



Ordinary Meeting of Council

26 June 2019

**UNDER SEPARATE COVER
ATTACHMENTS**

ITEMS 10.1 AND 10.2

**QUEANBEYAN-PALERANG REGIONAL COUNCIL
ORDINARY MEETING OF COUNCIL**

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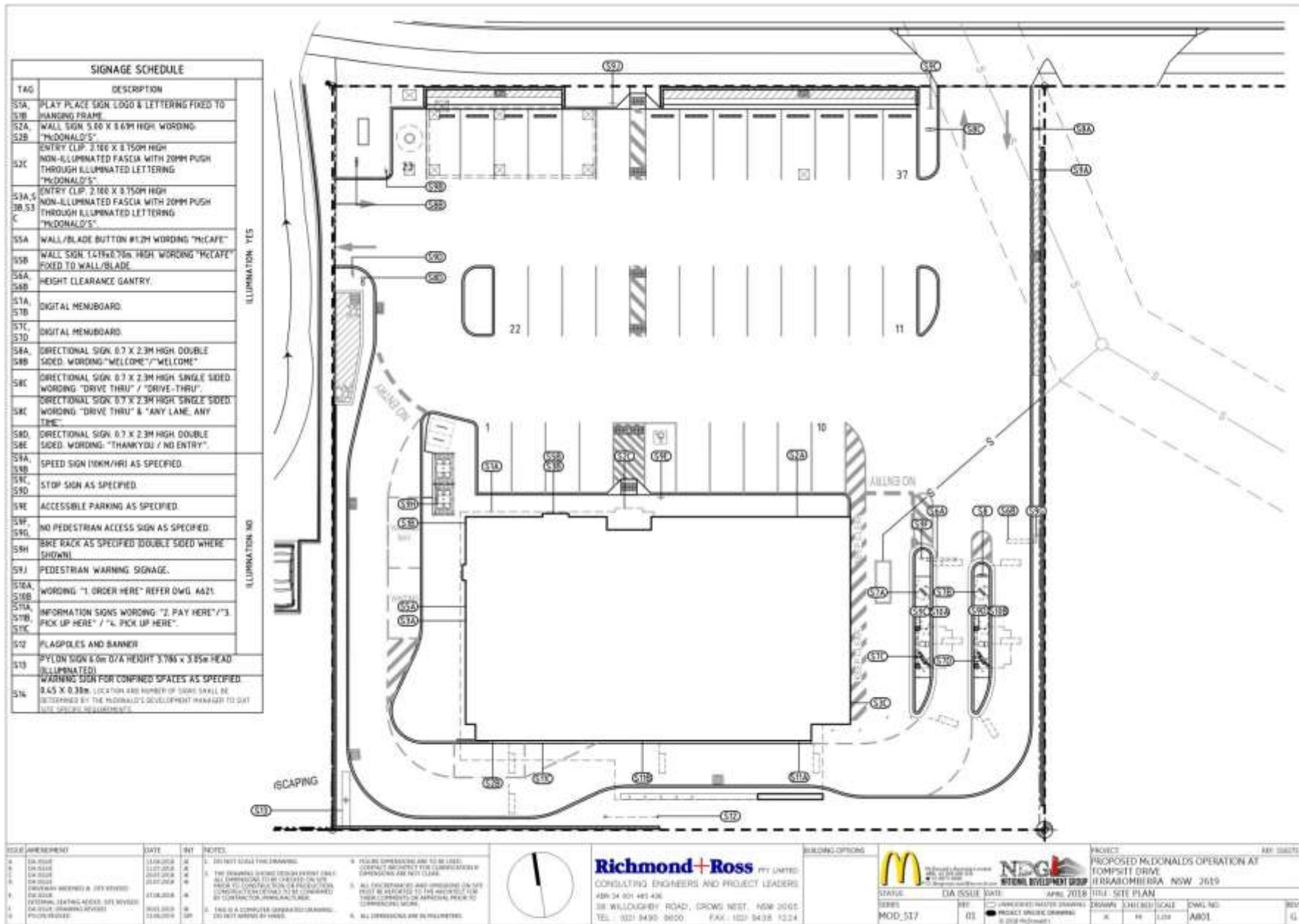
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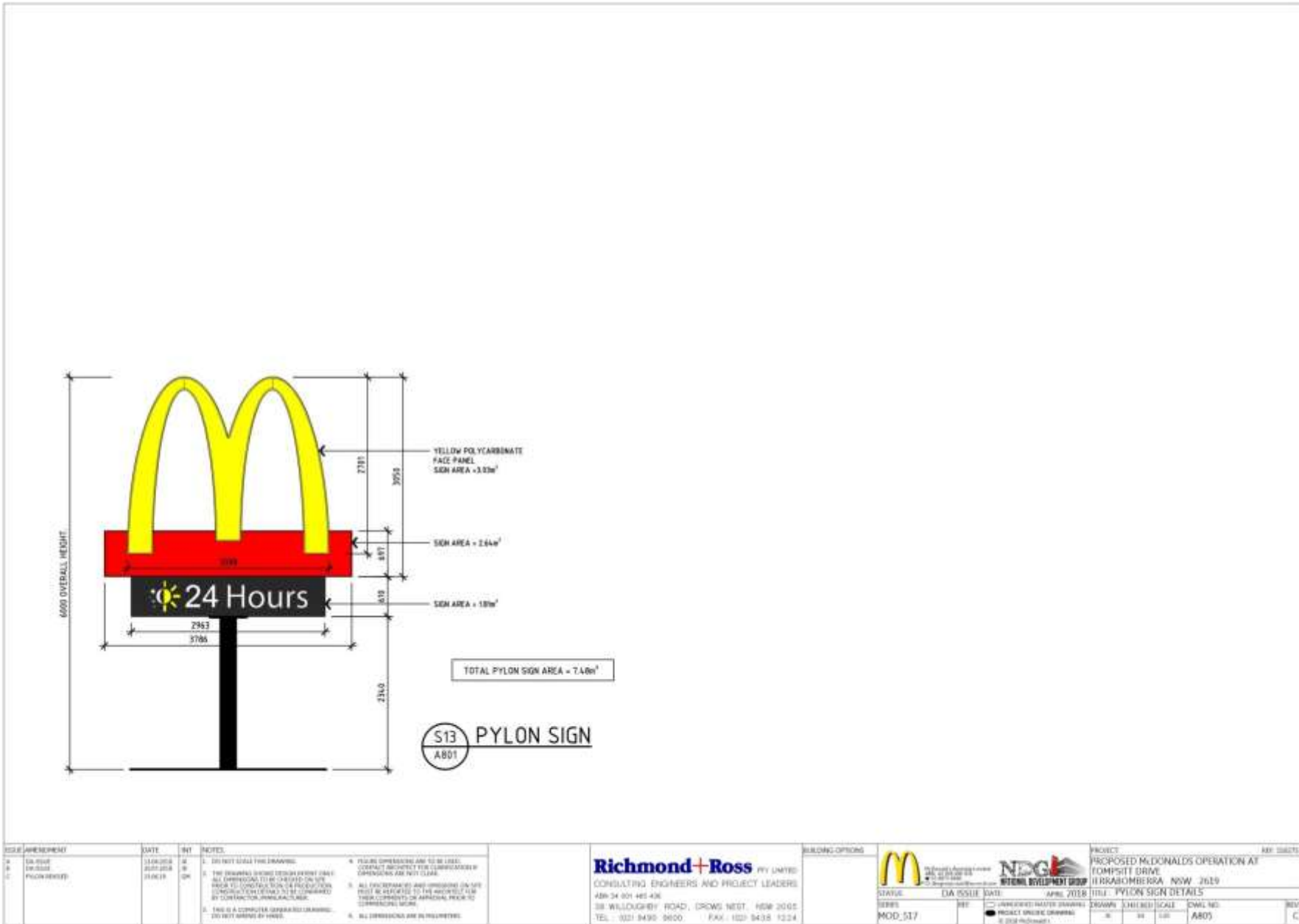
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

- ITEM 10.1 DA 446-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
 INCLUDING REVISED PYLON SIGN DESIGN - 6
 FERDINAND LANE, JERRABOMBERRA
- ATTACHMENT 1 DA 446-2018 - REVISED PYON SIGN PLAN - 6 FERDINAND
 LANE





QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

- ITEM 10.1 DA 446-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
 INCLUDING REVISED PYLON SIGN DESIGN - 6
 FERDINAND LANE, JERRABOMBERRA
- ATTACHMENT 2 DA 446-2018 - COPY OF REPORT TO COUNCIL - 12 JUNE
 2019 - 6 FERDINAND LANE

**PLANNING AND STRATEGY COMMITTEE OF THE WHOLE
ENVIRONMENT, PLANNING AND DEVELOPMENT**

12 JUNE 2019

**6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6
Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell)**

Summary

Reason for Referral to Council

This application has been referred to Council because twenty-four (24) written submissions have been made to Council resulting from the notification process and valid concerns have been raised. It has been determined that it is in the public interest to have the matter considered by Council.

Proposal:	Takeaway Food and Drink Premises
Applicant/Owner:	KDC Pty Limited/ Poplars Development Pty Ltd
Subject Property:	Proposed Lot 2 DP 1246134, No.6 Ferdinand Lane (Lodged under Lot 2 DP 1243031, No. 31 Tomsitt Drive), Jerrabomberra
Zoning and Permissibility:	B1 Neighbourhood Centre under Queanbeyan Local Environmental Plan (Poplars) 2013. Permissible with consent within the zone.
Public Submissions:	Twenty Four
Issues Discussed:	Planning Requirements Submissions
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation

- 1. That the CEO be granted delegated authority to determine development application 446-2018 for a takeaway food and drink premises on proposed Lot 2 DP 1246134, No.6 Ferdinand Lane, subject to formal creation of the title for the proposed allotment.**
 - 2. That those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.**
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12 JUNE 2019

6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)

Background

Proposed Development

The application seeks Council approval for a takeaway food and drink premises and associated signage at the newly created *Poplars Marketplace* subdivision.

The specific elements of the proposal are:

- Construction of a McDonalds including "Playland" with a total GFA of 489m²;
- Dining area seating capacity of 111 (103 internal and 8 external);
- Carpark accommodating 37 car park spaces including 1 accessible space and a bicycle rack;
- 20 • Site landscaping and retaining walls;
- 1.3m high fence along the eastern boundary;
- Signage including a 9m high pylon sign, advertising banner, business & building identification signage; and
- 24 hours a day operation.

