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Cowra Shire Council
14/3/2024
Plan No: DA 10.2024.27.1

Lot 2
DP 1093003

AERIAL POWER LINES

- AERIAL POWER LINES ARE LOCATED WITHIN THE AREA OF WORK. CARE IS TO BE TAKEN WHEN WORKING IN THESE AREAS.
- PROVIDE ADEQUATE WORKING CLEARANCE AT ALL TIMES DURING THE WORK.
- PROVIDE ALL TIGER TAILS AND OTHER PROTECTION REQUIRED BY THE SUPPLY AUTHORITY FOR THE DURATION OF THE WORK.

DEMOLITION + SITE PREPARATION :

- WORK SHALL NOT COMMENCE UNTIL ALL REGULATORY APPROVALS HAVE BEEN OBTAINED INCLUDING, BUT NOT LIMITED TO CONSTRUCTION CERTIFICATE APPROVAL, SECTION 68 APPROVAL, SECTION 138 APPROVAL, Etc.
- WORK SHALL NOT COMMENCE UNTIL ALL SECURITY FENCES, SILT + SEDIMENT CONTROLS HAVE BEEN INSTALLED.
- THE CONTRACTOR SHALL CARRY OUT BYDA SEARCHES PRIOR TO THE COMMENCEMENT OF WORK, AND COPIES OF THE SEARCHES SHALL BE KEPT ON SITE AT ALL TIMES DURING THE WORKS.
- THE SITE SHALL BE ISOLATED FROM THE RETICULATED ELECTRICAL SUPPLY BY A SUITABLY QUALIFIED ELECTRICAL CONTRACTOR LICENCED FOR THE WORK.
- EXISTING UNDERGROUND FUEL TANKS SHALL BE DECOMMISSIONED BY A SUITABLY LICENCED CONTRACTOR PRIOR TO ANY OTHER WORK BEING UNDERTAKEN.
- THE WHOLE OF THE EXISTING UNDERGROUND FUEL STORAGE SYSTEM, DISTRIBUTION PIPEWORK, DISPENSERS, Etc. SHALL BE REMOVED BY A SUITABLY LICENCED CONTRACTOR.
- ALL TANKS, PIPEWORK, Etc. RELATED TO THE FUEL SYSTEM SHALL BE DISPOSED OF TO A SUITABLY LICENCED WASTE DISPOSAL FACILITY.
- NOMINAL EXTENT OF DEMOLITION WORKS TO BE CARRIED OUT, INCLUDING, BUT NOT LIMITED TO WALLS, PAVEMENTS, ROOFS, SLABS, WINDOWS, EQUIPMENT, KERBS, REMNANT UNDERGROUND FOOTINGS, SERVICES, Etc. SHOWN THUS :
- ALL DEMOLITION SHALL BE CARRIED OUT IN FULL COMPLIANCE WITH ALL RELEVANT AUSTRALIAN STANDARDS, THE BUILDING CODE OF AUSTRALIA, SAFE WORK AUSTRALIA REQUIREMENTS, WORKCOVER REGULATIONS, AND ALL RELEVANT LOCAL COUNCIL DEVELOPMENT CONSENT CONDITIONS OR DESIGN REQUIREMENTS, WHETHER LISTED HEREIN OR NOT.
- ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE REQUIREMENTS OF AS 1289, AS 1348, AS 1470, AS 1726, AS 2601, AS 3660.
- THE CONTRACTOR SHALL OBTAIN AN ASBESTOS REPORT FROM A SUITABLE QUALIFIED CONSULTANT AND MANAGE THE WORKS AND DISPOSAL OF ALL ASBESTOS MATERIALS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE REPORT.
- PROVIDE ALL SILT AND SEDIMENT CONTROL MEASURES SHOWN ON THE CONSTRUCTION MANAGEMENT DRAWINGS CM - 01, 02, AND AS REQUIRED BY THE CONSENT AUTHORITY.
- WHERE WORKS ARE TO BE CARRIED OUT IN PUBLIC AREAS THOSE WORKS SHALL BE CARRIED OUT AT MINIMUM INCONVENIENCE TO THE GENERAL PUBLIC AND ALTERNATIVE FOOT TRAFFIC ARRANGEMENTS CARRIED OUT IN ACCORDANCE WITH COUNCIL REQUIREMENTS.



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BOUNDARY LINE - 23.645m - 100°49'50"

BOUNDARY LINE - 39.515m - 100°4

Lot 1
DP 801755
1937m²

ALL EXISTING PAVEMENTS, SLABS,
LANDSCAPING, Etc. TO BE REMOVED.
SHADING OMITTED FOR CLARITY.

EXISTING CROSSOVER + COUNCIL PAVEMENTS
TO BE RETAINED OUTSIDE SITE BOUNDARY.

EXISTING ROOF STRUCTURE TO BE REMOVED.

EXISTING WALLS SHOWN THUS TO REMAIN.

EXISTING BOUNDARY CHAINWIRE FENCING AND
RETAINING WALLS TO BE RETAINED WHERE
POSSIBLE.

EXISTING STRUCTURE SHOWN THUS TO BE
DEMOLISHED.

EXISTING BOUNDARY CHAINWIRE FENCING TO
BE RETAINED WHERE POSSIBLE.

EXISTING CROSSOVERS SHOWN THUS TO BE
DEMOLISHED FOLLOWING APPROVALS BY
COUNCIL, TNSW, Etc.

EXISTING COUNCIL + TNSW SIGNAGE TO REMAIN.

EXISTING UNDERGROUND FUEL TANKS TO BE
DECOMMISSIONED AND REMOVED.

EXISTING CANOPY STRUCTURE SHOWN THUS
TO BE DEMOLISHED.

ALL EXISTING PAVEMENTS, SLABS,
LANDSCAPING, Etc. TO BE REMOVED.
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EXISTING KERB + GUTTER TO BE RETAINED
SHOWN THUS.

BOUNDARY LINE - 60.800m - 280°36'30"

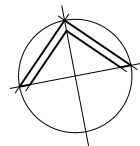
REDFERN STREET

SITE : DEMOLITION PLAN

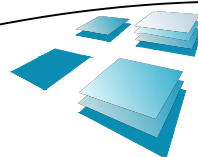
SCALE 1 : 1 On A1 Size Original
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PI	PRELIMINARY ISSUE FOR DISCUSSION PURPOSES ONLY. NOT FOR CONSTRUCTION.	RJS	10.01.2024
DA-1	ISSUED FOR DEVELOPMENT APPROVAL PURPOSES ONLY. NOT FOR CONSTRUCTION.	RJS	15.02.2024



OWNER: MURRAY
BUILDING DESIGNERS AUSTRALIA
Accredited Building Designer: 6318



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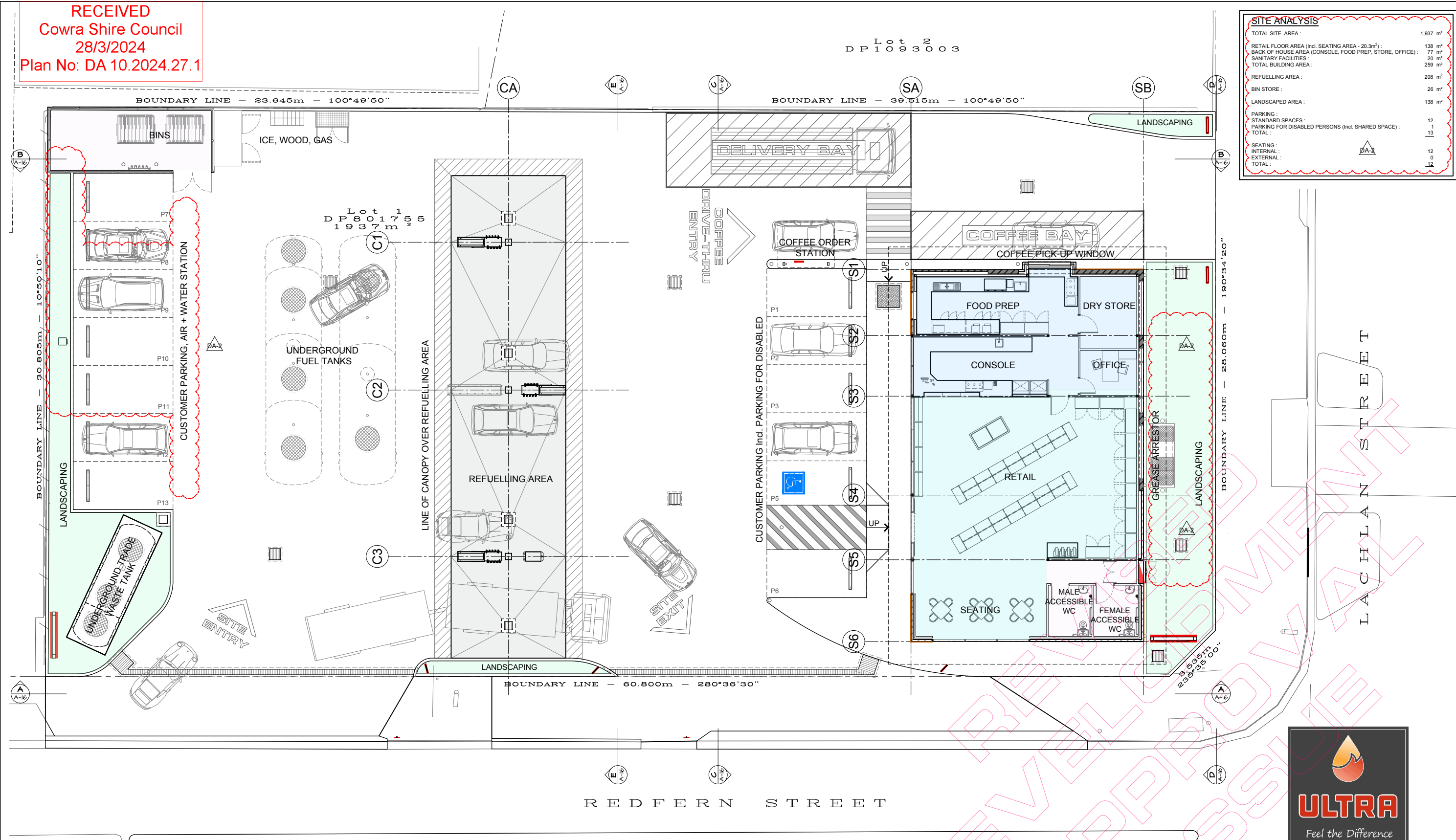
Project
CONSTRUCTION OF SERVICE STATION
LOT 1 DP 801755 - 2 LACHLAN STREET
COWRA NSW 2794
FOR
ULTRA PETROLEUM GROUP Pty Ltd
Drawing Title
SITE :
DEMOLITION PLAN

