriented centrally within the site and are highly visible.</p>	
C9.1 General Requirements for Signs	<p>a) Signs are to be designed and located to:</p> <p>i) relate to the use of the building;</p> <p>ii) be visually interesting and exhibit a high level of design quality;</p> <p>iii) be constructed of high quality, durable materials;</p> <p>iv) be wholly contained within the property;</p> <p>v) have only a minimal projection from the building;</p> <p>vi) be integrated and achieve a high degree of compatibility with the architectural design</p>	<p>a) All proposed signs have been designed to incorporate with the design of the building and relate only with the businesses operating on the site.</p> <p>All signs are designed to create visual interest into the site through design and integration building and canopy.</p> <p>The signage is considered to be sympathetic to the existing character of the area with similar establishments and commercial operations operating in proximity of the site along Dunheved Road.</p>	Y

	<p>of the supporting building having regard to its composition, fenestration, materials, finishes and colours, and ensure that architectural features of the building are not obscured;</p> <p>vii) have regard to the view of the sign and any supporting structure, cabling and conduit from all angles, including visibility from the street level and nearby higher buildings and against the skyline; and</p> <p>viii) be sympathetic to the existing character of the area and the particular architectural/urban design utilised in any improvements scheme.</p> <p>b) Signs that contain additional advertising promoting products or services not related to the approved use of the premises or site (such as the logos or brands of products; e.g. soft drinks, brewers, photographic film, etc) are not permitted.</p> <p>c) Signs painted or applied on the roof are prohibited;</p> <p>d) Corporate colours, logos and other graphics are encouraged to achieve a very high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.</p> <p>e) Flat standing signs are only permissible where the main building is set back 3 metres or more from the street alignment.</p> <p>f) In considering applications for new signs, Council must have regard to the number of existing signs on the site and in its vicinity; whether that</p>	<p>b) No advertisement for services and products not provided on the site are proposed.</p> <p>c) No painted roof signs are proposed.</p> <p>d) The proposed signage employ corporate colours, logos, and graphics that incorporate with the built form and the canopy and employ high quality materials and finishes.</p> <p>e) No flat standing signs proposed.</p> <p>f) The number of signs proposed is deemed appropriate for the type of development proposed. The two businesses to operate on the site will have their respective signage in a manner that reduces clutter as much as</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
--	--	---	--

	<p>signage is consistent with the provisions of this section; and whether the cumulative impact gives rise to visual clutter.</p> <p>g) Signs must not involve damage, removal or pruning to trees or other vegetation and must not result in pruning or removal for visibility purposes.</p> <p>h) The dominant design of any sign must relate to business identification rather than product advertising.</p> <p>2) Signs and Road Safety</p> <p>a) Signs are regarded as prejudicial to the safety of the travelling public and are therefore prohibited if they:</p> <p>i) Obscure or interfere with road traffic signs and signals or with the view of oncoming vehicles or pedestrians;</p> <p>ii) Obscure or interfere with the view of a road hazard or an obstruction which should be visible to drivers or other road users;</p> <p>iii) Give instructions to traffic by use of the word 'stop' or other directions, which could be confused with traffic signs;</p> <p>iv) Include variable messages or intensity of lighting sufficient to impair drivers' vision or distract drivers' attention; or</p> <p>v) Are located in places where drivers' require greater concentration, such as at major intersections or merging and diverging lanes.</p>	<p>possible. As demonstrated the signage is consisted with this section.</p> <p>g) No trees or vegetation will be harmed in the display of the proposed signage.</p> <p>h) The purpose of the proposed signs is for business identification.</p> <p>a) The proposed pylon sign is the closest sign to the roadway and will replace the existing pylon sign which is setback from the boundary line and traffic lights on the Dunheved Road and Henry Lawson Avenue intersection. As such the proposed signs will not obscure the traffic lights or any hazards on the roadway. The signs do not contain messages which could confuse or distract motorists and are not at an intensity that will impair vision.</p>	<p>Y</p> <p>Y</p> <p>Y</p>
C9.4 Commercial, Mixed Use and Industrial Zones	<p>2) All advertising is to be –</p> <p>a) constructed of high quality, durable materials;</p>	<p>a) All signs will be constructed using high quality and durable materials.</p>	Y