The proposed building is to be constructed of a mix of materials and finishes such as wall tiles, Decowood (timber look aluminium) cladding, and custom orb corrugated steel. Proposed finishes are to be 'McDonalds Red' and a mix of neutral colours including 'Woodland Grey', 'Vanilla Quake' and 'Vivid White'.



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Figure 1 – 3D Perspective of Proposal (Source: SEE prepared by KDC Pty Ltd)

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6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)

Subject Property

The subject site is legally described as Lot 2 DP 1243031 and is commonly known as 31 Tomsitt Drive. The subject site was subdivided as part of DA 192-2016. DA 192-2016 was determined in June 2017 and approved the demolition of an existing dwelling house and outbuildings, subdivision of land to create 6 x Torrens Title lots, construction of two public roads and associated works at 300 Lanyon Drive. The lots within this subdivision are yet to be registered and the subject site will be known as Lot 2 DP 1246134, 6 Ferdinand Lane. Figure 2 below shows the approved subdivision plan overlaid from an aerial image.



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Figure 2: Subdivision Plan (Source: Nearmap)

The site is located on the northern side of Tomsitt Drive and has an area of 3108m², with no existing development on the site as it is a greenfield commercial development. Development proposed on surrounding lots within the subdivision include a supermarket (Aldi), a take away food and drink premises (KFC) and a medical centre. Vehicular access is provided to the site via an approved road being constructed as part of the subdivision works that is accessed via a signalled intersection on Tomsitt Drive.

50

Existing development within the locality consists of residential development to the immediate east, commercial development including the Jerrabomberra shops to the east, and vacant land to the west, north and south.

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Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act (EPAA) 1979*, as amended. The matters that are of relevance under Section 4.15(1) are summarised in the attached *Section 4.15(1) Table – Matters for Consideration*.

The following planning instruments have been considered in the planning assessment of the subject development application:

1. State Environmental Planning Policy No. 55 – Remediation of Land
- 60 2. State Environmental Planning Policy No. 64 – Advertising and Signage
3. State Environmental Planning Policy (Infrastructure) 2007
4. Queanbeyan Local Environmental Plan (Poplars) 2013 (LEP).
5. Queanbeyan Development Control Plan 2012 (DCP)
6. South Jerrabomberra Development Control Plan (DCP).

The development generally satisfies the requirements and achieves the objectives of these planning instruments. Refer to attached *Section 4.15 Table – Matters for Consideration* for detailed assessment.

(a) State Environmental Planning Policy No. 64 – Advertising and Signage

70 A detailed assessment against *SEPP 64* is provided within the attached *Section 4.15 Table – Matters for Consideration*. The proposal includes a number of signs consisting primarily of business identification signs including the name of the business being carried out on the site and a number of logos that identify the business, and a freestanding pylon sign 9m in height. The proposed signage is to be illuminated. Additional signage for information, direction or traffic/parking purposes is proposed on free-standing panels including menu boards, entry/exit signs, 'drive-thru', parking, no entry etc. Proposed signage has been assessed against *SEPP 64* and is considered acceptable.

Signage proposed includes:

- One (1) 9m high pylon sign;
- 80 • Two (2) 8m high flags with a 3.24m² advertising banner hung between;
- A total of nine (10) business/building identification signs; and
- Numerous street, directional and information signs.

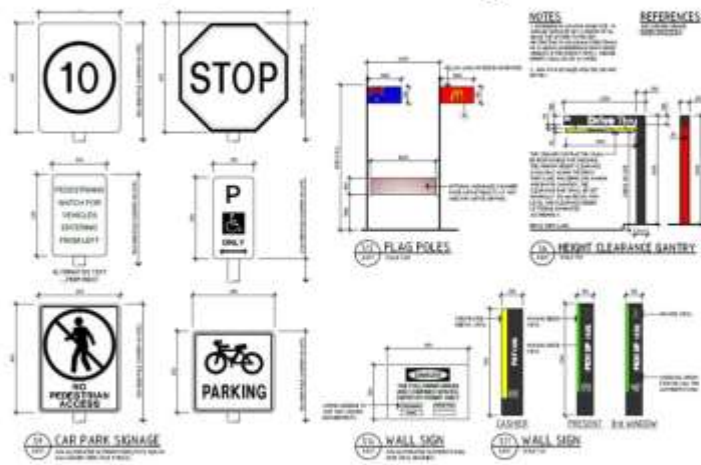


Figure 3 - Proposed Street/Directional Signage (Source: Richmond and Ross Pty Limited)

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The proposed pylon sign will be internally illuminated and is 9m in height. The illumination will not flash, move or be animated and will be conditioned to meet relevant Australian Standards regarding illumination.

The proposed street/information signs, and business and building identification signs are to be illuminated. All internally illuminated signs are to be installed in accordance with the relevant Australian Standards and are considered acceptable for the site.

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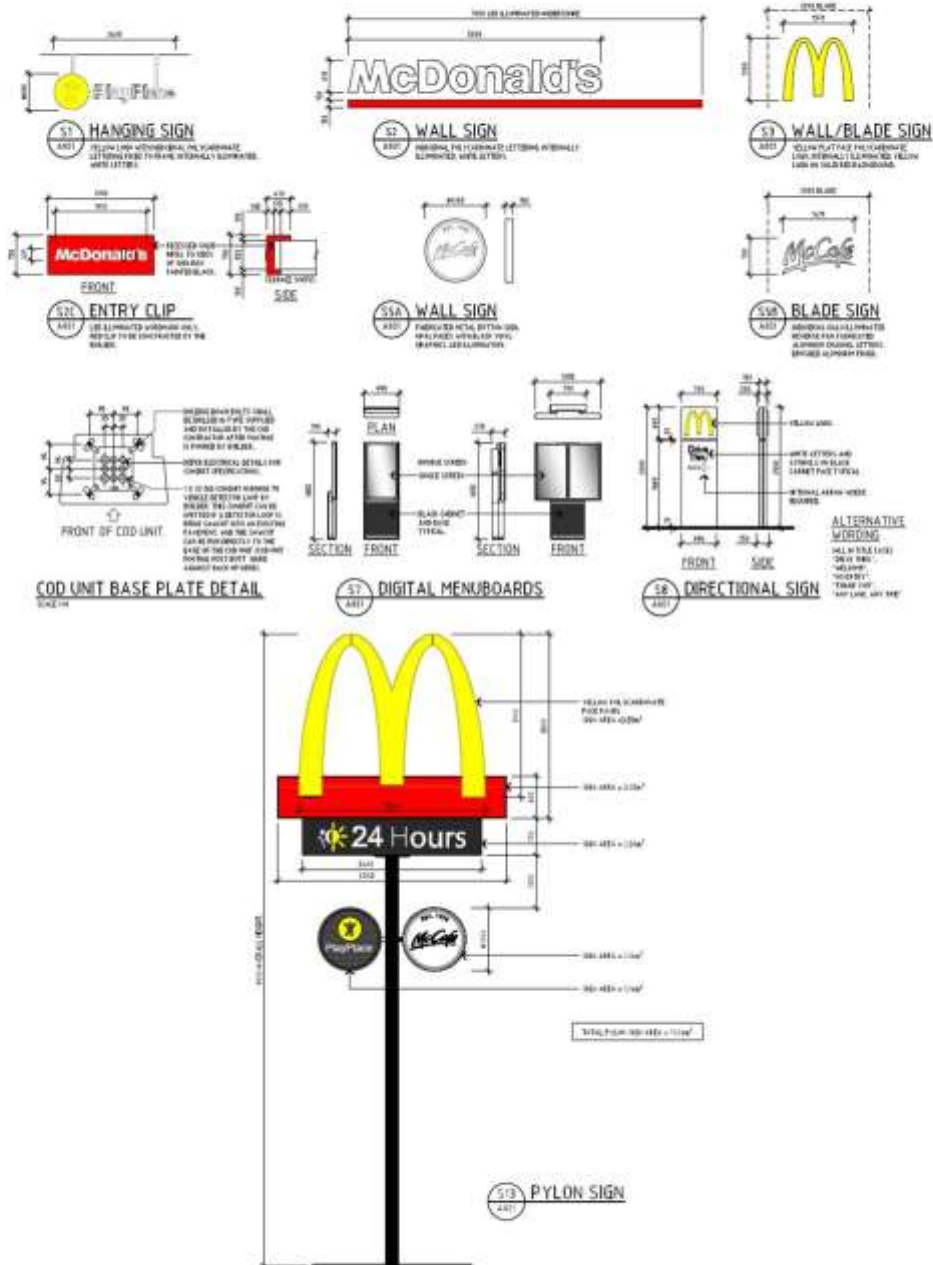


Figure 4 - Proposed Building/Business Identification Signage (Source: Richmond and Ross)

6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)



Figure 5 – Proposed Signage Locations (Source: Richmond and Ross Pty Limited)

(b) State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

100 This matter was considered under the subdivision application (DA 192-2016). A phase 2 Environmental Site Assessment (Coffey Environments Australia Pty Ltd (Ref: ENAUBRAD01138AA) and dated 23 November 2011) was submitted which identified several areas of environmental concern and recommended that a Remedial Action Plan (RAP) be prepared for the land and remediation carried out.

The development consent required additional works including preparation of a Remedial Action Plan and subsequent validation activities (validation report) of the site prior to the commencement of any development works on the site.

110 No conditions will be required for this application in regards to contamination and remediation of land, as all relevant works have been completed in accordance with the requirements of DA 192-2016 upon release of the subdivision certificate. The site is considered appropriate for this type of development.

(c) Compliance with LEP

The subject site to which this application applies is zoned B1 Neighbourhood Centre under the QLEP (Poplars) 2013. A takeaway food and drink premises is permissible with consent in the zone. The proposed development is considered to be generally consistent with the aims of the plan and the objectives of the zone, and satisfies relevant development standards (refer to Section 4.15 Table – Matters for Consideration for detailed assessment).

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6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6
Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)

(d) *Compliance with DCP*

120 The proposed development generally satisfies the requirements and objectives of the Queanbeyan Development Control Plan 2012 and the South Jerrabomberra Development Control Plan. To view a detailed assessment of the Development Control Plans, see attached *Section 4.15 Table – Matters for Consideration*.

Queanbeyan Development Control Plan 2012

Part 2.2 Car Parking

Car parking for the proposed development is required to comply with the requirements of Part 2.2 of the Queanbeyan DCP. Table 1 of Part 2.2.6 of QDCP 2012 requires a take-away food and drink premises outside of the CBD to have 1 space per 2 seats (internal), or 1 space per 3 seats (external) plus queuing area for 5 to 12 cars.