Approved	Designed
Date	Drawn
Scale	Checked
Project No.	Amt.
20-028-24	DA-1
1 : 100 @ A1	1 : 200 @ A3
Drawing No.	A - 02

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Lot 2
DP 1093003

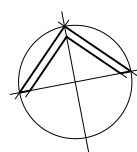
SITE ANALYSIS	
TOTAL SITE AREA:	1,937 m ²
RETAIL FLOOR AREA (incl. SEATING AREA - 20.3m ²):	138 m ²
BACK OF HOUSE AREA (CONSOLE, FOOD PREP, STORE, OFFICE):	77 m ²
SANITARY FACILITIES:	20 m ²
TOTAL BUILDING AREA:	258 m ²
REFUELLING AREA:	208 m ²
BIN STORE:	26 m ²
LANDSCAPED AREA:	138 m ²
PARKING:	
STANDARD SPACES:	12
PARKING FOR DISABLED PERSONS (incl. SHARED SPACE):	1
TOTAL:	13
SEATING:	
INTERNAL:	12
EXTERNAL:	0
TOTAL:	12



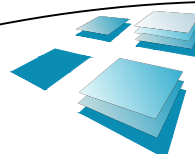
SITE : GENERAL ARRANGEMENT PLAN

SCALE 1 : 1 On A1 Size Original
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No.	Amendment	By	Date
PI	PRELIMINARY ISSUE FOR DISCUSSION PURPOSES ONLY. NOT FOR CONSTRUCTION.	RJS	10.01.2024
DA-1	ISSUED FOR DEVELOPMENT APPROVAL PURPOSES ONLY. NOT FOR CONSTRUCTION.	RJS	06.03.2024
DA-2	EV CHARGING STATIONS + OUTDOOR SEATING REMOVED. SITE ANALYSIS AMENDED. RE-ISSUED FOR DEVELOPMENT APPROVAL PURPOSES ONLY. NOT FOR CONSTRUCTION.	RJS	27.03.2024



OWNER: R.J. SINCLAIR Pty Ltd
BUILDING DESIGNERS AUSTRALIA
Accredited Building Designer: 6318



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LOT 1 DP 801755 - 2 LACHLAN STREET
COWRA NSW 2794
FOR
ULTRA PETROLEUM GROUP Pty Ltd
Drawing Title
SITE :
GENERAL ARRANGEMENT PLAN + SITE ANALYSIS

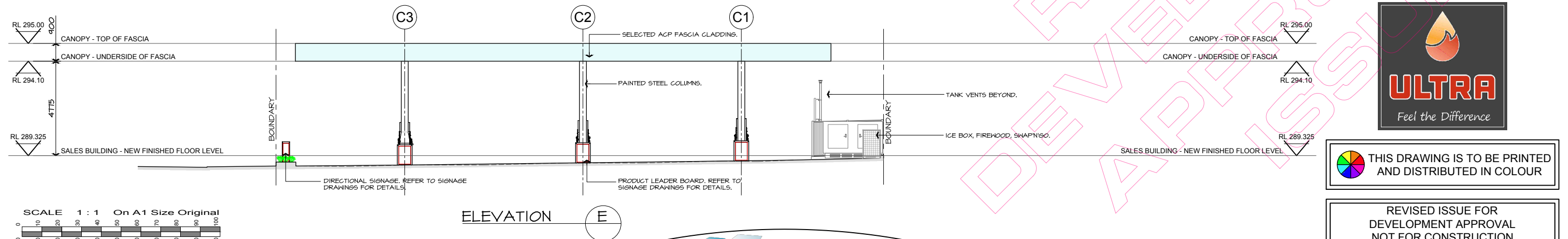
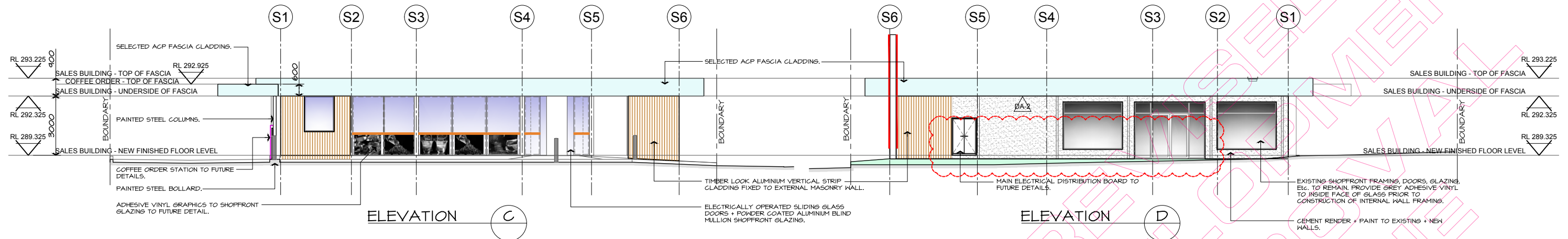
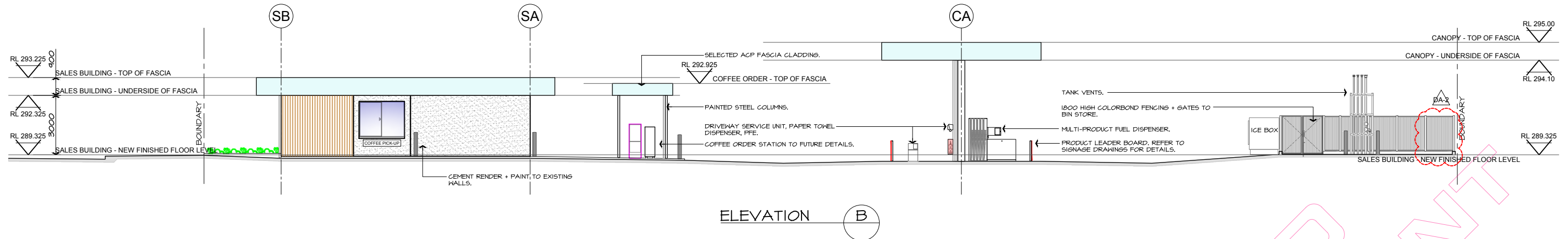
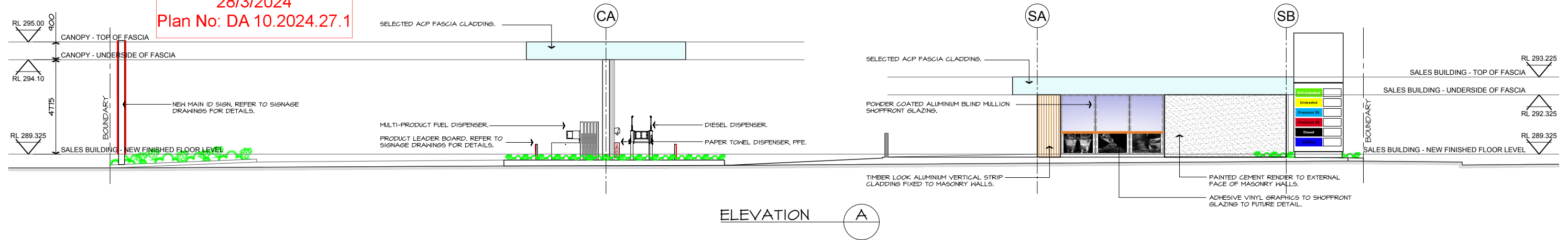
Approved	Designed
Date	Drawn
10th January 2024	RJS
Scale	Checked
1 : 100 @ A1 1 : 200 @ A3	
Project No.	Amtd.
20-028-24	A - 11 DA-2



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ELEVATION E

DA-1
DA-2

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EV CHARGING STATIONS + OUTDOOR SEATING REMOVED. RE-ISSUED FOR DEVELOPMENT APPROVAL PURPOSES ONLY. NOT FOR CONSTRUCTION.