<p>b) considered in conjunction with design and construction of buildings;</p> <p>c) restricted to one sign identifying the name of the occupants and/or products manufactured or produced on the site; and</p> <p>d) contained wholly within the site.</p> <p>3) Signs should generally be confined to the ground level of the building, awning or fascia, unless it can be demonstrated that the building is of a scale, architectural style and in a location that would be enhanced by signage at different elevations.</p> <p>5) In the case of multiple occupancy of a building or site:</p> <p>a) Each development should have a single directory board listing each occupant of the building or site (see Figure C9.4 below). Multiple freestanding signs will not be supported;</p> <p>b) Only one sign is to be placed on the face of each premises either located on or over the door of the shop, unit, office, suite, etc.;</p> <p>c) One under awning sign shall be permitted for each shop,</p>	<p>b) Proposed signage integrates well within the building design and colours and finishes.</p> <p>c) All signage serves the purpose of business identification and brand recognition for the occupants on site.</p> <p>d) All signs are contained within the site.</p> <p>3) All signs will be located at ground level or within the building elements of the proposal.</p> <p>a) A singular free standing pylon containing business identification has been proposed.</p> <p>b) It is noted more than one sign exists on the western and eastern elevation. However, given the nature of the proposal, with dual land uses operating within one premises, the inclusion of two signs on the eastern and western elevation is acceptable as it meets the control's intent. Furthermore, the proposed signs are not considered advertisement, but rather business identification signage. There will be no loss of amenity, views or visual obtrusiveness as a result of the proposed scheme.</p> <p>c) No under awning signage proposed.</p>
--	---

<p>unit, office, suite, etc. (see Figure C9.5). In the case where the shop, office, suite etc. has more than one street frontage, one under awning sign may be permitted to each street frontage;</p> <p>d) The minimum distance between under awning signs shall be 3m (see Figure C9.6); and</p> <p>e) Where possible, multiple tenancies in the same building should use consistent sign size, location and design to avoid visual clutter and promote business identification.</p> <p>6) Projecting wall signs, generally, will not be supported unless it can be demonstrated to be of an architectural style which is particularly suited to that building in relation to its design.</p> <p>Illuminated Signs</p> <p>7) Illuminated signs are not to detract from the architecture of the supporting building during daylight.</p> <p>8) Illumination (including cabling) of signs is to be:</p> <p>a) Concealed; or</p> <p>b) Integral with the sign; or</p> <p>c) Provided by means of carefully designed and located remote or spot lighting.</p> <p>9) The ability to adjust the light intensity of illuminated signs is to be installed where Council considers it necessary.</p> <p>10) A curfew may be imposed on the operation of illuminated signs where continuous illumination may impact adversely on the amenity of residential buildings, serviced apartments or other tourist</p>	<p>d) Noted.</p> <p>e) Signage for the occupants is consistent in size and form to present a coherent and orderly internal site design.</p> <p>6) None proposed.</p> <p>7) Illumination levels will remain at an acceptable level. The illumination levels will not impact on surrounding developments or traffic safety.</p> <p>8) All signs will be internally illuminated where illustrated on the plans.</p> <p>9) Noted.</p> <p>10) Noted. The proposed signage will not adversely impact onto adjoining properties given the positioning, orientation of sounds with regard to the</p>
--	--

	<p>and visitor accommodation, or have other adverse environmental effects.</p> <p>11) Up-lighting of signs is prohibited. Any external lighting of signs is to be downward pointing and focused directly on the sign and is to prevent or minimise the escape of light beyond the sign.</p>	<p>context of surrounding development.</p> <p>11) Noted. None proposed.</p>	
C10.2 Traffic Management and Safety	<p>2) Road Safety</p> <p>a) Each development should demonstrate how it will:</p> <p>i) Provide safe entry and exit for vehicles and pedestrians which reflect the proposed land use, and the operating speed and character of the road;</p> <p>ii) Minimise the potential for vehicular/pedestrian conflicts, providing protection for pedestrians where necessary;</p> <p>iii) Not restrict traffic flow or create a hazard to traffic on roads in the vicinity of the development;</p> <p>iv) Provide suitable off-street parking facilities to accommodate vehicles generated by the development; and</p> <p>v) Identify the need, where apparent, for any additional on-street traffic facilities or road works which may be required to maintain the safe and efficient movement of vehicles and pedestrians.</p> <p>b) Where feasible, vehicle access for developments should be from service roads/lanes.</p> <p>c) The design of direct vehicular access to</p>	<p>For more specific detail on traffic management, a Traffic Report has been prepared for the proposal, and is provided at Appendix D.</p> <p>i) The proposed development will continue to use the existing entry/exit points located on Henry Lawson Avenue and Dunheved Road. The proposed works will not impact on traffic flows post-construction.</p> <p>ii) Vehicle and pedestrian accesses have been designed to avoid conflict.</p> <p>iv) Suitable off-street parking, consistent with the applicable rates has been provided.</p> <p>v) No additional on-street traffic facilities or road works are considered necessary for the site.</p> <p>b) Noted.</p> <p>c) Vehicular access points will remain as per existing</p>	Y