130 The proposal includes 103 internal seats and 8 external seats (total of 111 seats) and therefore requires 37 car parking spaces. The proposal includes the provision of 37 car parking spaces (including 1 disabled space) plus the provision of queuing space for 12 cars and is therefore compliant.

Part 2.6 Landscaping

A landscape plan prepared by a Category 1 landscape consultant was submitted as part of the application in accordance with Queanbeyan DCP. The objectives of Part 2.6 of the Queanbeyan DCP are to create quality design and construction works of high standards that provide a pleasant and safe environment to all users. The proposal is considered to be compliant with these objectives. Landscaping proposed for the development includes a mix of trees within the car park and low planting shrubs and grasses to the border of the site and the building. Bio basin planting is proposed along the northern, western and eastern boundaries to assist in on-site stormwater management. A condition of consent has been imposed requiring a Category 1 accredited landscape contractor to undertake landscape works.

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Part 2.9 Safe Design

The objectives of this part of the Queanbeyan DCP are to afford maximum casual surveillance, control access to the site, ensure there is a sense of ownership and provide a development that appears to be 'defended' and therefore deterring the potential for crime to be committed.

150 It is considered that the proposed development is consistent with the objectives and controls of this part in regards to safe design. The applicant submitted a Plan of Management (POM) with the application. The purpose of the POM is to address the relevant CPTED principles and provide a plan outlining how the development will create a safe, efficient and pleasant environment.

Surveillance: CCTV surveillance will be installed at the development focusing on the drive-thru facility and cashier's/service areas. The system will run 24 hours a day and will be monitored by staff. The POM also states that staff members will be encouraged to assist with passive surveillance of the site focusing on the car park.

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160 *Lighting:* Perimeter lighting will be installed around the premises and car parking area to prevent concealment and shadowing. Lighting throughout the car parking area and in public spaces must comply with AS 2890.1:2004 – Parking Facilities – Off-Street Car Parking and AS 1158 – Lighting for Roads and Public Spaces. A condition of consent will be imposed to reflect this.

Landscaping: The submitted landscape plans show perimeter landscaping that reinforce the space. Additionally, the plantings chosen will be low-medium in height and therefore not allowing concealment of criminals. The POM states that landscaping will be regularly maintained with trees and shrubs trimmed away from doors and windows.

South Jerrabomberra Development Control Plan

170 The subject site is located within the designated Poplars Neighbourhood Centre as outlined in the South Jerrabomberra Master Plan. As such, the South Jerrabomberra DCP applies to the proposal.

The desired future character of the Poplars will be a mix of office, light industrial, small scale retail, business and community uses that serve the needs of the people who live or work in the locality in a high quality urban designed setting. The Poplars Neighbourhood Centre precinct is an area of approximately 7ha located north of Tomsitt Drive. It generally supports business, office and retail premises but does not include uses like bulky goods. This precinct has a high quality urban design that is vibrant and attractive.

180 It is considered that the proposal is consistent with the desired future character of the Poplars. The proposal is considered to be a small to medium scale commercial development consistent with the surrounding proposed uses as well as the zoning prescribed by the QLEP (Poplars) 2013.

Part 9 Signage

190 The proposed signage is not inconsistent with the assessment criteria within schedule 1 of SEPP 64 and the requirements of the relevant Development Control Plan. However, it is acknowledged that the combination of signs from the adjoining sites will have a cumulative impact. However, only one pylon sign is being permitted on each site and the three on the Tomsitt Drive frontage are evenly spread. This and the variation in height of the pylon signs (9.0m to 5.0m) will provide a visual break-up and reduce the overall impact of the combined 4 pylon signs. Additionally, adequate distances between sites and appropriate landscaping will aid in breaking up signage and allowing for satisfactory visual impact.

Part 10 Neighbourhood Centre Controls and Principles

Part 10 of the South Jerrabomberra DCP outlines the overall desired future character of The Poplars. The desired future character of the Poplars is a mix of office, light industrial, small scale retail, business and community use that serves the needs of the people who live or work in the locality in a high quality urban designed setting.

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6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6
Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)

200 It is considered that the proposal is sensitive to the character of the local area. The subject site is located within an area zoned as a neighbourhood centre with commercial development being the expected character. The proposal is sensitive to nearby residential development with the construction of a 3m high noise barrier along the eastern boundary of the subdivision site. Additionally, a 1.3m high boundary fence will be constructed along the eastern boundary of the subject site. This fence will act as a light barrier to nearby residential development. This particular application does not directly address pedestrian links, however, the subdivision site has been provided with pedestrian pathways that are intended to be linked with the future development within the neighbourhood centre.

210 (e) **Other Matters**

i. Building Surveyor's Comments

Council's Building Surveyor offered no objections to the proposed development subject to the imposition of recommended conditions of consent. The development appears likely to comply with the Building Code of Australia (BCA). Further details in regards to fire safety measures, sanitary facilities, disabled access and Section J requirements will be required at Construction Certificate (CC) stage.

ii. Development Engineer's Comments

220 Council's Development Engineer offered no objections to the proposed development subject to the imposition of recommended conditions of consent. Feedback received included the following comments:

- *Water and Sewer* – The subject site is provided with a water service and sewer tie constructed as part of the Poplars subdivision works and is in accordance with the South Jerrabomberra D11 Design Specification.
- *Stormwater* - A Stormwater Management Plan was submitted as part of the application in accordance with Council's D5 and D7 Design Specifications. A stormwater tie is provided to the subject site as part of the Poplars subdivision works.
- *Parking* – As detailed in the assessment against Part 2.2 of the Queanbeyan DCP, the development is provided with the required 37 car parking spaces. The parking is generally in accordance with the requirements of the relevant Australian Standard.
- *Traffic* – Traffic modelling and service requirements for the subdivision were assessed under DA-192-2016. It is considered that traffic generation resulting from the proposed development is unlikely to exceed service delivery
- *Access* – Access to the site is gained via a 7m wide driveway in the north-east corner of the lot and by a 6m wide access driveway to the adjoining property on the western side. These access points comply with the requirements of the relevant Australian Standard.

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240 *iii. Environmental Health Officer's Comments*

Council's Environmental Team offered no objections to the proposed development subject to the imposition of recommended conditions of consent. Recommended conditions include compliance with the submitted Acoustic Assessment and the submission of a subsequent Acoustic Assessment three (3) months after an Occupation Certificate (OC) is issued to ensure continued compliance. It is recommended that a light pollution barrier is constructed along the eastern boundary of the subject site to prevent light pollution from car headlights impacting upon nearby residential development. The submitted plans indicate a 1.3m high barrier is to be constructed along the eastern boundary of the site acting as a light pollution barrier in addition to the existing wall constructed as part of the subdivision works on the eastern most boundary of the subdivision site.

iv. Trade Waste Comments

Council's Trade Waste Officer offered no objections to the proposed development. A condition of consent has been imposed requiring a C4 and C5 Trade Waste application to be submitted to Council.

v. Waste Comments

Council's Waste Officer offered no objections to the proposed development subject to the imposition of recommended conditions of consent. Relevant conditions relate to the waste storage area and waste management on-site. A Construction Management Plan will be required to be submitted prior to the issue of a Construction Certificate.

Financial Implications

Section 7.11 Contributions: The South Jerrabomberra Local Contributions Plan 2018 applies to the proposal as it is located in the Poplars precinct. The plan applies to retail, commercial and other non-residential development (including subdivision of land), where that development would create a net increase in demand for the public amenities and services to be provided under this plan.

Table 3 - Non Residential Contribution Rates Per Hectare

- North Poplars = \$150,311.46/ha
- Subject site area of 3108m² = 0.3108ha
- 0.3108 x \$150,311.46 = \$46,716.80

this figure has not been indexed and will be subject to previous and future CPI increases

Section 64 Contributions: Total water contributions calculated for the development equal 14.49 ETs, and 24.15 ETs for sewer. However, a credit of 4.67 ETs applies to both as a result of ETs paid as part of the subdivision application. This reduces the water ETs to 9.82 and sewer ETs to 19.48.

- Water Contribution Jerrabomberra Zone: 9.82 ETs = \$90,211.68
- Sewer Contribution West Zone: 19.48 ETs = \$28,787.99
- Total Section 64 Contributions Required: \$118,999.67 (figure is subject to CPI increases)

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6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6
Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)

Engagement

The proposal required notification under the Queanbeyan DCP 2012. Twenty-four (24) submissions were received. It is noted that a number of submissions were received after the notification process was complete. These submissions were not counted in the total number of submissions, however, as the issues raised were similar, the issues were addressed. The relevant issues raised are as follows:

290 *Issue: Notification and Consultation Process. A number of submissions received discussed the notification process for development application and concerns that the subject development application was not notified to the relevant people with sufficient time to provide feedback due to school holiday's and a public holiday. Additionally, feedback received discussed issues surrounding obtaining Development Application documentation as it is not posted on Council's website.*

300 *Comment: The notification process for this development application was undertaken in accordance with Part 1 of Queanbeyan Development Control Plan 2012. The notification for this application was undertaken over and above the required notification. The application was notified to adjoining owners and occupiers, as well as a notice being placed in the local newspaper for a total of 14 days. Council does not alter the timeframe for notification of development applications due to school holidays as they have a statutory timeframe in which to have a development application determined. The only exception to this practice is over the Christmas and New Year break when Council offices are closed.*

The land was subject to a rezoning process in 2012. This process required detailed assessment to determine the suitability of the land for the proposed land uses. The information in the rezoning clearly identified the subject site as being for Business purposes. It also included a community consultation process involving public exhibition inviting submissions from members of the community. A number of submissions were made (including from the JRA). The land was subsequently rezoned for a number of different purposes (Environmental, Recreational, and Business) including the creation of an area which would allow commercial development.

310 Development Application 192-2016 was lodged with Council in 2016. This application was for the demolition of an existing dwelling and outbuildings and the subdivision of land to create 6 Torrens Title lots. The application was approved on 27 June 2017. The application was integrated development and therefore was notified in the local newspapers for a minimum 30 days. The application was also notified to adjoining owners and occupiers for a minimum of 30 days.

320 In regard to the availability of documentation on Council's website, this is not current practice. Council's current software does not have the capability to achieve this. However, the notification letter and the newspaper notice state that the documents related to an application are available for inspection at Council's Natural and Built Character Section, 256 Crawford Street, Queanbeyan. In addition to this, Council received a number of requests for documentation to be e-mailed in electronic version with Council obliging to do so. It is considered that the notification process for this application was carried out in accordance with standard Council procedure.