By
RJ5
RJ5
RJ5

Date
10.01.2024
15.02.2024
21.03.2024

Project
CONSTRUCTION OF SERVICE STATION
LOT 1 DP 801755 - 2 LACHLAN STREET
COWRA NSW 2794
FOR
ULTRA PETROLEUM GROUP Pty Ltd

Drawing Title
SITE
ELEVATIONS

Approved
Date
10th January 2024
Scale
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Project No.
20-028-24

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A - 16
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STATEMENT OF ENVIRONMENTAL EFFECTS

DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION
OF SERVICE STATION FACILITY

2 LACHLAN STREET
COWRA NSW 2794
LOT 1 DP 801755

Prepared By:
Kaeley Draper
BA Urban & Regional Town Planning Hons.
Director Town Planning

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1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared to support a Development Application for the demolition of the existing structures, decommissioning of existing underground fuel tanks and construction of a new Service Station Facility on the site at 2 Lachlan Street, Cowra. This SEE evaluates the proposed development for its compliance with the statutory controls embodied in various statutory planning instruments, and demonstrates that the development is consistent with the aims and objectives of these instruments. In preparation of this document, consideration has been given to the following:

- The Environmental Planning and Assessment Act (1979) as amended.
- The Environmental Planning and Assessment Regulation 2021.
- Cowra Local Environmental Plan 2012.
- Cowra Development Control Plan 2021.
- Various State Environmental Planning Policies.

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed development is complementary and compatible with the area. This SEE provides a description of the subject site and surrounds, an identification of the development proposed by this application and an assessment of the perceived impacts of this proposal for the matters contained within Section 4.15 of the Environmental Planning & Assessment Act, 1979 (EP&A Act), as amended. Specifically, this SEE provides the following information:

- **SECTION 2** provides a description of the subject site and surrounding locality.
- **SECTION 3** provides a detailed description of the proposed development.
- **SECTION 4** provides an assessment of the proposed development against the relevant planning objectives and controls in accordance with Section 4.15(1) of the EP&A Act.
- **SECTION 5** provides a summary and conclusion.

2 SITE ANALYSIS

2.1 SITE ANALYSIS

The subject site is located at 2 Lachlan Street, Cowra, and is legally described as Lot 1 DP 801755. Lachlan Street is located within the Central Business District (CBD) of Cowra and is defined by a variety of uses including commercial and retail sites, detached residential dwelling houses and places of public worship. The subject site is arranged on an east-west tangent. **Figures 1 and 2** below show the orientation of the subject site and its location relative to surrounding properties.

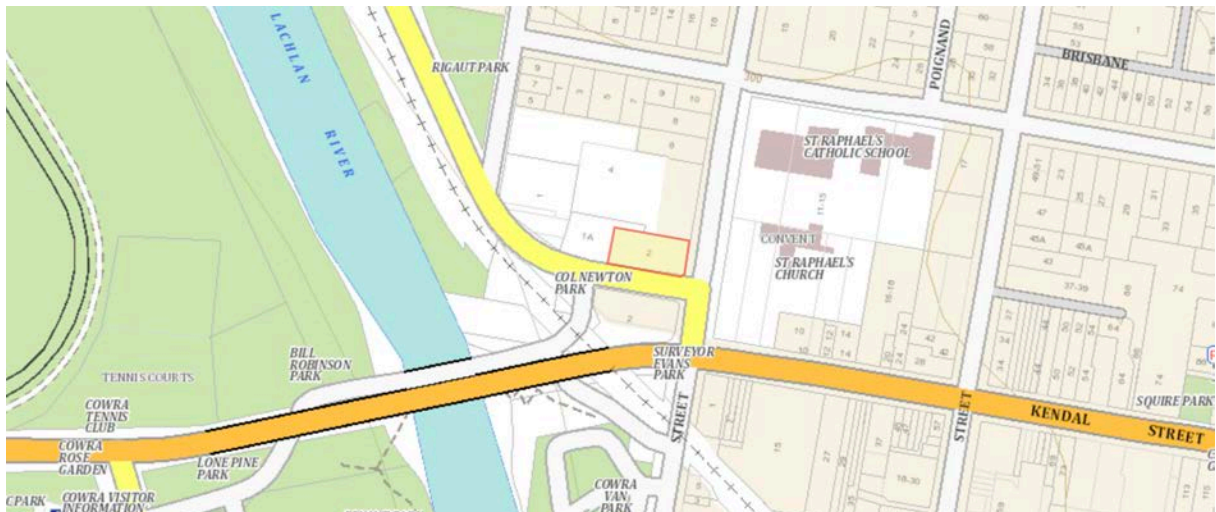


Figure 1: Aerial View of Subject Site (Six Maps)



Figure 2: Aerial View of Subject Site (Six Maps)

The site is rectangular in shape with a 28.06m primary frontage to Lachlan Street, a 60.80m secondary frontage to Redfern Street, a 39.515m northern side boundary and a 30.805m rear boundary. The total site area is 1937m². The site currently contains a Boat and Motor Sales Yard however previously operated as a Service Station Facility, with the original Service Station structures still in place on the site including a canopy area for refuelling and a convenience store now used as a workshop/showroom under the current use. Images of the existing development on the site are shown below.

2.2 SITE IMAGES



Figure 3: View of Subject Site from Lachlan Street

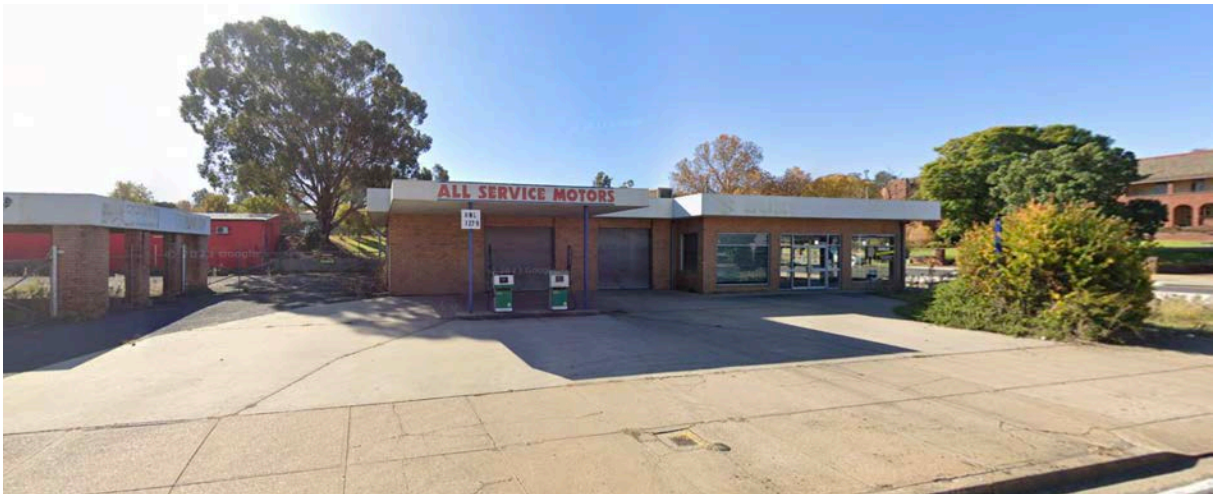


Figure 4: View of Subject Site from Redfern Street



Figure 5: Aerial View of Subject Site

2.3 SITE HISTORY

On the 27th of June 2022, the subject site was approved for a change of commercial premises to Service Station Facility including alterations and additions under DAI09/2020 by Cowra Council. The approved Service Station Facility and ancillary structures comprised the following:

- New entry only driveway from Redfern Street.
- New underground fuel tanks.
- New dispensing area.
- New sales building with retail area, console, food preparation area, cool room and storage.
- Staff and customer amenities.
- Delivery bay.
- HVAC and bin enclosure.
- New staff and customer car parking bays.

The approved development design is shown below.

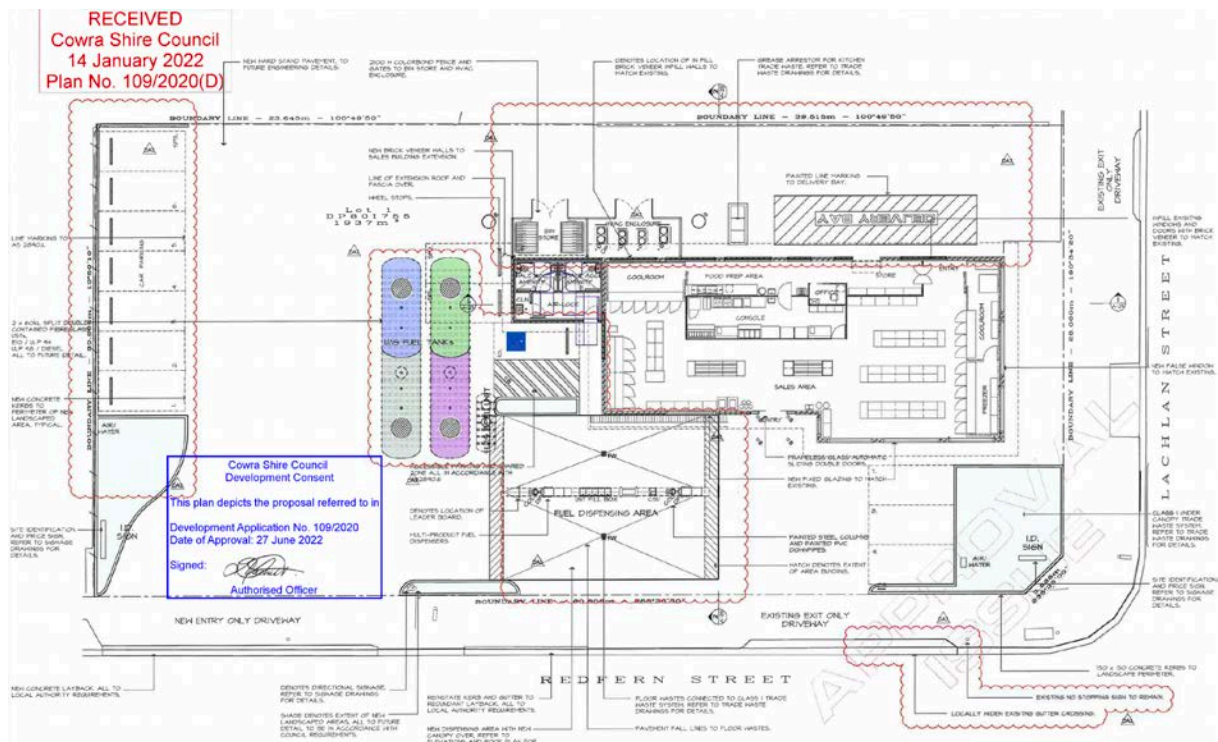


Figure 6: Development Design Approved Under DAI09/2020

The development proposed under this application retains the approved use of the site under DAI09/2020 for a Service Station Facility. Approved buildings and structures on the site are retained in a new layout, with some minor additional elements proposed as described in **Section 3** below.