	<p>developments should consider the traffic impacts on the surrounding road network. This may require the provision of deceleration, acceleration, right turn lanes and road widening, as necessary.</p> <p>d) Provision must be made for all vehicles to enter and leave properties in a forward direction other than for single dwellings.</p> <p>e) The layout and design of parking areas must minimise vehicle to pedestrian impacts, especially where heavy vehicle access to loading docks is proposed.</p>	<p>arrangements with only minor modifications proposed to the existing Henry Lawson Avenue access point. Traffic impacts on the surrounding road network are minor.</p> <p>d) Both patron and service vehicles are able to egress the site in a forward direction. Refer to the swept paths contained at Appendix A.</p> <p>e) Conflict and congestion has been minimised through the separation of loading facilities, carpark areas and pedestrian access.</p>	
C10.3 Transport, Access	<p>1) Character of Key Transport Corridors</p> <p>a) Applicants need to ensure that the proposed development is in character with each of the key transport corridors.</p> <p>b) Access driveways and development in proximity to the key transport corridors need to protect the landscape character and any heritage values, and ensure traffic safety.</p> <p>2) Development Setbacks from Transport Corridors</p> <p>a) A minimum setback of 100m is required from Mulgoa Road where development is proposed in rural or environmental zones.</p> <p>b) A minimum setback of 30m is required from all other key transport corridors where development is proposed in rural or environmental zones.</p>	<p>a) The proposed development is in character with the Dunheved Road transport corridor as it will provide fuel and food services to vehicles utilising the road.</p> <p>b) Access driveways will remain as per existing arrangements.</p> <p>2) N/A.</p> <p>b) N/A.</p>	Y
C10.5 Parking, Access and Driveways	<p>1) Provision of Parking Spaces</p> <p>a) Parking provided on site is to meet AS 2890 and where appropriate, AS 1428.</p> <p>b) For any proposed development, Council will</p>	<p>a) Parking provided on site compliant with AS 2890 and AS 1428.</p> <p>b) Sufficient parking has been provided in accordance with</p>	Y

	<p>require the provision of on-site car parking to a standard appropriate to the intensity of the proposed development as set out in Table C10.2 below.</p> <p>c) Within rural zones, the range of possible uses of land is very broad. Car parking is to be provided in accordance with Table C10.2: Car Parking Rates. If parking rates for the use is not listed, it will be the applicant's responsibility to demonstrate that adequate parking is provided.</p> <p>d) For commercial developments providing employment for 20 people or more, bicycle parking is to be in secure and accessible locations, and provided with weather protection. The following associated facilities are to be provided:</p> <p>i) Change and shower for cyclists and are to be conveniently located close to the bicycle storage areas.</p> <p>ii) Where the building is to be strata-titled, the bicycle storage facilities and shower/change facilities are to be made available to all occupants of the building.</p> <p>e) For existing developments, a new use must not commence or the floor area increased until the required car park spaces have been provided on the site, corresponding to the land use outlined in Table C10.2.</p> <p>f) In the absence of specific requirements relevant to particular developments, the parking requirements in the RTA's "Guide to Traffic Generating Developments" (as updated) and Australian</p>	<p>Table C10.2. Refer to Section 5 for more details.</p> <p>c) N/A.</p> <p>d) It is not anticipated the site will operate with more than 20 staff at any given time.</p> <p>i) N/A.</p> <p>ii) N/A.</p> <p>e) Sufficient parking has been provided in accordance with Table C10.2. Refer to Section 5.2 for more details.</p> <p>f) Noted. RMS rates have been applied where appropriate.</p>	
--	---	---	--