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6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)

Issue: Traffic Impacts and Pedestrian Accessibility. A number of submissions raised concerns regarding the additional traffic impacts generated as a result of the proposal as well as pedestrian accessibility to the site.

330 *Comment:* Traffic impacts were assessed by Council against the submitted Traffic Impact Assessment (TIA) for the proposed development and the previous TIA for the subdivision. Traffic modelling and service requirements for the subdivision were assessed under DA 192-2016. It is considered that traffic generation resulting from the proposed development is unlikely to exceed service delivery. The proposed development is compliant with the controls for car parking and traffic contained within the Queanbeyan Development Control Plan 2012 and South Jerrabomberra Development Control Plan.

340 Pedestrian access to the site is provided through a footpath located in the road reserve of Ferdinand Lane connecting to the recently constructed intersection to Tompsitt Drive. In addition to this, the proposed Health Services Facility (Medical Centre and Pharmacy) on proposed Lot 4 DP 1246134 includes a pedestrian path located at the south-east corner of the lot. This path is capable of facilitating pedestrian traffic from nearby residential development into the "Poplars Marketplace". In addition a proposed footpath will be constructed from the existing path at the Jerrabomberra Circle roundabout to the new Tompsitt Drive intersection.

The following comments were provided by the applicant in response to submissions:

- 350 • *It is important to note that the proposed McDonald's site forms part of the approved retail subdivision known as Marketplace at Botanical. As part of the subdivision DA, a detailed assessment of cumulative traffic impacts from the envisaged future uses at the site was undertaken. This included traffic modelling and assessment of a service station and two food and drink premises on the pad sites created under the subdivision. The original SIDRA analysis found the proposal acceptable in terms of traffic generation and intersection and road capacity. It was consequently approved by Council with construction of roadworks works currently underway. To ensure consistency with the original traffic assessment, another TIA was prepared by the same traffic engineers to further assess specific traffic impacts for the McDonald's proposal. The McDonald's TIA revealed traffic generation to be well within the approved traffic allowance under the subdivision DA and therefore the traffic effects of the McDonald's operation were found to be acceptable.*
- 360 • *The primary concern regarding access is how pedestrians, namely the younger cohort, will safely walk from surrounding areas to the site. A pedestrian footpath is already approved as part of the subdivision DA along the entire sites frontage and will connect to the building's entrance via a dedicated walkway through the car park. This sort of pedestrian access arrangement alleviates any safety concerns for pedestrians accessing the site and is consistent with other operations of this nature and compliant with Australian Standards.*

Issue: Noise. Concern was raised regarding the potential noise impacts the proposed development will have on the nearby residential development.

370 *Comment:* Noise impacts were assessed as part of the application. A noise assessment was undertaken and submitted with the application. This assessment took into account noise generated from mechanical plant, customer generated noise and on-site vehicle movements. Please see detailed assessment of noise under the likely impacts of the development section in the attached Section 4.15 Table – Matters for Consideration.

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Issue: Hours of Operation. A number of submissions expressed concerns regarding the hours of operation being 24 hours a day 7 days a week. The impacts of these operating hours included safety of the area, noise and light.

Comment: The anticipated impacts of a development operating 24/7 have been considered as part of this application. As detailed above an Acoustic Report was submitted as part of this application detailing predicted noise levels at nearby residential development would meet relevant legislation requirements. Additionally, a condition of consent has been imposed requiring an acoustic report to be submitted three months after the occupation certificate is issued to ensure the development is compliant with relevant requirements. In regard to safety of the area, a Plan of Management (POM) and Crime Risk Assessment were submitted as part of the application. These documents detail how the site is to be managed including providing a safe environment. Methods for this include;

- Clear sight lines in and out of the site;
- Installation of 24/7 CCTV surveillance;
- Appropriate lighting of the building and car park area;
- Minimising hidden spots for concealment through landscaping; and
- Passive surveillance of the site by employees.

It is considered that the implementation of these methods will create a safe environment that deters potential for criminal activity. In regards to potential impacts from light at the development, a condition of consent has been imposed on the application requiring all lighting (both signage and car park lighting) to comply with the relevant Australian Standards.

Issue: Light. Given the proximity of the site to nearby residential development, submitters raised concerns that the proposal will result in light spillage having an adverse impact on nearby residents. Sources of potential light spill identified include illuminated signage, streetlights and car headlights.

Comment: The identified sources of potential lighting impacts on nearby residential development include illuminated signage, street lights/ car parking lights and car headlights. It is considered that streetlights will not have an adverse impact on nearby residential development. The majority of residential streets already have street lighting and therefore street lights associated with the subject site and Poplars development on the whole are unlikely to have an additional impact.

Lighting within the car park of the proposed development will be conditioned to comply with the relevant Australian Standard for lighting of open air car parks and therefore is considered unlikely to have an adverse impact on nearby residential development.

Concerns were raised in regard to potential lighting impacts from the proposed pole sign that is to be illuminated. It is considered that the proposed pole sign will not have an adverse impact on nearby residential development in regards to light spillage. The proposed sign is located approximately 189m from the nearest dwelling house on Franklin Court and will be conditioned to comply with the relevant Australian Standard regarding the effects of obtrusive lighting. Additionally, a 7m landscaping buffer including trees was approved as part of DA 192-2016 along the eastern boundary of the subdivision site and will aid in blocking potential light spillage.

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

12 JUNE 2019

6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)

420 A 3.5m high acoustic wall/light barrier is currently being constructed as approved under DA 192-2016. This barrier will protect residential development on Stella Place and Miles Place from any potential impacts from proposed lighting. It is considered that there will be minimal adverse impacts on nearby residential development resulting from car headlights utilising the proposed development. The most eastern portion of the subject site is located approximately 135m from the nearest dwelling house. The proposed development includes the construction of a 1.3m high boundary fence on the eastern boundary that will obstruct any potential light spillage from cars. Additionally, the proposed layout of the development (specifically the drive-thru) will minimise any light spillage impacts from cars. No portion of the drive-thru is orientated to the east and therefore cars will not be spending lengths of time facing the nearby residential development.

Issue: Odour

430 *Comment:* It is considered that the proposed development is unlikely to have a significant adverse impact on nearby residential development in regards to odour associated with cooking and waste storage. In regards to the operation of the business, the proposal is required to comply with the relevant legislation such as *The Food Act 2003, The Food Regulation 2004, Food Standards Australia and New Zealand – Food Standards Code 2003*. The applicant provided a response to this issue emphasising that the proposed McDonalds store will operate in accordance with the relevant legislation, and in doing so, will not result in adverse odour impacts.

Issue: Management of the Site (Litter etc. - A number of submissions raised concerns about the management of the site and the surrounding streets in regards to litter and waste management as well as vandalism of the proposed building. One submission proposed a system where the business may be penalised based upon their packaging being found in the areas surrounding the site.

440 *Comment:* As part of the application the applicant submitted a Plan of Management detailing how the site will be managed during its operation. The Duty Manager will be responsible for ensuring that the footpath, gutter, building entry and surrounds are kept clean and clear of litter at all times. A litter patrol area will be determined with litter patrols occurring after sunrise, after the breakfast period, after the lunchtime period and before sunset. Additionally, litter bins will be located throughout the site. It is acknowledged that litter is an issue within communities, however, it is unreasonable to place responsibility on the individual site to ensure their product is not littered throughout the community well outside of the subject site area. The "Don't be a Tosser" program run by the NSW Environment Protection Agency provides a platform for littering to be reported. The submitted Plan of Management states that all vandalism will be removed within 24 hours. A condition of consent will be imposed (if consent is to be granted) requiring the development to comply with the submitted Plan of Management.

Issue: Car Parking. Concerns were raised regarding the number of car parks provided including the provision for disabled parking. It was acknowledged by the submitter that the proposal meets parking requirements.

460 *Comment:* Under Part 2.2 of Queanbeyan DCP 2012 the proposed development required 37 car parking spaces (including 1 disabled space), as well as the provision of queuing space for 12 cars. The proposal includes 37 car parking spaces (including 1 disabled car space) and allowed queuing space for 12 cars. It is unreasonable to require the applicant to provide parking spaces above and beyond the requirements.

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

12 JUNE 2019

6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6
Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)

Issue: Amenity. Concerns were raised regarding the proposed developments impacts on the amenity of the locality including, noise, odour, light impacts and litter.

Comment: The applicant has provided a response in regards to a number of amenity issues, which includes litter management, odour, noise and lighting. The applicant has submitted a waste management plan with the application and identified a number of ways that the development can reduce litter to ensure impacts to amenity are minimal. These include:

- Developing a series of litter messages, logo and litter branding for use on and around the site.
- 470 • Identifying a litter patrol area in consultation with Council, whereby crew can safely patrol and pick litter.
- Installation of litter traps in car park to minimise gross pollutants from entering the storm water drainage system.
- Producing litter patrol clothing consistent with the litter branding.
- Litter branding for all litter patrol bins.
- Branding signage for use in car park and drive thru.
- Tray mat messages communicating in store.
- Meeting with Council to discuss the store's litter program.
- Crew and Management training on implementation of the store's litter program.
- 480 Noise, odour and light impacts have been addressed in other sections of this report.

Issue: Health Impacts. Concerns have been raised regarding the health impacts a takeaway food and drink premises will have on the community.

Comment: Individual food/health choices are not Council's responsibility. The proposal is permissible with consent in the zone and it is considered unreasonable to refuse the proposal upon the basis of individual lifestyle choices. Despite this, the applicant has addressed health and wellbeing in a response to submissions letter, stating the following:

- The following excerpt comes from McDonald's Communication Strategy Report:
 - 490 At McDonald's, good food means great taste, modern choices and real ingredients. In Australia, we have a long history of implementing changes to improve the nutrition value of our food. For more than a decade, McDonald's has been offering more balanced menu choices, including salads and wraps. We are committed to enabling our customers to make informed choices that fit their needs and lifestyles. In September 2013, McDonald's joined forces with the Alliance for a Healthier Generation in a global effort to increase customers' access to fruits, vegetables, low-fat dairy, and water options and to help families make informed choices. McDonald's and the Alliance have worked together on five commitments related to menu offerings, menu boards, packaging, and advertising directed to children. McDonald's pledged to implement these actions in 20 major markets by 2020, including in 500 Australia".