2.4 STREETSCAPE ANALYSIS

To the north of the subject site at 4 Lachlan Street, Cowra is a Community Hall and recreational open space with car parking along the southern site boundary. The adjoining property is shown at **Figure 7** below.



Figure 7: 4 Lachlan Street, Cowra

To the immediate south of the subject site at 2 Kendal Street, Cowra is the Cowra Hotel and associated structures and car parking. The adjoining property is shown at **Figure 8** below.

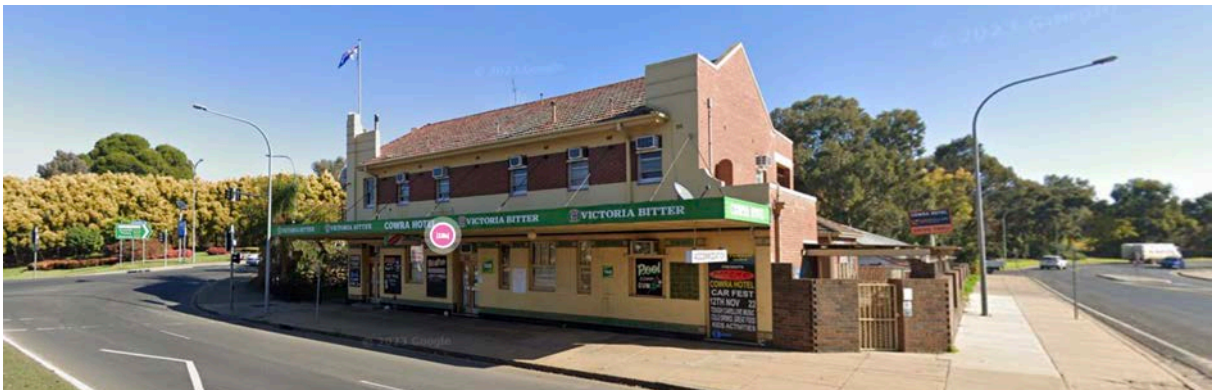


Figure 8: 2 Kendal Street, Cowra

To the immediate east of the subject site at 11-15 Liverpool Street, Cowra is St Raphael's Church and associated buildings and car parking. The adjoining property is shown at **Figure 9** below.

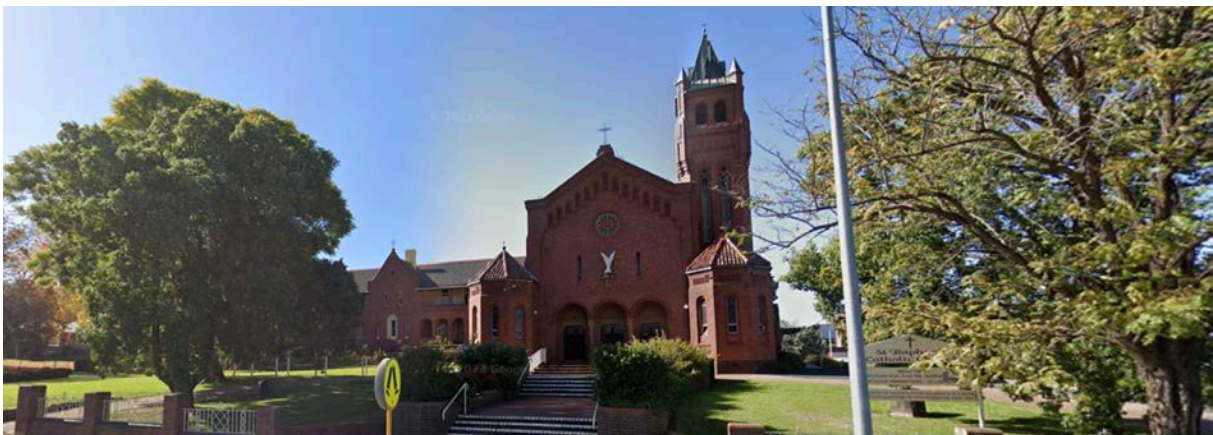


Figure 9: 11-15 Liverpool Street, Cowra

To the immediate west of the subject site at 1A Redfern Street, Cowra is a Supacheap Auto commercial premises with associated car parking. The adjoining property is shown at **Figure 10** below.



Figure 10: 1A Redfern Street, Cowra

3 PROPOSED DEVELOPMENT

This Development Application is made for the demolition of existing structures, decommissioning of the existing underground fuel tanks and construction of a new Service Station Facility. As noted above, the use of the site for a Service Station Facility under DAI09/2020 is retained.

3.1 DEMOLITION

Demolition on the site is take place in accordance with the Demolition Plan submitted with this application and includes the following works:

- Demolition of selected crossovers.
- Demolition of all existing pavements, slabs and landscaping.
- Demolition of selected building and canopy structures.
- Decommissioning of existing underground fuel tanks.

3.2 PROPOSED LAND USE AND BUILT FORM

The proposed development involves the construction of a new Service Station Facility on the site in accordance with the Architectural Plans submitted with this application and shown below.

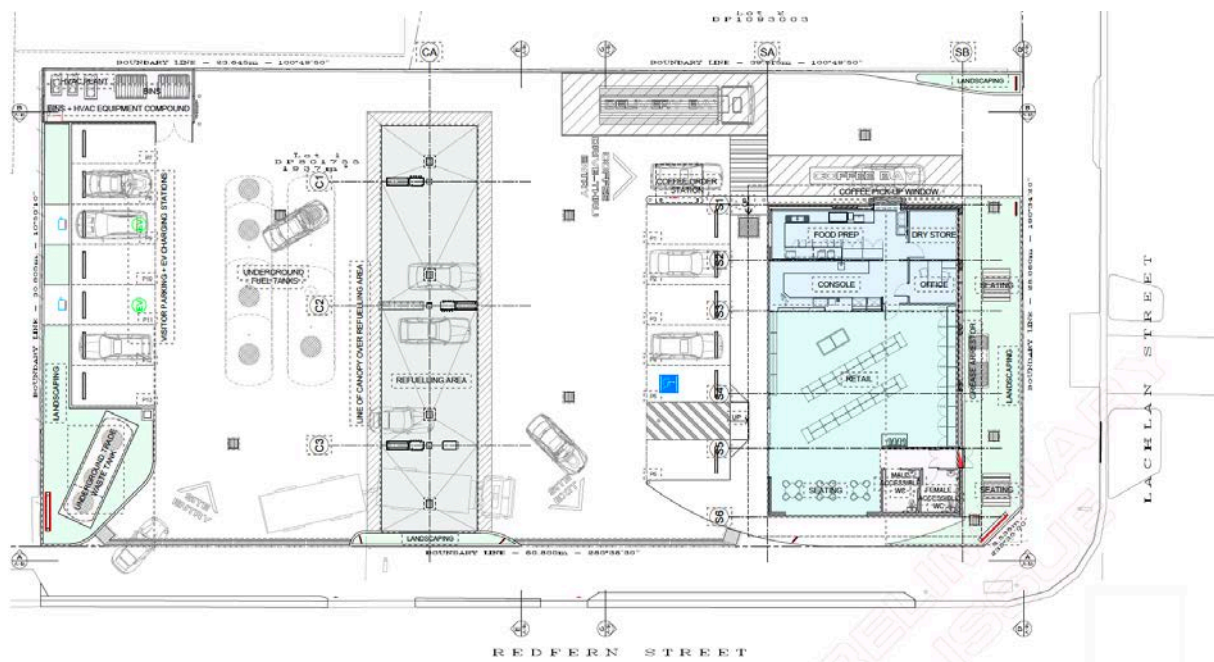


Figure 11: Proposed Development

The Service Station facility will be a specialist facility providing light and heavy vehicle refuelling and a modern convenience store with hot food and amenities. Specifically, the Service Station Facility will comprise the following features:

- Refuelling area.
- Underground fuel tanks.
- Sales building.
- Delivery bay.
- HVAC and bin compound area.
- Staff and customer car parking.

The general components of the Service Station Facility approved under DAI09/2020 are retained in the new layout, with the inclusion of internal seating within the sales building and a new coffee drive-thru window.