	<p>Standard AS 2890.1 and 2 - 2004 should be referred to as a guide. In the absence of all data, the applicant should revert to the use of first principles.</p> <p>10.5.2. Access and Driveways</p> <p>1) General Requirements</p> <p>a) The road access to the site should provide for safe entry to and exit from the site. All vehicles must enter/exit the site in a forward direction. (This does not apply to single dwellings).</p> <p>b) The entry and exit from the site should provide for appropriate traffic sight distance in both directions, in accordance with the provisions of AS2890.1 and 2 - 2004 for car parking and commercial vehicles respectively.</p> <p>c) The design of the development driveway should take into consideration the traffic volumes of the surrounding road network.</p> <p>e) The driveway crossing and access roads shall be designed in accordance with the provisions of AS2890.1 and 2 - 2004 for car parking and commercial vehicles respectively.</p> <p>f) Driveway widths must comply with the relevant Australian Standards.</p> <p>g) Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard (AS2890.1).</p> <p>h) Access to basement parking shall have an entry threshold a minimum of 300mm above the top of the kerb. The threshold shall be increased within areas</p>	<p>a) Road access to the site will remain as per existing arrangements. Vehicles are able to enter and exit the site in a forward direction. Refer to the swept path diagrams at Appendix A.</p> <p>b) Entry and exit from the site provides appropriate traffic sight distance in both directions, in accordance with the provisions of AS2890.1 and 2 - 2004 for car parking and commercial vehicles respectively. Refer to the Traffic Report at Appendix D for more detail.</p> <p>c) Driveway design is suitable for traffic volumes through the site. Refer to the Traffic Report at Appendix D for more detail.</p> <p>e) Driveway crossing and access roads are designed in accordance with the provisions of AS2890.1 and 2 - 2004 for car parking and commercial vehicles respectively.</p> <p>f) Driveway widths comply with the relevant Australian Standards.</p> <p>g) Driveway grades, vehicular ramp width/grades and passing bays will be in accordance with the relevant Australian Standard (AS2890.1).</p> <p>h) N/A.</p>	
--	---	---	--

	<p>of flooding or local overland flows to a minimum of 300mm above the flood level. The design of the development shall ensure that floodwater cannot enter the car park in a 1% Annual Exceedance Probability (AEP) flood event.</p> <p>i) The required threshold should be set within the property to prevent cross fall greater than 4% within the footway area.</p> <p>j) No direct access will be permitted to the M4 Western Motorway.</p>	<p>i) Noted.</p> <p>j) Noted.</p>	
C 12.4. Industrial and Commercial Development	<p>1) General</p> <p>a) Council will not grant consent to any noise generating industrial development, commercial development or licensed premises unless it can be demonstrated that:</p> <p>i) The development complies with the relevant State Government authority or agency standards and guidelines for noise, as well as any relevant Australian Standards;</p> <p>ii) The development is not intrusive (as defined in the EPA's Industrial Noise Policy);</p> <p>iii) Road traffic noise generated by the development complies with the provisions of Section 12.1 Road Traffic Noise of this Section;</p> <p>iv) The development complies with rail noise and vibration criteria (refer Section 12.2 Rail Traffic Noise and Vibration of this Section); and</p>	<p>a. i) The proposed development complies with the relevant State Government authority or agency standards and guidelines for noise, as well as any relevant Australian Standards. Refer to the Acoustic Report contained at Appendix K.</p> <p>a. ii) The proposed development has not been measured as intrusive in accordance with the noise impact assessment undertaken on the site.</p> <p>a. iii) Road traffic noise generated complies with the provisions of Section 12.1 Road Traffic Noise of this Section.</p> <p>a. iv) The development complies with road noise and vibration criteria.</p>	Y

	<p>v) The development does not adversely impact on the amenity of the area or cause sleep disturbance.</p> <p>Noise Impact Statements - specific requirements</p> <p>a) All development applications where the above controls are relevant are required to provide a Noise Impact Statement prepared by a qualified acoustic consultant in accordance with the requirements set out in the DA Submission Requirements Appendix of this DCP.</p> <p>b) The Noise Impact Statement should demonstrate acoustic protection measures necessary to achieve an indoor environment meeting residential standards, in accordance with relevant noise criteria, as well as relevant Australian Standards.</p>	<p>a. v) As demonstrated in the Acoustic Report, the proposal does not adversely impact on the amenity of the area or cause sleep disturbance.</p> <p>a) Then Noise Assessment has been prepared by a qualified acoustic consultant, Muller Acoustics, in accordance with the requirements set out in the DA Submission Requirements Appendix of this DCP. Refer to the Acoustic Report contained at Appendix K.</p> <p>b) The Noise Assessment has included acoustic protection measures necessary to achieve an indoor environment meeting residential standards, in accordance with relevant noise criteria, as well as relevant Australian Standards. Refer to the Statement contained at Appendix K.</p>	
PART D – Commercial and Retail Development	The controls within this section of the DCP apply to bulky goods retailing, sex services premises and restricted premises only.	The controls within this section of the DCP do not apply to a service station/food and drink premises development.	N/A