Issue: Devaluing Land & Nearby Business. Concern was raised over the potential impacts of the development upon surrounding property values and also the impacts upon nearby businesses of a similar nature.

Comment: Impacts of the development upon surrounding property values and competition with nearby businesses is not a matter for consideration under the heads of consideration under Clause 4.15 of the Environmental Planning and Assessment Act 1979. It is important to understand that Council does not play a role in selecting which business decides to develop the site. It is considered that the proposal takes into account the nearby residential development and conditions have been imposed to mitigate any adverse impacts.

510

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

12 JUNE 2019

6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Rousell) (Continued)

Conclusion

The submitted proposal for a takeaway food and drink premises on Lot 2 DP 1243031, No.6 Ferdinand Lane is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and a notice was put in the local newspaper with 24 submissions received.

The proposal has been assessed under Section 4.15(1) *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan 2012* and *Queanbeyan Development Control Plan 2012*. The development satisfies the requirements and achieves the objectives of these instruments.

520 The proposed development is the first application within the approved Poplars subdivision and forms part of the neighbourhood centre. The proposed development is considered suitable for the site, is compatible with the desired future character of the area and is considered not to have a significant adverse impact on the neighbourhood and can be conditioned to mitigate potential impacts.

However, the proposed lot on which the proposed development is to be erected does not formally exist. As such the applications are unable to be given final approval until the proposed lots are formally created and land titles registered. For this reason approval should be withheld and the CEO given delegated authority to determine the application once the land title is formally registered.

530

Attachments

- | | |
|--------------|--|
| Attachment 1 | DA 446-2018 - 4.15 Assessment Report Matters for Consideration - Takeaway Food and Drink Premises - 6 Ferdinand Lane (<i>Under Separate Cover</i>) |
| Attachment 2 | DA 446-2018 - Architectural Plans - Takeaway Food and Drink Premises - 6 Ferdinand Lane (<i>Under Separate Cover</i>) |
| Attachment 3 | DA 446-2018 - Submissions Part 1 - Takeaway Food and Drink Premises - 6 Ferdinand Lane (<i>Under Separate Cover</i>) |
| Attachment 4 | DA 446-2018 - Submissions Part 2 - Takeaway Food and Drink Premises - 6 Ferdinand Lane (<i>Under Separate Cover</i>) |
| Attachment 5 | DA 446-2018 - Draft Conditions - Takeaway Food and Drink Premises - 6 Ferdinand Lane (<i>Under Separate Cover</i>) |

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

ITEM 10.1	DA 446-2018 - TAKEAWAY FOOD AND DRINK PREMISES - INCLUDING REVISED PYLON SIGN DESIGN - 6 FERDINAND LANE, JERRABOMBERRA
ATTACHMENT 3	DA 446-2018 - SECTION 4.15 MATTERS FOR CONSIDERATION - 6 FERDINAND LANE

ATTACHMENT - SECTION 4.15(1) TABLE – Matters For Consideration

This application has been assessed under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and the following matters are of relevance to **Development Application No 446-2018**

State Environmental Planning Policies

The proposed development has been assessed in accordance with the requirements of the relevant State Environmental Planning Policies (SEPPs) including any draft SEPPs and a summary is provided in the following table:

SEPP COMMENTS	COMPLIES (Yes/No)
State Environmental Planning Policy No 55 - Remediation of Land	
<p>Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. There are no records of the site being previously used for any potentially contaminating purposes. This matter was considered under the subdivision application (DA 192-2016). A phase 2 Environmental Site Assessment (Coffey Environments Australia Pty Ltd (Ref: ENAUBRAD01138AA) and dated 23 November 2011) was submitted which identified several areas of environmental concern and recommended that a Remedial Action Plan (RAP) be prepared for the land and remediation carried out. The development consent required additional works including preparation of a Remedial Action Plan and subsequent validation activities (validation report) of the site prior to the commencement of any development work on the site. Clause 7 has therefore been satisfied.</p>	Yes
State Environmental Planning Policy No 64 - Advertising and Signage	
<p>The proposal involves a number of signs (illuminated and un-illuminated) to be installed on the building and free standing within the site. <i>Clause 3 – Aims, objectives etc.</i> Consideration is required of the aims and objectives of SEPP 64, including: (a) <i>to ensure that signage (including advertising):</i> (i) <i>is compatible with the desired amenity and visual character of an area, and</i> (ii) <i>provides effective communication in suitable locations, and</i> (iii) <i>is of high quality design and finish, and</i> (b) <i>to regulate signage (but not content) under Part 4 of the Act, and</i> (c) <i>to provide time-limited consents for the display of certain advertisements, and</i> (d) <i>to regulate the display of advertisements in transport corridors, and</i> (e) <i>to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i></p> <p>Clause 4 – Definitions In terms of the definitions prescribed by SEPP 64, a number of definitions are considered relevant: signage means all signs, notices, devices, representations and advertisements that advertise or promote any goods services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage and includes: (a) building identification signs, and (b) business identification signs, and (c) advertisements to which Part 3 applies, but does not include traffic signs or traffic control facilities. business identification sign has the same meaning as in the Standard Instrument.</p>	Yes

SEPP COMMENTS	COMPLIES (Yes/No)				
<p>business identification sign means a sign:</p> <p>(a) that indicates:</p> <p>(i) the name of the person or business, and</p> <p>(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and</p> <p>(b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.</p>					
<p>advertisement means signage to which Part 3 applies and includes any advertising structure for the advertisement.</p> <p>Assessing Officers Comments: The proposal includes a number of signs consisting primarily of <i>business identification signs</i> including the name of the business being carried out on the site and a number of logos that identify the business. The proposed signage is to be illuminated. Additional signage for information, direction or traffic/parking purposes is proposed on free-standing panels including menu boards, entry/exit signs, 'drive-thru', parking, no entry etc.</p>					
<p>PART 2 DIVISION 3 PARTICULAR ADVERTISEMENTS</p> <p>Clause 23 Freestanding advertisements</p> <p>(1) <i>The consent authority may grant consent to the display of a freestanding advertisement only if the advertising structure on which the advertisement is displayed does not protrude above the dominant skyline, including any buildings, structures or tree canopies, when viewed from ground level within a visual catchment of 1 kilometre.</i></p> <p>(2) <i>This clause does not prevent the consent authority, in the case of a freestanding advertisement on land within a rural or non-urban zone, from granting consent to the display of the advertisement under clause 15.</i></p> <p>The proposal includes two (2) flag poles with a 3.6m wide banner fixed in between. This banner will be used for advertisement and promotional purposes and therefore can be considered to be a freestanding advertisement. The flag poles and associated freestanding advertisement (banner) are located within close proximity to the proposed pylon sign on the southern side of the lot facing Tomsitt Drive. The proposed freestanding advertisement is located at a height of 1.95m above ground level and does not protrude above the dominant skyline, including buildings, structures and tree canopies when viewed from ground level within a 1km radius. Other proposed signage in this application has not been assessed against Schedule 1. See Part 9 of South Jerrabomberra DCP for the assessment of proposed signage that is not advertising signage.</p>					
<p>Schedule 1 Assessment Criteria</p> <table border="1"> <thead> <tr> <th data-bbox="86 1765 699 1798">Criteria</th> <th data-bbox="699 1765 1295 1798">Comment</th> </tr> </thead> <tbody> <tr> <td data-bbox="86 1798 699 2033"> <p>1. Character of the Area</p> <ul style="list-style-type: none"> <i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i> </td> <td data-bbox="699 1798 1295 2033"> <p>The locality is a developing commercial area adjoining an existing residential area. The desired future character of the area is a commercial precinct for the South Jerrabomberra locality.</p> <p>Other proposed (and to be proposed) uses include a KFC, 7-Eleven, Aldi and medical</p> </td> </tr> </tbody> </table>	Criteria	Comment	<p>1. Character of the Area</p> <ul style="list-style-type: none"> <i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i> 	<p>The locality is a developing commercial area adjoining an existing residential area. The desired future character of the area is a commercial precinct for the South Jerrabomberra locality.</p> <p>Other proposed (and to be proposed) uses include a KFC, 7-Eleven, Aldi and medical</p>	
Criteria	Comment				
<p>1. Character of the Area</p> <ul style="list-style-type: none"> <i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i> 	<p>The locality is a developing commercial area adjoining an existing residential area. The desired future character of the area is a commercial precinct for the South Jerrabomberra locality.</p> <p>Other proposed (and to be proposed) uses include a KFC, 7-Eleven, Aldi and medical</p>				

SEPP COMMENTS		COMPLIES (Yes/No)
<ul style="list-style-type: none"> • <i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i> 	<p>centre. The proposed signage as part of this application is considered to be consistent with the proposed signage of similar applications adjoining the site and of an appropriate nature.</p>	
<p>2. Special areas</p> <ul style="list-style-type: none"> • <i>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?</i> 	<p>It is considered that the proposed signage does not detract from the amenity or visual quality within the area nor any heritage areas, open space areas, waterways, rural landscapes or residential areas as the proposed signage is of a small scale.</p>	
<p>3. Views and vistas</p> <ul style="list-style-type: none"> • <i>Does the proposal obscure or compromise important views?</i> • <i>Does the proposal dominate the skyline and reduce the quality of vistas?</i> • <i>Does the proposal respect the viewing rights of other advertisers?</i> 	<p>The proposed signage does not obscure or compromise important views and will not dominate the skyline.</p> <p>The proposed signage located on the walls of the building do not dominate the skyline as they do not exceed the roofline of the building. The proposed pylon sign has an overall height of 9m from ground level and is located in the south west corner of the site.</p> <p>The proposed advertising banner will not dominate the skyline nor reduce the quality of vistas as it is located 1.95m above ground level and will be screened by the proposed building. As such, the sign will not be visible from nearby residential development.</p>	
<p>4. Streetscape, setting or landscape</p> <ul style="list-style-type: none"> • <i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i> • <i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i> • <i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i> • <i>Does the proposal screen unsightliness?</i> 	<p>The proposed banner is of an appropriate scale and form in regards to the streetscape and setting.</p> <p>The banner will not protrude into the skyline as it is located 1.95m above ground level, below the height of the proposed building.</p>	