3.3 SALES BUILDING

A sales building is proposed within the eastern portion of the site comprising the following:

- Retail area
- Seating
- Sales console
- Food preparation area
- Storage room
- Office
- Staff and customer amenities
- Coffee bay with drive-thru

The sales building will offer take away food, with limited seating provided to encourage customers of the Service Station Facility to rest if necessary. The sales building is single storey and of architectural render construction with a zincalume roof. Framed glass automatic sliding doors are proposed on the façade as well as shopfront glazing and a window to the coffee drive-thru bay. Signage is proposed on the southern, eastern and western fascias to ensure clear wayfinding for pedestrians. Fascias are to be aluminium composite panel (ACP) around full perimeter of roof. The sales building is located adjacent to the vehicle refuelling area and car parking for convenient customer access.

3.4 VEHICLE REFUELLING AREA

The proposed vehicle refuelling area will be constructed under a canopied area centrally on the site. The refuelling area will house three separate sets of fuel dispensers resulting in six refuelling bays that are placed a suitable distance apart to allow for the free movement of vehicles and foot traffic within the fuel dispensing area. The canopy to be constructed over the area is designed to provide adequate coverage for vehicles and individuals whilst refuelling takes place.

The canopy roofing will consist of zincalume roof sheeting, blanket insulation and a moisture barrier laid at 2% fall to the 400 x 150 zincalume box gutter. Solar panels are proposed on the canopy roof form. The canopy will include directional light fixtures on the underside and limited surface mounted area lighting so as to provide sufficient illumination for refuelling activities. Pavement beneath the canopy will be designed to include bunding and an appropriate gradient in order to direct floor wastes and stop the ingress of stormwater. Instructional/directional signage will be placed on the dispensers in accordance with relevant industry standards. Leader boards will be included at each end of the fuel dispensers and the canopy itself will contain fascia signage on its southern aspect. Fascias are to be aluminium composite panel (ACP) around full perimeter of roof.

3.5 IN-GROUND FUEL STORAGE TANKS

The proposed development will contain in ground tanks for storage of petroleum fuel products catered to by the Service Station Facility. These tanks will consist of the following:

- 1 x 90kl tank with separate compartments for 50kl premium diesel + 40 kl unleaded
- 1 x 90 kl tank with separate compartments for 30kl E10, 25 kl Premium 95, 25 kl Premium 98, 10 kl AdBlue.

The above represents a total overall storage capacity of 180KL for petroleum products on the site. The tanks will be housed below ground level and are to be installed in accordance with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 as well as AS4897 (2008) Design, Installation and Operation of Underground Petroleum Storage Systems. Underground Petroleum Tanks will be

double walled fibre glass fitted with a Hydrostatic Leak Detection System. This system provides ongoing monitoring, preventing product loss and potential contamination to the environment.

3.6 CAR PARKING

Access and egress to the site is maintained in the same locations approved under DAI09/2020. Access to the site is achieved by an entry-only driveway from Redfern Street. All vehicles except customers using the drive-thru coffee will exit onto Redfern Street. The only vehicles using the Lachlan Street exit are delivery vehicles using the delivery bay and light vehicles using the coffee drive-thru. A total of thirteen (13) car parking spaces are proposed including parking for disabled drivers.

3.7 TRADE WASTE SYSTEM

As approved under DAI09/2020, the proposed refuelling area will include a Trade Waste System for the site that is a Class 1 oil/separator system. The refuelling areas pavement will be captured and directed to the Trade Waste System before being discharged to the stormwater system. During normal operations, stormwater and/or oily water will be captured on the forecourt of the refuelling areas and then make its way into the separator system and treated by separating the oil and hydrocarbons from the water before discharging the treated water to the on-site stormwater system. The site operator will then be required to organise removal of the fuel spill from the tank by a trade waste contractor to dispose off-site in accordance with local authority requirements. All other pavement stormwater runoff is captured in stormwater pits throughout the site and drained to Council' stormwater system.

3.8 OPERATIONAL MANAGEMENT

The Service Station Facility is proposed to operate within the following hours:

- Shop: Monday to Friday 5.00am to 12.00am
- Saturday, Sunday & Public Holidays 6.00am to 10.00pm (proposed new hours)
- Fuel: 24hrs (pay at pump)

Fuel deliveries to the site are to be scheduled to occur outside of the following peak hours:

- 8:00am to 9:00am
- 12:30pm to 1:30pm
- 3:15pm to 4:15pm

There will be a total of three (3) people employed, with 1-2 people working at any one time. There will be 2-3 fuel deliveries per week and groceries delivered 3-4 times per week.

For the management of substances and liquid on site there will be the following available:

- Spill kit
- Emergency manifest red box
- Fire extinguishers at each refuelling location and throughout the site
- Fire blanket
- Emergency stop button
- Vapour recovery
- Warning stickers with rules and policies on each pump

4 PLANNING ASSESSMENT

4.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) provides the overarching framework for the NSW Planning System. In accordance with the provisions of the EP&A Act, a development is considered Integrated Development if it requires development consent and approval under the provisions of one or more of the following Policies:

- Sections 144, 201, 205 or 219 of the Fisheries Management Act (1994)
- Section 58 of the Heritage Act (1977)
- Section 15 of the Mine Subsidence Compensation Act (1961)
- Sections 63 or 64 of the Mining Act (1992)
- Section 90 of the National Parks and Wildlife Act (1974)
- Section 16 of the Petroleum (Onshore) Act (1991)
- Sections 43, 47, 55 or 122 of the Protection of the Environment Operations Act (1997)
- Section 138 of the Roads Act (1993)
- Section 100B of the Rural Fires Act (1997)
- Sections 89, 90 or 91 of the Water Management Act (2000)

The proposed development does not require approval under any of the above listed policies and therefore is not considered to be Integrated Development.

4.2 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

The Environmental Planning and Assessment Regulation 2021 (EP&A Reg) supports the day-to-day requirements of the NSW Planning System. It contains key operational provisions including those relating to development contributions and planning agreements. Division 5 of the EP&A Reg outlines the types of development and criteria pertaining to development that would qualify as Designated Development. A review of these provisions indicates that the proposed development does not meet the definition or criteria of development listed under Division 5. The proposal is therefore not considered to be Designated Development.

4.3 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

The Protection of the Environment Operations Act 1997 (POEO Act) is the key piece of environmental protection legislation administered by the Environment Protection Authority (EPA). Schedule 1 of the POEO Act lists a number of Scheduled Activities which require an Environmental Protection Licence (EPL). Under Clause 9 of Schedule 1, the following stored substances are considered to be a Scheduled Activity:

Chemical Waste Storage involves having on site at any time more than 5 tonnes of prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne).

General Chemicals Storage involves capacity to store more than 20 tonnes (pressurised gases), 200 tonnes (liquefied gases) or 2000 tonnes (chemicals in any other form).

Petroleum Products Storage involves capacity to store more than 20 tonnes (pressurised gases), 200 tonnes (liquefied gases) or 2000 tonnes (chemicals in any other form).

The proposed development makes provision for the storage of 180KL of products. Calculation of weight for the proposed petroleum products has been achieved by means of factoring volumes and standard densities for these substances. None of the proposed substances stored in the listed volumes exceed the 2000 tonne limit (for general and/or petroleum products) or 200 tonne limit (for LPG) that would require a license to be issued for the operation

of the development. The proposed development therefore does not require the issuing of an EPL in order to operate and is therefore compliant with the POEO Act.

4.4 PROTECTION OF THE ENVIRONMENT OPERATIONS (UNDERGROUND PETROLEUM STORAGE SYSTEMS) REGULATION 2008

Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 (POEO Underground Petroleum Reg) aims to minimise the risk to human health and the environment by requiring best practice design, installation, maintenance, and monitoring of underground petroleum storage systems (UPSS) in NSW. The regulation is relevant to the operation of the proposed service station as it requires owners and operators of UPSS to regularly check for leaks in the fuel tanks and pipes used to store and handle petroleum products. Owners and operators also need to meet minimum standards in their day-to-day environmental management of these storage systems and have the following in place:

- A system for detecting and monitoring leaks.
- Groundwater monitoring wells at sensitive locations and a program to test them.
- An Environment Protection Plan for the facility.
- Systems in place for record keeping, reporting of leaks and notifying the local council when a UPSS is decommissioned.

The fuel systems on the site for the proposed development will demonstrate adherence to this control through design and construction that is in accordance with appropriate Australian Standards for these systems. Underground Petroleum Tanks will be double walled fibre glass fitted with a Hydrostatic Leak Detection System. This system provides ongoing monitoring, preventing product loss and potential contamination to the environment. Petroleum product lines in use at the facility will be tested regularly to ensure quality and compliance. Groundwater monitoring wells will be installed as a part of the underground petroleum storage tank excavations.

4.5 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

The new State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) consolidates three SEPPs and is effectively a house keeping measure and does not introduce any substantive changes to the legal provisions. Chapter 3 presents a systematic approach to the assessment of development proposals for potentially hazardous and offensive industry or storage. Through the policy, the permissibility of a proposal to which the policy applies is linked to its safety and pollution control performance. The Resilience and Hazard SEPP provides definitions and provisions which govern the identification of “Hazardous”, “Offensive”, “Potentially Hazardous” and “Potentially Offensive” developments. The above terms are defined as follows:

Potentially Hazardous Industry means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

- a) to human health, life or property, or
- b) to the biophysical environment,
- c) and includes a hazardous industry and a hazardous storage establishment.

Potentially Offensive Industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.

Hazardous Industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been

employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality)), would pose a significant risk in relation to the locality:

- a) to human health, life or property, or*
- b) to the biophysical environment.*

Offensive Industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

When assessing the proposed development against the above definitions, it is considered that the design elements included within the application serve to sufficiently mitigate or eliminate any offensive or potentially offensive aspects. The proposed development therefore does not meet the definition of “offensive” or “potentially offensive” under the provisions above.