Table 2 - SEPP 64 Schedule 1 Assessment Criteria

Assessment Criteria		Comment	Compliance
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?	The proposed signage is compatible with the character of the locality, being zoned for business purposed adjacent to a main road. There is similar commercial signage existing along Dunheved Road and within in the vicinity of the site, including signage associated with retail premises.	Y
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is consistent with the objectives for signage under the DCP but there is no specific theme for this locality.	N/A
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?	The proposed signage does not detract from any areas of environmental or cultural importance. It is considered the proposal represents a comparable signage scheme to what is currently on site.	Y
3) Views and vistas	Does the proposal obscure or compromise important views?	All signage, freestanding and on the building, is within the building height and does not comprise any views or vistas.	Y
	Does the proposal dominate the skyline and reduce the quality of vistas?	Most of the external signage is located on the building or fuel canopy and does not protrude above the structure on which it is located. The 8.5m freestanding sign is in keeping with the building height for the immediate area, and does not dominate the skyline.	Y
	Does the proposal respect the viewing rights of other advertisers?	The proposed signage will not obscure any other advertising.	Y
4) Streetscape, setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed scale, proportion and form of signage is appropriate for the streetscape given it addresses a classified road.	Y
	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will contribute to the visual interest of the area through its integration with the built form. The presentation is uncluttered in appearance in appearance and responds well to the surrounding context. Accordingly, the signage appropriately identifies the users of the site.	Y

	Does the proposal reduce clutter by rationalizing and simplifying existing advertising?	An integrated whole-site approach to advertising has been adopted including a shared pylon sign and this will simplify / de-clutter advertising signage.	Y
	Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	N/A
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	Signage is consistent with the height of other signage for commercial development (including existing service station) in the area; and is comparatively low in scale.	Y
	Does the proposal require ongoing vegetation management?	No, vegetation management for landscaping within the site will occur.	N/A
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?	The signage has been designed to integrate with the built form and site characteristics.	Y
	Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract from important features of the site or proposed building.	Y
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is consistent with the users' branding. The placement of signage is considered the most appropriate given the site topography, building siting, access points, car parking and landscape elements.	Y
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?	The proposed signage includes elements of appropriately illuminated signage.	Y
7) Illumination	Would illumination result in unacceptable glare?	Signage will be illuminated at appropriate LUX levels to not result in unacceptable glare.	Y
	Would illumination affect safety for pedestrians, vehicles or aircraft?	The illuminated signage will not provide a safety concern for pedestrians, vehicles or aircraft.	Y
	Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed illuminated signage will not detract from the amenity of any residences.	Y
	Can the intensity of the illumination be adjusted, if necessary?	No, however the illumination is not expected to create any negative visual impacts or unacceptable glare.	N/A
	Is the illumination subject to a curfew?	The signs would be illuminated at night during operational hours. There is no curfew in place.	N/A

8) Safety	Would the proposal reduce the safety for any public road?	The proposed signage will not reduce road safety. Sightlines to and from the site will not be affected and there will be no cause of distraction for drivers.	Y
	Would the proposal reduce the safety for pedestrians or cyclists?	The proposed signage will not reduce existing safety for pedestrians and cyclists. All signage is contained wholly within the site and not within the road or footpath.	Y
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage does not obscure sightlines from public areas.	Y

Appendix D – Traffic and Parking Report

Intersect Traffic Pty Ltd

This page has been left blank intentionally

Appendix E – Site Monitoring Reports

AECOM

This page has been left blank intentionally

Appendix F – Waste Management Plan

KDC Pty Ltd

This page has been left blank intentionally

Appendix G – Crime Risk Assessment

KDC Pty Ltd

This page has been left blank intentionally

Appendix H – Operational Management Plan

KDC Pty Ltd

This page has been left blank intentionally

Appendix I – Survey Plan

This page has been left blank intentionally

Appendix J – Landscape Plans

Mara Consulting Pty Ltd

This page has been left blank intentionally

Appendix K – Noise Assessment

Muller Acoustics Pty Ltd

This page has been left blank intentionally

Appendix L – Staging Plan

This page has been left blank intentionally