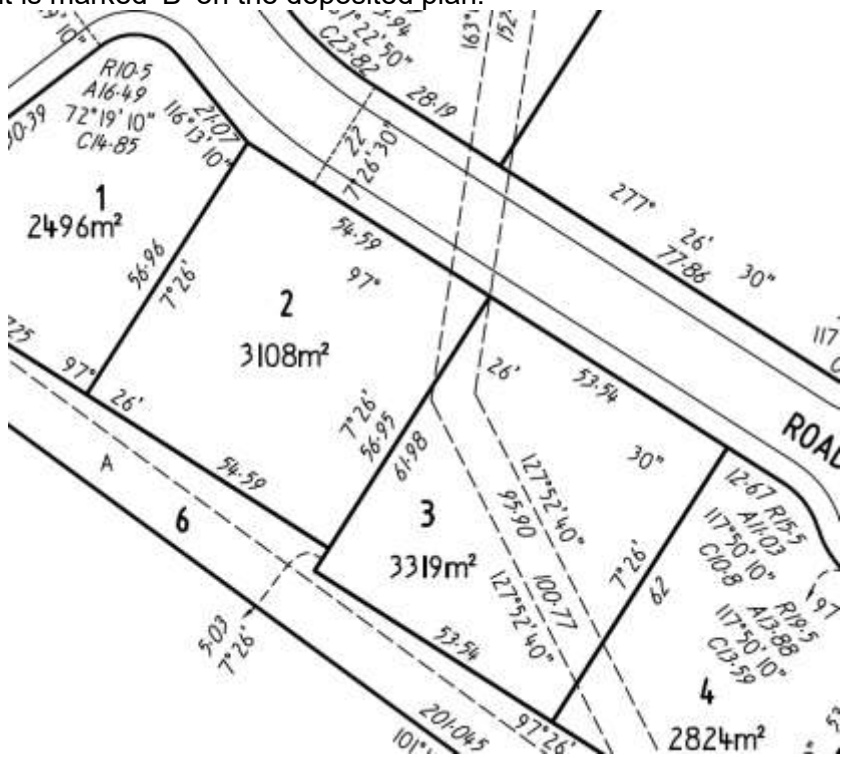
SEPP COMMENTS		COMPLIES (Yes/No)
<ul style="list-style-type: none"> • <i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i> • <i>Does the proposal require ongoing vegetation management?</i> 		
<p>5. Site and building</p> <ul style="list-style-type: none"> • <i>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?</i> • <i>Does the proposal respect important features of the site or building, or both?</i> • <i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i> 	<p>The proposed advertising sign is considered to be compatible with the scale and proportion of the building. The banner has an area of 3.24m² and is located 1.95m above ground level. As such, the banner will not dominate the building.</p>	
<p>6. Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> • <i>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?</i> 	<p>The advertising banner is to be fixed between two proposed flag poles, one bearing the Australian flag and the other bearing the McDonald's logo.</p>	
<p>7. Illumination</p> <ul style="list-style-type: none"> • <i>Would illumination result in unacceptable glare?</i> • <i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i> • <i>Would illumination detract from the amenity of any residence or other form of accommodation?</i> • <i>Can the intensity of the illumination be adjusted, if necessary?</i> • <i>Is the illumination subject to a curfew?</i> 	<p>The proposed advertising sign is a banner between two flag poles and will not be illuminated. Therefore, proposed advertising signage will not be illuminated.</p>	
<p>8. Safety</p> <ul style="list-style-type: none"> • <i>Would the proposal reduce the safety for any public road?</i> 	<p>The proposed advertising sign will not reduce the safety of road users, pedestrians or bicyclists.</p>	

SEPP COMMENTS		COMPLIES (Yes/No)
<ul style="list-style-type: none"> • <i>Would the proposal reduce the safety for pedestrians or bicyclists?</i> • <i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i> 	The proposed advertising sign is located 1.95m above ground level and will not obscure sightlines from any public areas.	
State Environmental Planning Policy (Infrastructure) 2007		
The provisions of this Policy have been considered in the assessment of the application. The site is not located in or adjacent to road corridor nor does it have a frontage to a classified road. The site is not located within or immediately adjacent to an easement for electricity purposes or immediately adjacent to an electricity substation. No development is proposed within 5m of an overhead powerline and no ground penetrating work is proposed within 2m of any underground electricity services.		Yes

Local Environmental Plans

The proposed development has been assessed in accordance with the relevant requirements of the *Queanbeyan Local Environmental Plan 2012* and no relevant draft LEPs apply to the land. A summary is provided as follows:

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
Part 1 Preliminary	
Clause 1.2 Aims of Plan	
<p>The aims of the plan are as follows:</p> <ul style="list-style-type: none"> (a) <i>to rezone certain land at The Poplars to achieve economically, environmentally and socially sustainable urban development that complements and provides a range of facilities for the benefit of the adjoining Jerrabomberra community,</i> (b) <i>to facilitate the orderly growth of the Poplars urban release area in a staged manner that promotes a high level of amenity for workers and the timely provision of physical and social infrastructure through appropriate phasing of the development of land,</i> (c) <i>to identify, protect and manage environmentally and culturally sensitive areas within Poplars, including but not limited to waterways and riparian corridors, habitat corridors, native vegetation and associated buffers, and heritage items,</i> (d) <i>to provide appropriate employment and community land use opportunities consistent with the environmental capacity of the land,</i> (e) <i>to provide appropriate controls for future development to minimise any adverse impact on the adjoining Jerrabomberra community.</i> <p>It is considered that the proposed development is consistent with the aims of the QLEP (Poplars). Specifically, the proposal facilitates the orderly growth of the Poplars urban release area whilst providing employment opportunities. Additionally, the proposal provides a commercial use to serve the needs of the community.</p>	Yes
Clause 1.4 Definitions	

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
<p>Development for the purposes of a takeaway food and drink premises such as is proposed is permissible within the B1 Neighbourhood Centre zone with consent and is defined under QLEP (Poplars) 2013 as follows:</p> <p><i>“takeaway food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.”</i></p>	Yes
<p>Clause 1.9A Suspension of Covenants, Agreements and Instruments</p>	
<p>The subject site is affected by an easement to drain sewerage 8 wide and variable width. The easement is marked 'B' on the deposited plan.</p>  <p>The easement bisects the north-east portion of the lot and will not be impacted upon by the proposed development. No structures are proposed to cover the easement as this portion of the lot is the proposed access point.</p>	Yes
<p>Part 2 Permitted or Prohibited Development</p>	
<p>Clause 2.1 Land Use Zones</p>	
<p>The subject site is Zoned B1 Neighbourhood Centre zone under Queanbeyan Local Environmental Plan (Poplars) 2013.</p>	Yes
<p>Clause 2.3 Zone Objectives and Land Use Tables</p>	
<ul style="list-style-type: none"> • To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. • To permit small-scale non-residential uses that will provide goods and services to meet the day-to-day needs of people who live and work in the surrounding neighbourhood. • To provide active land uses at street level. • To ensure that residential development does not compromise the existing and future operations of the Canberra Airport. 	Yes

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
It is considered that the proposed development is consistent with the objectives for the B1 Commercial Core zone. The proposed development provides a commercial use that serves the needs of the surrounding neighbourhood. This is essential as the South Jerrabomberra locality continues to expand.	
Part 4 Principal Development Standards	
Clause 4.3 Height of buildings	
The maximum building height identified on the site is 12m. The proposed McDonalds building has a total height of 7.3m and the proposed pylon sign has a height of 9m, compliant with this clause of the QLEP (Poplars) 2013.	Yes
Clause 4.4 Floor space ratio	
A floor space ratio of 1:1 applies to the subject site. The proposed development has a GFA of 489m ² (0.489:1) and is therefore compliant with this clause.	Yes
Part 5 Miscellaneous Provisions	
Clause 5.10 Heritage conservation	
The proposed development will have a minimal impact in relation to heritage. The site is not heritage listed, is not adjacent to a heritage item and is not located within a Heritage Conservation Area.	Yes
Clause 5.11 Bush fire hazard reduction	
The application does not involve any bush fire hazard reduction works.	NA
Part 6 Additional Local Provisions	
Clause 6.1 Earthworks	
Clause 6.1 of the QLEP (Poplars) 2013 establishes a number of matters requiring consideration for development involving earthworks. Earthworks associated with the development are proposed and form part of this application. The proposed earthworks will not have a detrimental impact on drainage patterns and soil stability or the existing and likely amenity of adjoining properties. The development application will be condition to mitigate the potential impact of soil erosion and the like during construction. Majority of earthworks associated with the development were approved under DA192-2016 and have been completed as part of subdivision works.	Yes
Clause 6.2 Riparian land and watercourses	
Clause 6.2 of the QLEP (Poplars) 2012 makes provision for developments within riparian land and watercourses. This clause is not considered relevant to the proposed development as the site is not identified as "Watercourse" on the Riparian Land and Watercourses Map".	NA
Clause 6.3 Airspace operations	
Clause 6.3 of the QLEP (Poplars) 2013 makes provisions for developments located in areas that are affected by airspace operations and aircraft noise. The proposed development will not penetrate the Obstacle Limitations Surface Map for the Canberra Airport. Therefore the application will not be required to be referred to the relevant Commonwealth body for comment.	Yes
Clause 6.4 Development in areas subject to aircraft noise	
Clause 6.4 of the QLEP (Poplars) 2013 makes provisions for developments subject to aircraft noise. This clause is considered relevant to the proposed development as the site is located within an ANEF contour of 20 or greater. The proposed commercial development will not result in an increase in the number of dwellings affected by aircraft noise. The proposal is consistent with AS 2021-2000. There are no construction requirements as the building is for commercial purposes.	Yes
Clause 6.5 Development Control Plan	

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
<p>The South Jerrabomberra Development Control Plan (SJDCP) applies to the subject site and the proposed development. It is considered that the SJDCP provides for the matters specified in Clause 6.5 subclause (3) of Queanbeyan Local Environmental Plan (Poplars) 2013. The SJDCP provides for a staging plan outlining the timely and efficient release of urban land, transport movement, landscaping strategies, active and passive recreation areas, stormwater and water quality management, environmental hazards, urban design controls, appropriate controls for neighbourhood commercial and retail uses, and suitably located public facilities and services.</p>	Yes
<p>Clause 6.6 Essential services</p>	
<p>Clause 6.6 of the QLEP (Poplars) 2013 requires satisfactory arrangements to be made for water supply, stormwater drainage, solid domestic waste, sewage, and the treatment and disposal of effluent. Along with the supply of electricity and suitable vehicle access. Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access.</p> <p>Council's Development Engineer has assessed the proposed development and confirmed that the site does have suitable vehicle access and adequate services are available.</p>	Yes

Development Control Plan

The Queanbeyan Development Control Plan (DCP) 2012 and South Jerrabomberra Development Control Plan (DCP) 2015 apply to the development and a summary of the relevant provisions is provided in the following table.