Chapter 4 of the Resilience and Hazards SEPP introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected. The proposed development involves the decommissioning of the existing underground fuel tanks and the installation of new fuel tanks on the site, in keeping with the development approved under DAI09/2020. It is noted that the proposed development is situated on land that has historically been used for commercial purposes including a previous Service Station Facility. The proposed development will reinstate the previous use of the site and is therefore not considered to require further contamination investigations under Resilience and Hazards SEPP.

4.6 STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

Chapter 3 of the State Environmental Planning Policy (Industry and Employment) 2021 sets out planning controls for advertising and signage in NSW. The SEPP requires signage to be compatible with:

- The future character of an area,
- Provide effective communication in suitable locations and
- Be of a high-quality design and finish.

With regard to the signage involved in the proposed development, the following relevant Sections of the SEPP have been reviewed.

Section 3.16

The only signage involved in the proposed development requiring assessment against the criteria of Section 3.16 is the roadside ID sign. The ID sign has a total height of 6m and an advertising space of less than 20m² and therefore does not exceed the dimensional requirements of this section. With these dimensions, Section 3.16 is not applicable to the proposed development. The proposed price board forms part of the main ID signage and is mandatory under NSW Fair Trading Regulations and will continue to comply with the provisions.

Section 3.17

As outlined in Section 3.16 above, the roadside ID signage is 6m in height with an advertising space of less than 20m². With these dimensions, this section is not considered applicable to the proposed development.

Section 3.18

The proposed roadside ID signage is considered to be consistent with the skyline within the vicinity of the subject site. When viewed from a distance it will not represent a significant visual departure from surrounding features. The sign is to be internally illuminated with the graphics and colour scheme depicted on the Architectural Plans.

The proposed signage complies with the Assessment Criteria of Schedule 5 in the following ways:

Character of the area

The proposed signage is consistent with the existing character of the site, which has historically been used for the purposes of a Service Station Facility. The new signage will have no greater impact on the streetscape than the previous signage on the site.

Special areas

The subject site is not located within a Special Area. The proposed use of the site is consistent with the historical use as a Service Station Facility.

Views and vistas

Views within the surrounding streetscape are generally limited to neighbourhood views, and the proposed signage will have no greater impact than the previous signage on the site.

Streetscape, setting or landscape

Simple signage is proposed that clearly identifies the site for the purposes of a Service Station and does not preclude the visual quality or landscaping of the surrounding streetscape. The final development is appropriate for the site in the context of the streetscape.

Site and building

The final development including signage is highly compatible with the established character of the area and will replace the previous Service Station.

Associated devices and logos with advertisements and advertising structures

Signage is appropriately designed and fitted with suitable devices where required.

Illumination

Proposed illumination is demonstrated on the Architectural Plans and has been sensitively designed to avoid impacts to vehicles, pedestrians and aircrafts. Illuminated signage is to replace the previous illuminated signage on the site.

Safety

The location of signage has been carefully considered to minimise safety impacts to pedestrians and vehicles. Signage maintains an appropriate height and scale as well as setback distances to the property boundaries to avoid obstruction of sight lines.

4.7 COWRA LOCAL ENVIRONMENTAL PLAN 2012

The Cowra Local Environmental Plan 2012 (CLEP 2012) is the principal planning instrument that governs all development within the Cowra Shire Council LGA. The objectives and provisions of the plan that relate to the proposed development are discussed below.

4.7.1 LAND USE ZONING

The subject site is zoned E1 – Local Centre under the CLEP 2015. The objectives of the E1 zone are as follows:

- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To encourage investment in local commercial development that generates employment opportunities and economic growth.*
- *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*

- *To ensure the development of the local centre in West Cowra is consistent with the commercial hierarchy of the Cowra township and does not involve major retailing activities or detract from the core commercial functions of the Cowra central business district.*
- *To maximise public transport patronage and encourage walking and cycling.*

The proposed development achieves the objectives of the E1 zone by providing a service to meet the day-to-day needs people who live in, work in and visit the local area. The proposal will also provide employment opportunities during the construction and operation phases of the development.

The proposed development is for the construction of a new Service Station Facility on the site which has the following definition under the CLEP 2012:

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 Station Facilities are permissible in the E1 zone with consent from Council.

4.7.2 HEIGHT OF BUILDINGS

Clause 4.3 of the CLEP 2012 requires that the height of a building on any land is not to exceed the maximum height shown for the land of the Height of Buildings Map. The site is not subject to a maximum building height.

4.7.3 FLOOR SPACE RATIO

Clause 4.4 of the CLEP 2012 requires that the maximum floor space for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. The site is not subject to a maximum floor space ratio.

4.7.4 HERITAGE CONSERVATION

Clause 5.10 of the CLEP 2012 states that development consent is required for any works impacting on a Heritage Item, Aboriginal object or Heritage Conservation Area identified on the Heritage Map. The subject site does not contain a Heritage Item or Aboriginal object and is not located within a Heritage Conservation Area.

4.7.5 BUSHFIRE HAZARD REDUCTION

Clause 5.11 of the CLEP 2012 makes provision relating to the carrying out of development on bush fire prone land. The subject site is not identified as bushfire prone land.

4.8 COWRA DEVELOPMENT CONTROL PLAN 2021

The Cowra Development Control Plan 2021 (CDCP 2021) provides objectives, advice and controls to facilitate development in the Cowra Shire LGA. According to the EP&A Act, the principal purpose of a development control plan is to provide guidance to facilitate development that is permissible under the relevant planning instrument and achieves the objectives of land zones. The broad aims of the Plan are as follows:

- a) To promote growth and development in the Cowra Local Government Area.*
- b) To ensure growth and development occurs in an orderly, environmentally friendly and sustainable manner.*
- c) To ensure positive planning outcomes are maximised for the benefit of the broader community.*

The proposed development achieves the aims of the CDCP 2021 by providing a development that will be undertaken in an orderly, environmentally friendly and sustainable manner to service the day-to-day needs of the local community. The development will provide a positive planning outcome that will have economic and social benefits for the community and will provide employment opportunities for the local community.

4.8.1 PART H: COMMERCIAL DEVELOPMENT

Section H.1 of the CDCP 2021 applies to any commercial development that is permissible within the E1 – Local Centre zone under CLEP 2012. The objectives for development in the Cowra Central Business District (CBD) are:

- a) To promote functional commercial and business development that makes a positive contribution to the streetscape and visual amenity of the surrounding area.*
- b) To promote a high standard of design, materials and construction.*
- c) To encourage the continued use of street awnings, where these are prominent features of the commercial environment.*
- d) To avoid unsightly or visually intrusive development.*
- e) To minimise the visual impact of larger buildings fronting public spaces or neighbouring residential dwellings.*
- f) To ensure that building height is consistent with the scale appropriate to the location of the land.*
- g) To encourage the creation of secure environments for commercial businesses and customers of those business.*
- h) To reinforce strong definition of streets and public spaces.*
- i) To improve pedestrian amenity and the quality of the public domain.*
- j) To improve pedestrian access and mobility.*
- k) To enable the safe and appropriate use of footpaths for outdoor dining and trading activities.*

The proposed development achieves the relevant objectives of the Cowra CBD by providing a functional commercial development that will make a positive contribution to the streetscape and local community by servicing the day-to-day needs of residents, workers and visitors. The proposed development is of a high standard of design that features a variety of materials and finishes. The eastern façade of the existing building including shopfront glazing features have been retained and contribute to maintenance of the precinct flavour. Installation of large glass panel in new southern wall replicates the existing southern wall of the old building. Safe pedestrian and vehicle access is provided throughout the development site.

Setback Controls

The following setback controls apply to the site:

- a) Reinforce the existing street pattern, character and function.*
- b) Be compatible with adjacent building setbacks.*
- c) Be appropriate for the level of pedestrian activity and proposed land-use.*

The design of the development is in keeping with the prevailing setback distances along the streetscape. Sufficient setback distances are proposed to the side and rear boundaries to maintain a high level of privacy and amenity for adjoining properties. Side and rear setbacks allow for adequate servicing of the development.

Building Height Controls

The following building height controls apply to the site:

- a) New buildings should be designed to be compatible with streetscape character.*
- b) New buildings should be sympathetic to adjacent buildings and, if necessary, provide a transition in height to adjacent buildings to minimise visual impact.*
- c) New buildings should be designed to minimise overshadowing of public places and private open spaces of adjacent buildings.*

All proposed buildings and structures on the site are single storey in form in keeping with the built form characteristics of other buildings along the streetscape. The siting and form of these elements will not result in unreasonable overshadowing for adjoining properties.

Building Design Controls

The following general building controls apply to the site:

- a) *The continuity of retail, business premises and shop fronts is to be maintained.*
- b) *New development should promote an enhanced pedestrian environment through attractive facades and frontage treatments that open up onto the street.*
- c) *Passive surveillance of all public places is to be promoted by ensuring appropriate orientation of buildings.*
- d) *New commercial buildings should be designed so that all external infrastructure / services (including air conditioning units, plant rooms, ducting etc) can be screened from view from a public place or road (as much as is practically possible).*

The proposed development achieves the above controls as it is in keeping with the prevailing retail and business land uses along the streetscape. Safe pedestrian access is maintained along the streetscape and provided throughout the development site. The proposal promotes safer by design practice through the siting and orientation of buildings on the site to promote passive surveillance and encourage accessibility by people of all abilities. All external infrastructure and services are screened from view from the public domain and roadway.

The following design controls for articulation apply to the site:

- a) *Building elevations / facades (especially for larger buildings) should reduce bulk and scale and provide visual interest through the use of variations in:*
 - i. *Facade treatments*
 - ii. *Roof lines.*
 - iii. *Openings, recesses and windows.*
 - iv. *Building materials and colours.*
- b) *Large expansive blank walls are not permitted unless abutting a building wall (with no openings) on adjoining allotment.*

The design of the proposed development features high quality materials and finishes that are commensurate with the use of the site as a service station facility. The built form features a variety of colours to express the different elements across the site and provide visual interest. Large expansive walls are not proposed in the design.

The following design controls for street frontages apply to the site:

- a) *Development at the ground level adjacent to streets should avoid large blank walls, have clearly defined entrances, incorporate windows for visibility in and out of any business, and promote pedestrian activity.*
- b) *Commercial or retail development on corner sites with limited setbacks should incorporate splays, curves, building entries and other architectural elements to reinforce the corner as a landmark feature of the street.*

Continuous accessible paths are provided throughout the development site including from the refuelling and parking areas to the sales building as well as the delivery bay. All elements on the site are located within close proximity to minimise travel distance. The interface of the public domain with the buildings on the site has been designed to promote informal surveillance and use. The sales building entrance is clearly identifiable and is to be well lit. Signage is proposed in several locations throughout the site.

External Lighting Controls

The following external lighting controls apply to the site:

- a) *Any external lighting of buildings is to be considered with regard to:*
 - i. *The integration of external light fixtures with the architecture of the building (for example, highlighting external features of the building).*

- ii. *The contribution of the visual effects of external lighting to the character of the building, surrounds and skyline.*
 - iii. *The energy efficiency of the external lighting system.*
 - iv. *The amenity of residents in the locality.*
 - v. *The potential impact on motoring safety.*
- b) *Floodlights should not be installed on buildings in the Cowra Central Business District.*

Outdoor lighting on the site is incorporated into the final building design to achieve a high level of safety for pedestrians and vehicles. Lighting is to be carefully located and orientated to ensure that it does not adversely impact on adjoining residential properties. All lighting fixtures are to be low energy design.

Fencing and Security Controls

The following fencing controls apply to the site:

- a) *Fencing that is visible from a public place should be visually unobtrusive and softened with a high standard of landscaping where physically possible.*
- b) *Fencing that is forward of the building should be constructed with a combination of solid and open landscaped elements in a style that complements the commercial building.*

Retention of the existing chain wire fencing is proposed on the northern and western sides of the site, whilst the road facing eastern and southern sides will have no fencing at all. Colorbond fencing will be located around the Bin store area in the north-western corner of the site.

Open Storage and Waste Management Controls

The following open storage and waste management controls apply to the site:

- a) *Open storage areas should be screened from public places, including public roads, and are to be sealed.*
- b) *Screen fences are to be a maximum of 2.4 metres in height and goods are not to be stacked higher than the actual fence.*
- c) *Open storage areas are to be located behind the building or another part of the site that cannot be seen from the street or from adjoining properties.*
- d) *Landscaping is generally not an acceptable method of screening on its own, unless it is already well established and the applicant can demonstrate that the storage area will be effectively screened. Landscaping may only be used for screening purposes when undertaken in conjunction with fencing, and other screening devices.*
- e) *Full details of the materials likely to be stored on the site are to be provided to Council for assessment as part of the Development Application.*
- f) *The storage of hazardous goods, materials or wastes will not be permitted in areas that adjoin residential or other sensitive land-uses. g) Sufficient space must be provided on-site for the loading and unloading of wastes. This activity is not to be undertaken on any public place. Commercial activities that generate and discharge liquid trade waste to the reticulated sewerage system must obtain the relevant Liquid Trade Waste approval from Council. The commercial activity must comply at all times with the requirements of the Liquid Trade Waste Regulation Guidelines and any conditions of the Liquid Trade Waste Approval.*

The proposed development features an enclosed waste storage area. The waste storage area provides sufficient space for the storage and collection of recyclable materials and general waste. The storage area is to provide separate containers for the separation of recyclable materials from general waste and will feature standard and consistent signage on how to use the waste management facilities.

Servicing Controls

The following servicing controls apply to the site:

- a) *New commercial developments must be connected to Council's reticulated water and sewerage supply system.*

- b) *The design and layout of commercial developments must provide space and facilities to enable efficient and cost-effective provision of reticulated services.*
- c) *Any upgrades to public infrastructure including water, sewer, electricity, natural gas, roads and stormwater, necessary to service the proposed development must be carried out by the applicant and at no cost to service providers.*
- d) *Commercial activities that generate and discharge liquid trade waste to the reticulated sewerage system must obtain the relevant Liquid Trade Waste approval from Council. The business activity must comply at all times with the requirements of the Liquid Trade Waste Regulation Guidelines and any conditions of the Liquid Trade Waste Approval.*

The proposed refuelling area will include a Trade Waste System for the site. The refuelling areas pavement will be captured and directed to the Trade Waste System before being discharged to the stormwater pit. During normal operations, stormwater and/or oily water will be captured on the refuelling forecourt and then make its way into the Purceptor and treated by separating the oil and hydrocarbons from the water before discharging the treated water to the on-site stormwater system. The development is connected to the reticulated sewerage system. Liquid trade waste facilities and approvals are provided and obtained where liquid wastes (excluding domestic waste from a hand wash basin or toilet) are to be discharged to the reticulated sewerage system.

4.8.2 PART L: ADVERTISING AND SIGNAGE

Part L of the CDCP 2021 applies to all land within the Cowra Shire where the erection or placement of an advertising sign or structure is permissible under the provisions of CLEP 2012. Advertising and signage should:

- a) *Be compatible with the character of the surrounding area.*
- b) *Be compatible with the theme for outdoor advertising, where this exists.*
- c) *Not detract from the amenity or visual quality of any heritage areas, open space areas or residential areas.*
- d) *Not compromise important views or dominate the skyline.*
- e) *Have a scale, proportion and form that is appropriate for streetscape, setting or landscape within which it is proposed to be placed.*
- f) *Have a scale, proportion and form that is appropriate for the site or building on which it is proposed to be placed.*
- g) *Reduce clutter by rationalising and simplifying existing advertising.*
- h) *Screen unsightliness.*
- i) *Not contain illumination that will result in unacceptable glare for pedestrians, motor vehicles or aircraft.*
- j) *Not contain illumination that will detract from the amenity of any nearby residence or other form of accommodation.*

The proposed signage on the site is to be of a modest design that does not compete with the integrity of the established characteristics of the streetscape. The signage integrates seamlessly with the refuelling area canopy and the sales building fascia and has been carefully orientated to ensure it does not adversely impact any adjoining properties. The proposed signage will not result in unreasonable glare or detract from the amenity of any forms of residential accommodation in the vicinity of the site.

4.8.3 PART M: PARKING, ACCESS AND MOBILITY

Section M.1 of the CDCP 2021 provides controls for all aspects of a development concerning the movement and access of vehicles and pedestrians. Council's on-site parking requirements aim to satisfy the parking demand likely to be generated by the development while encouraging other modes of transport.

Service stations have the following car parking requirements:

- *Adequate space adjoining each fuel bowser + queuing area for 3 to 5 cars + 5 spaces for any convenience store.*
- *If a restaurant is included, then add 1 space per 6.5m² of GLFA.*

The proposed development provides 13 total car parking spaces that have been designed in accordance with AS2890.1. The proposed development is considered compliant with the parking requirements outlined for service stations. Parking for disabled persons is provided and signposted in accordance with the requirements of Australian / New Zealand Standard 2890.6.:2009 Parking Facilities – Off Street Parking for People with Disabilities. Parking areas are well sign posted to indicate the availability of off-street parking, with exit and entry points clearly visible from both the street and the site. Pavement arrows clearly indicate the direction of traffic circulation. Pedestrian footpaths have been designed to optimise access to and within the development with footpath gradients minimised taking into account the possible pram and gopher traffic and the need to maximise ease of use. The provision of parking and access aisles does not compromise the equity and amenity of pedestrian access.