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>Part 1 About This Development Control Plan</p>	
<p>1.8 Public Notification Of A Development Application The development application was notified to adjoining owners and advertised in the local newspaper and 30 submissions were received. Refer to the community consultation section of the Staff Report for consideration of the relevant issues raised in the submissions.</p>	Yes
<p>Part 2 All Zones</p>	
<p>2.2 Car Parking Table 1 of Part 2.2.6 of QDCP 2012 requires a take-away food and drink premises outside of the CBD to have 1 space per 2 seats (internal), or 1 space per 3 seats (external) plus queuing area for 5 to 12 cars. The proposal includes 103 internal seats and 8 external seats (total of 111 seats) and therefore requires 37 car parking spaces. The proposal includes the provision of 37 car parking spaces (including 1 disabled space) plus the provision of queuing space for 12 cars.</p>	Yes

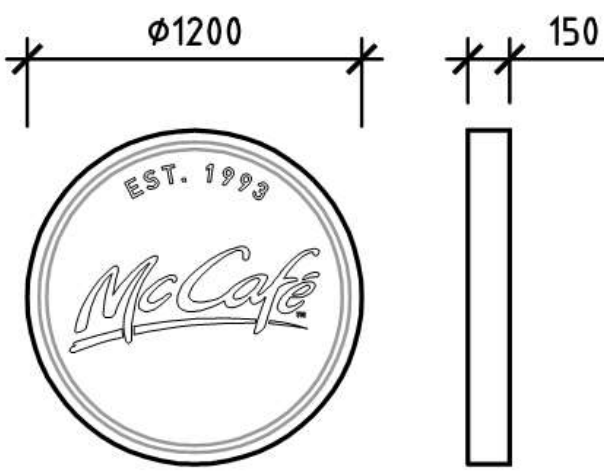
QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>The application has been referred to Councils Development Engineer who has found the parking arrangements including access and manoeuvring areas to be satisfactory in this instance.</p>	
<p>2.3 Environmental Management</p> <p>The proposed development will be required to implement management and mitigation measures in relation to potential environmental impacts. The building will be required to meet BCA requirements including incorporating measures for energy efficiency and water conservation.</p> <p>A Waste Management Plan was submitted as part of the application and adequately addresses waste management on the site. Council's Waste Officer has assessed this aspect of the application and offered no objections to the proposal subject to the waste storage area being clearly labelled with areas for general waste, recycling, cardboard recycling etc.</p>	<p>Yes – Condition (Waste Management)</p>
<p>2.4 Contaminated Land Management</p> <p>The proposal is considered generally satisfactory with respect to State Environmental Planning Policy 55 – Remediation of Land (SEPP 55) and therefore also with respect to DCP clause 2.4. The land is not known to have been used for potentially contaminating activities.</p>	<p>Yes</p>
<p>2.5 Flood Management</p> <p>The subject site is not flood prone.</p>	<p>NA</p>
<p>2.6 Landscaping</p> <p>A landscape plan prepared by a Category 1 landscape consultant was submitted as part of the application in accordance with Queanbeyan DCP. The objectives of Part 2.6 of the Queanbeyan DCP are create quality design and construction works of high standards that provide a pleasant and safe environment to all users. The proposal is considered to be compliant with these objectives. Landscaping proposed for the development includes a mix of trees within the car park and low planting shrubs and grasses to the border of the site and the building. Bio basin planting is proposed along the northern, western and eastern boundaries to assist in on-site stormwater management.</p> <p>A condition of consent has been imposed requiring a Category 1 accredited landscape contractor to undertake landscape works.</p>	<p>Yes - Condition</p>
<p>2.7 Erosion and Sediment Control</p> <p>An erosion and sediment control plan was submitted as part of the application. Standard conditions relating to site management will be imposed should development consent be granted.</p>	<p>Yes - Condition</p>
	<p>NA</p>

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>2.8 Guidelines for Bushfire Prone Areas</p> <p>The subject site is identified as being bushfire prone land. As the proposal is a commercial development, there are no construction or site requirements for the development.</p>	
<p>2.9 Safe Design</p> <p>Objectives</p> <ol style="list-style-type: none"> 1) <i>To afford maximum casual surveillance of developments from the street and other public areas, and, of the street or public areas from those developments.</i> 2) <i>To control access to developments through appropriate physical barriers - thereby increasing the effort required to commit a crime.</i> 3) <i>To ensure that there is a sense of ownership for both public and private development by the legitimate users of this space.</i> 4) <i>To ensure that areas have the appearance of being well cared for and 'defended' as a cared for environment can reduce the committal of crime and the fear of crime.</i> <p>Controls</p> <ol style="list-style-type: none"> a) <i>Buildings are to be designed to overlook streets and other public areas to provide casual surveillance. Buildings adjacent to a public area must have at least one habitable room window with an outlook to that area.</i> b) <i>Pedestrians and cycle thoroughfares are reinforced as safe routes through:</i> <ol style="list-style-type: none"> i) <i>appropriate lighting</i> ii) <i>casual surveillance from the street</i> iii) <i>minimised opportunities for concealment</i> iv) <i>landscaping which allows clear sight-lines between buildings and the street</i> v) <i>avoidance of blind corners</i> <p>It is considered that the proposed development is consistent with the objectives and controls of this part in regards to safe design. The applicant submitted a Plan of Management (POM) with the application. The purpose of the POM is to address the relevant CPTED principles and provide a plan outlining how the development will create a safe, efficient and pleasant environment.</p> <p>Surveillance: CCTV surveillance will be installed at the development focusing on the drive-thru facility and cashier's/service areas. The system will run 24 hours a day and will be monitored by staff. The POM also states that staff members will be encouraged to assist with passive surveillance of the site focusing on the car park.</p> <p>Lighting: Perimeter lighting will be installed around the premises and car parking area to prevent concealment and shadowing. Lighting throughout the car parking area and in public spaces must comply with AS 2890.1:2004 – Parking Facilities – Off-Street Car Parking and AS 1158 - Lighting for Roads and Public Spaces. A condition of consent will be imposed to reflect this.</p> <p>Landscaping: The submitted landscape plans show perimeter landscaping that reinforce the space. Additionally, the plantings chosen will be low-medium in height and therefore not allowing concealment of criminals. The POM states that landscaping will be regularly maintained with trees and shrubs trimmed away from doors and windows.</p>	<p>Yes</p>

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>2.11 Airspace Operations and Airport Noise</p> <p>The proposed development complies with the requirements prescribed for the site in Clause 6.3 Airspace Operations and 6.4 Development in areas subject to Airport Noise. of the QLEP 2012 – see previous discussion in this assessment.</p>	Yes

SOUTH JERRABOMBERRA DCP COMMENTS	COMPLIES (Yes/No)
PART 3 – MASTER PLAN	
<p>3.4 Desired Future Character of Development Areas in South Jerrabomberra</p> <p>Poplars <i>The desired future character of the Poplars will be a mix of office, light industrial, small scale retail, business and community uses that serve the needs of the people who live or work in the locality in a high quality urban designed setting.</i> <i>The Poplars Neighbourhood Centre precinct is an area of approximately 7 ha located north of Tomsitt Drive. It generally supports business, office and retail premises but does not include uses like bulky goods. This precinct has a high quality urban design that is vibrant and attractive.</i></p> <p>It is considered that the proposal is consistent with the desired future character of the Poplars. The proposal is considered to be a small scale commercial development consistent with the surrounding proposed uses as well as the zoning prescribed by the QLEP (Poplars) 2013.</p>	Yes

PART 9 – SIGNAGE	
<p>9.2 Business Identification Signs</p> <p>The below controls apply to signage within the South Jerrabomberra area. The prescribed controls set out in Part 9.2 of the SJDCP apply to signage not requiring consent. If proposed signage falls outside of this, development consent is required.</p> <p>Control</p> <ul style="list-style-type: none"> a) 25% of the front elevation of a building on which it is displayed, with a maximum height of 3m or the height of the underside of any awning measured at a line at which it is attached to the building. b) A minimum height of 2.6m above a road or road reserve or road. c) Complies with the definition of business identification sign. d) Securely fixed by metal supports to the premises. <p>West Elevation: Two business identification signs are proposed on the west elevation. One of these signs (S3A) is considered to meet the requirements of exempt development under Part 9.2 of the SJDCP and the other sign (S5A) requires development consent.</p> <p>The exempt sign (S3A) has an area of approximately 3.05m² accounting for approximately 2.3% of the building façade. The sign is located 4.5m above ground level and complies with the definition of a business identification sign.</p> <p>It is considered that the sign requiring development consent (S5A) is consistent with the objectives of this part. The proposed “McCafe” sign is 1.13m² and does not detract from the</p>	Yes – Condition (illumination)

SOUTH JERRABOMBERRA DCP COMMENTS	COMPLIES (Yes/No)
<p>visual amenity of the area nor will it adversely impact motorists, pedestrians or nearby intersection/traffic signal. The image below depicts the sign requiring development consent.</p>  <p>South Elevation: One business identification sign is proposed on the south elevation of the building. The sign has an area of approximately 2.4m² accounting for approximately 1.6% of the building façade. The sign is located 4.5m above ground level and complies with the definition of a business identification sign and is therefore considered to be exempt. A second business identification sign is located on the façade of the drive0thru structure and requires development consent as it is located less than 2.6m above ground level. The proposed sign is considered to meet the objectives of this part of the DCP and does not pose a safety threat top traffic or pedestrians. The sign has an area of 1.64m² and is considered appropriate for the development.</p> <p>North Elevation: There are four business identification signs proposed on the north elevation of the building. The signs have a combined area of 6.95m² accounting for approximately 3.5% of the façade. Each of these proposed signs are located at least 3m from ground level and is therefore considered to be exempt development.</p> <p>East Elevation: One business identification sign is proposed on the west elevation with a total area of 1.6m² accounting for 1.4% of the façade. The sign is located 4.5m above ground level and complies with the definition of a business identification sign and is therefore considered to be exempt.</p> <p>The proposal also includes two building identification signs and a number of information signs such as directional, car park signage, drive thru information signage etc. Part 9.1 of SJDCP specifically excludes this type of signage from assessment.</p>	
<p>9.2 Pole (pylon) Sign</p> <p>Under Part 9.2 of SJDCP, to be considered as exempt development, a pylon sign is to have a maximum height of 10m with a maximum advertising area of 3m². The proposed pylon sign has a height of 9m with an advertising area of 11.24m², and therefore requires development consent. It is noted that the pylon sign does not contain any advertising signage as it is made up of business identification and building identification signs. The applicant has supplied a justification for the area of the proposed pylon sign.</p> <p>Applicant</p>	<p>Yes – Condition (illumination)</p>