4.8.4 PART N: LANDSCAPING

Part N of the CDCP 2021 provides a common set of landscape design, construction and management principles which ensure a high standard of landscape design and implementation for new development within the Cowra Shire LGA where landscaping is required. The landscape design for commercial development is assessed against the following criteria:

- a) Reduces the visual impact of vehicle parking and manoeuvring areas, particularly where these areas are visible from the public domain.*
- b) Reduces the visual impact of large building masses.*
- c) Retains existing mature trees within development sites where possible.*
- d) Promotes public safety.*
- e) Maximises site accessibility and mobility.*
- f) Includes an appropriate drip, trickle or spray irrigation system.*
- g) Includes tree species that are in scale with the size of the proposed development.*
- h) Includes tree species that are appropriate for site conditions such as soil, aspect, drainage and microclimate.*
- i) Includes native species where possible. Examples of native plant species suitable for the Cowra Shire Local Government Area are included in Appendix A of this Part.*
- j) Includes exotic or introduced species only where they will complement a site's or locality's existing landscape character and there is a low chance of the species spreading into native bushland.*
- k) Avoids species which have been declared (in the Cowra LGA) in accordance with Noxious Weeds Act 1993.*
- l) Includes appropriate treatment of areas left exposed by development works including cut and fill.*
- m) Incorporates appropriate edging techniques to separate hardstand areas (i.e. car parking and manoeuvring areas) from landscaped areas.*
- n) Incorporate vegetation and landscaping (or other appropriate measures) to screen less desirable aspects of commercial development including loading / unloading areas and waste disposal.*
- o) Integrates all cut scars, fill batters and retaining walls into the landscape with shrubs, trees or ground covers plantings, or combinations thereof.*
- p) Integrates signage and lighting with landscaped areas.*
- q) Ensures equal access for people with disabilities is provided into and throughout the development site in accordance with relevant legislation and Australian Standards.*
- r) Is sympathetic to and retains any natural, cultural or architectural features of identified heritage items and places.*
- s) Makes provision for adequate drainage including collection or dispersal of stormwater runoff, prevention of pounding of water on pavements, or discharge of runoff onto adjoining properties or public areas.*

Vegetative landscaping will be included as part of the proposed development to assist in providing as much visual integration as possible with surrounding areas. Vegetation to be included on the site for landscaping purposes has been selected based on its ability to provide safe visibility of the site access driveways as well as its level of appropriateness for visual integration into the surrounding locality. Landscaping will consist of low-lying shrubs along the boundaries of the site to provide a soft view to the sight from the roads whilst allowing good visibility to driveways and well as sight distance for vehicle ingress and egress to the site. Directly behind these low-lying shrubs, where appropriate, a mix of medium height trees are proposed.

4.8.5 PART O: ENVIRONMENTAL HAZARD MANAGEMENT

Section O.3 of the CDCP 2021 contains general information and controls about contaminated land. The following is noted with regard to the proposed development of a service station at the site:

- *The subject site is not situated in a location identified as either contaminated land or land within an investigation area as per the listings contained within the NSW EPA Contaminated Lands Register.*
- *The proposed development does not intend to carry out an activity for the purposes of residential, educational, recreational, childcare or hospital purposes.*

The proposed development is situated on land that has historically been used as a service station and motor sales yard. A contamination investigation has previously been undertaken on the site.

4.8.6 PART P: CRIME PREVENTION

Part P of the CDCP 2021 aims to ensure that new development is designed to reduce crime risk and minimise opportunities for crime. Crime Prevention through Environmental Design (CPTED) is about designing and managing buildings and places so as to minimise opportunities for criminal activity. CPTED is based around four principles: surveillance, access control, territorial reinforcement and space management. The CPTED principles are achieved on the site in the following ways:

- Building entrances are located in prominent positions facing the street;
- Entrances are designed to allow users to see into the building before entering;
- Entrances should be easily recognisable through directional signage;
- Blank walls facing or abutting the street are avoided;
- Lighting is directed towards access / egress routes to illuminate potential offenders;
- Quality locks are to be installed on external windows and doors;
- External storage areas are to be secured and well lit;
- Planting types and locations have been carefully selected to promote surveillance and minimise opportunities for intruders to hide; and
- Car parking has been designed to be observed by adjoining sites.

4.8.7 PART Q: LAND MANAGEMENT

Part Q.1 of the CDCP 2021 relates to soil erosion and sedimentation control on building and construction sites. The minimum standard of erosion prevention and sediment control planning required for a development is categorised by the total area of soil surface that will be disturbed. This includes areas of cut and fill, vegetation removal, driveways and access ways. The proposed development contains between 250 and 2500m² of disturbed land and therefore an Erosion and Sediment Control Plan (ESCP) is required.

An ESCP is provided within the Architectural Plans submitted with this application and contains the following details in accordance with Part Q.1(1.5):

- Proposed building/structures and disturbed areas;
- Proposed vehicular access;
- Location of temporary and permanent site drainage, erosion and sediment control measures;
- An explanation of any changes to the erosion prevention and sediment controls as the works proceed; and
- Supplementary notes covering inspection and maintenance requirements.

5 ENVIRONMENTAL ASSESSMENT

5.1 STORMWATER MANAGEMENT

Stormwater infrastructure for the proposed development has been designed to capture all stormwater in pits and downpipes and drain to the sites stormwater management system. Roof stormwater capture for the canopy areas and sales building will be directed through the proposed downpipe drainage system. Refer to the Concept Stormwater Drainage Plan submitted with this application.

The floor levels of the existing structures and new pavement levels will remain as is. To ensure the local environment is not adversely affected by contamination if the oil / water separator is inundated, it is proposed to install backflow prevention in the pipework to and from the underground tank and extend the manhole risers above the Council nominated flood level.

5.2 TRAFFIC MANAGEMENT

The proposal will be served by 13 off-street parking spaces including 1 disabled parking space. In addition to the 6 cars parked next to the bowzers, provision has been made for 6 cars to queue behind these refuelling cars. As per the current approval, servicing of the proposed convenience store and takeaway food outlet will be carried out at the rear of the main building by vehicles no larger than the Australian Standard 12.5m long Heavy Rigid Vehicle (HRV). These vehicles will enter from Redfern Street and exit onto Lachlan Street.

The proposal will retain the approved vehicular access arrangements and the central median island on Redfern Street as per the TfNSW requirements. As the proposal seeks to demolish the existing building, there is now scope to accommodate 17m long articulated tankers for fuel deliveries. In addition, it is now possible to accommodate 19m long truck and dog trailers for refuelling. These vehicles will also enter from Redfern Street, load or unload fuel adjacent to the bowzers and exit back onto Redfern Street.

The drive-thru coffee facility will primarily comprise patrons passing by the service station and tradesmen on their way to work in the morning. It will provide a convenient pick up service for people that do not require fuel or any goods from the convenience store. Drivers collecting coffee from the drive-thru facility will enter from Redfern Street and exit onto Lachlan Street.

The applicant anticipates approximately 12 customers per hour during the weekday AM peak period. While these customers will generate 24 vehicle trips an hour (12 inbound / 12 outbound), the vehicles are already on the road network in the vicinity of the site.

The additional traffic generated by the proposed development is relatively minor (28vtph) which will not have any noticeable or unacceptable effect on the road network serving the site in terms of road network capacity or traffic-related environmental effect.

A Traffic and Parking Assessment Report is submitted with this application.

5.3 NOISE GENERATION

The through flow of vehicles on the site has the potential to generate some noise as traffic passes through the site. The location of the site and the nature of the surrounding properties are such that the impact of this potential noise is consistent with passing traffic on adjacent roads. It is considered that the proposed location of the service station and refuelling canopies will have a positive impact on potential noise generated by the development, with the structures providing an effective buffer between activities on the site and nearby receptors. The only heavy vehicles using the northern driveway are service vehicles delivering to the site, and at a rate of approximately three per day during the week and one per day on weekends. The coffee drive-thru is only available to light vehicles. The proposed development will not generate noise beyond that approved under DAI09/2020.

5.4 LIGHTING

The Service Station Facility will include canopy lighting mounted to the underside of the canopy for the refuelling area. The proposed development will include some additional area lighting to provide sufficient illumination for the total site including car parking bays and facades of the service station and internal road networks. Future area lighting will be designed in accordance with AS4282:1997 Control of the obtrusive effects of outdoor lighting.

5.5 LANDSCAPING

Vegetative landscaping is included as part of the proposed development to assist in providing as much visual integration as possible with surrounding areas. Vegetation to be included on the site for landscaping purposes has been selected based on its ability to provide safe visibility of the site access driveways as well as its level of appropriateness for visual integration into the surrounding locality. Landscaping will consist of low-lying shrubs along the boundaries of the site to provide a soft view to the sight from the roads whilst allowing good visibility to driveways and well as sight distance for vehicle ingress and egress to the site.

5.6 ODOUR

Potential implications of odours from the cooking equipment within the sales building have been assessed. Minimal cooking is to be undertaken on the site however measures have been put in place to mitigate potential impacts. The positioning of the exhaust hood and potential options to locate the exhaust fan equipment away from boundaries will allow a reduction of any potential odours.

6 CONCLUSION

The proposed development at 2 Lachlan Street, Cowra involves the demolition of existing structures, decommissioning of the existing underground fuel tanks and construction of a new Service Station Facility. The impact of the proposed development has been assessed in accordance with the provisions of Section 4.15 of the EP&A Act and is found to be satisfactory. The proposal has also been assessed against the relevant provisions of the Cowra Local Environmental Plan 2012 (CLEP 2012) and the Cowra Development Control Plan 2021 (CDCP 2021) and is considered to be appropriate for the subject site for the following reasons:

- The proposed design elements included within the application serve to sufficiently mitigate or eliminate any offensive or potentially offensive aspects.
- The proposed development is situated on land which has historically been used as a service station and in turn does not require further contamination investigations.
- The proposed development achieves the objectives of the B2 – Local Centre zone by providing a service to meet the day-to-day needs of residents, workers and visitors of the local community.
- Vegetative landscaping will be included as part of the proposed development to assist in providing as much visual integration as possible with surrounding areas.
- Effluent waste for the facilities contained within the development will be catered for via an on-site wastewater management system.
- The proposed location of the refuelling areas and retail building will have a positive impact on potential noise generated by the development, with the structures providing an effective buffer between activities on the site and nearby receptors.
- The site has a recent ESA report which does not identify contamination and the ongoing use as a service station is the same as the previous use as a service station.

The site is therefore considered to be suitable for the proposed Service Station development and will generally have acceptable environmental, social and economic impacts on the immediate area. The proposal is unlikely to result in adverse impacts on the amenity of the locality and accordingly, the proposal is considered to be in the public interest and worthy of Council's support.