SOUTH JERRABOMBERRA DCP COMMENTS	COMPLIES (Yes/No)
<p>While there are no specific objectives for pole signs, the objectives of Part 9 of the SJDCP have been relied upon to provide the following justification:</p> <ol style="list-style-type: none"> 1. The proposed pole sign is to be located in the south western corner of the site fronting Tomsitt Drive. This is considered an orderly approach which will identify the site to passers-by on this road. No additional pole signs are proposed at the entrance driveways to ensure an orderly standard is maintained and the number of pole signs is restricted. It is also noted that the pole sign is proposed to be located at the furthest location away from the existing residential neighbourhoods of Jerrabomberra and will be buffered by both the proposed McDonald's Operation and also future development within the subject subdivision; 2. The placement of the pole sign at the rear corner of the site (south-west) is not considered to detract from the built form, especially when viewed from the entrance which is located at the opposite corner of the site (north-east); 3. The proposed pole sign is considered suitable to the site, given the proposed use and context of the locality, therefore unlikely to detract from the streetscape or adjacent open space. As noted above, the McDonald's has been suitably designed to ensure there is no signage clutter or visual disorder and is generally in line with SEPP64 considerations; 4. The proposed area of the pole sign is considered acceptable as the sign will be suitably setback from the road, appropriately illuminated in line with Australian Standards and reflect a nation-wide known logo. Given the generally familiar and clear design, the pole sign area is not considered to result in a distraction for passing motorists or pedestrians, but rather inform passers-by of the sites location and use. 5. Further to the above the proposed will not interfere with the operation of traffic control signs and signals. <p><u>Assessing Officer</u></p> <p>The proposed pole sign is considered to be appropriate given the proposed use and the context of surrounding development immediately adjoining the subject site. The B1 Neighbourhood Centre zoning for the site allows for commercial development and it is considered reasonable to expect associated signage such as is proposed to be located on the site.</p> <p>It is considered that the proposed pole sign will not detract from the streetscape nor the built form. The sign is proposed to be located in the south-west corner of the site approximately 30m from Tomsitt Drive.</p> <p>The proposed McDonalds building has a total height of 7.3m with the proposed pole sign having a total height of 9m, therefore, it is considered that the sign will not dominate the skyline nor the building. Some landscaping both on the subject site as well as Lot 6 (owned by the developer with the intent of future development) will assist in softening the streetscape impacts of both the building and the signage. There is a 7m landscaping buffer in between the property boundary of Lot 6 and the subject site, creating a significant setback to Tomsitt Drive.</p> <p>The proposed pole sign is to be illuminated and a condition of consent will be imposed requiring the illumination to comply with the provisions of the relevant Australian Standard.</p> <p>The proposed pole sign is similar in height to signage associated with adjoining commercial development. A Development Co-ordination Review (Pre-lodgement meeting) has been conducted for Lot 1 with a DA for a service station expected. The plans submitted for this meeting indicated an 8m high pylon sign is to be proposed in the south-west corner of this lot. DA-505-2018 for a take away food and drink premises on Lot 3 is currently being assessed by Council. It is noted that a pole sign is also proposed on this lot. The pole sign on Lot 3 is proposed to be 8.5m high and is located on the south-west corner of the lot.</p>	

SOUTH JERRABOMBERRA DCP COMMENTS	COMPLIES (Yes/No)
<p>The proposed pole sign will have minimal impact on nearby residential to the east of the subject site. Residential development on Stella Place and Miles Place will be screened from the development via a 3.5m high acoustic wall and planting to be constructed as part of the subdivision works along the eastern boundary of Lot 6. This screen does not extend to Franklin Court, however, the proposed sign will be located over 150m from the nearest residential dwelling house and will be partially screened by the proposed KFC premises and proposed medical centre.</p> <p>As such, it is considered that the proposed pole sign is appropriate for the use of the site. The sign is unlikely to have adverse impacts on the streetscape and is unlikely to cause disruption to motorists and pedestrians nor is it likely to have a significant adverse impact on nearby residential development.</p>	
<p>9.2 Flush Wall Signs</p> <p>The following requirements are to be met for flush wall signage to be considered exempt development.</p> <ul style="list-style-type: none"> a) <i>One per occupancy.</i> b) <i>Maximum area of 3m² for side wall and 1.5m² for front wall.</i> c) <i>Minimum 2.6m above footpath pavement level.</i> d) <i>Do not obscure architectural feature.</i> <p>The proposal includes two flush wall signs comprising of the McDonalds letterset and therefore are not exempt development and require development consent that forms part of this application. The McDonalds lettersets have an area of 3.1m² each and are both located more than 2.6m above the ground level and do not obstruct an architectural feature. It is considered that the proposed flush wall signs are consistent with the objectives of SEPP 64 and the SJDCP. The proposed signs are considered to be of an appropriate scale and do not detract from the amenity of the site.</p>	Yes
PART 10 – NEIGHBOURHOOD CENTRE	
<p>10.2 Overall Desired Future Character</p> <p><i>Development within the neighbourhood centre shall be sensitive to the character of the local area and shall enhance the local residential and environmental amenity through appropriate and sustainable urban design.</i></p> <p><i>The Neighbourhood Centre will be designed to be attractive and safe for pedestrians. Public spaces shall be landscaped and articulated with street furniture and lighting and allow for active and passive recreation and/or spillout zone from adjoining retail or other uses.</i></p> <p>Response: It is considered that the proposal is sensitive to the character of the local area. The subject site is located within an area zoned as a neighbourhood centre with commercial development being the expected character. The proposal is sensitive to nearby residential development with the construction of a 3m high noise barrier along the eastern boundary of the subdivision site. Additionally, a 1.3m high boundary fence will be constructed along the eastern boundary of the subject site. This fence will act as an acoustic and light barrier to nearby residential development.</p> <p>This particular application does not directly address pedestrian links, however, the subdivision site has been provided with pedestrian pathways that are intended to be linked with the future development within the neighbourhood centre.</p>	

SOUTH JERRABOMBERRA DCP COMMENTS	COMPLIES (Yes/No)
<p>10.3 Signage</p> <p>Objectives</p> <p>1) <i>To ensure that signage (including advertising):</i></p> <p style="padding-left: 40px;">i) <i>Is compatible with the desired amenity and visual character of an area.</i></p> <p style="padding-left: 40px;">ii) <i>Provides effective communication in suitable locations.</i></p> <p style="padding-left: 40px;">iii) <i>Is of high quality design and finish.</i></p> <p>It is considered that the proposed signage is compatible with the desired amenity and visual character of the area. The subject site and its immediate surrounds are zoned B3 Neighbourhood Centre. Commercial development such as is proposed is permissible and therefore it is expected that such development will occur. Additionally, the proposed signage (including one advertising sign) are in suitable locations and are of a high quality design and finish.</p> <p>2) <i>Maintain uniformity and orderly standards for advertising structures, as well as controlling the number and types of advertisements.</i></p> <p>Uniformity of signage is maintained via the application of planning instruments and policies such as SEPP 64 and South Jerrabomberra DCP.</p> <p>3) <i>Ensure that the placement and design of advertisements and advertising structures are consistent with the architectural theme and design of a building and that such advertisements are not placed on prominent architectural features of a building including gables or the like.</i></p> <p>No advertising signs are proposed on the building itself. The building has a number of business and building identifications signs on each of the facades. The signs are considered to be small in nature and do not dominate the architectural style of the structure.</p> <p>4) <i>Ensure that advertisements and advertising structures do not detract from the streetscape and waterscape of the locality, nor lead to visual clutter through the proliferation of such advertisements.</i></p> <p>5) <i>Ensure that advertisements and advertising structures do not constitute a traffic hazard to motorists and pedestrians.</i></p> <p>6) <i>Ensure that advertisements and advertising structures do not interfere with the operation of traffic control signs and signals.</i></p> <p>As stated previously, there is only one advertising structure/sign proposed as part of this application. The remainder of signage is made up of business identification signage, building identification signage, information signage and direction/way finding signage. The proposed advertising structure is a banner hanging in between the flag poles located on the southern side of the subject site facing Tomsitt Drive. The advertising sign (banner) is 3m x 0.9m and is unlikely to detract from the streetscape nor be considered a traffic hazard to motorists and pedestrians. It is considered that the proposed signage will not interfere with the operation of traffic control signals. The proposed signage is more than 50m from the nearest intersection and is over 25m from Tomsitt Drive.</p> <p>7) <i>Ensure equal viewing rights where practical, for all advertisements and advertising structures, and to ensure that such advertisements are affixed and maintained in good structural condition at all times.</i></p>	<p>Yes</p>

SOUTH JERRABOMBERRA DCP COMMENTS	COMPLIES (Yes/No)
<p>8) <i>Reduce the proliferation of advertisements and advertising structures by requiring rationalisation of existing and proposed advertisements and the use of common directory boards in proposed and existing multi occupancy developments.</i></p> <p>It is considered unlikely that proposed signage will effect equal viewing rights and it will be the responsibility of the land owner to maintain signage in good structural condition.</p>	
<p>10.4 Safety and Security</p> <p>Objectives</p> <ol style="list-style-type: none"> 1) <i>To create an environment in which people feel safe to walk during the day and night.</i> 2) <i>Enhance public safety by reducing opportunities for crime to occur.</i> 3) <i>Improve observation of public and private spaces.</i> 4) <i>Optimise the use of public spaces and facilities by the community.</i> 5) <i>Promote the design of safe, accessible and well maintained buildings and spaces.</i> <p>Controls</p> <ol style="list-style-type: none"> a) <i>Comply with the relevant controls in Clause 2.2 of the Queanbeyan Development Control Plan 2012.</i> <p>Please see assessment against Part 2.2 of Queanbeyan Development Control Plan 2012.</p>	Yes
<p>10.5 Site Car Parking</p> <p>Controls</p> <ol style="list-style-type: none"> a) <i>Comply with the relevant controls in Clause 2.2 of the Queanbeyan Development Control Plan 2012.</i> <p>See assessment against Part 2.2 of QDCP 2012.</p>	Yes
APPENDIX 4 – AIRCRAFT NOISE ASSESSMENT GUIDELINES	
<p>Non-Habitable Residential Buildings or Structures</p> <p><i>Non-habitable residential buildings or structures (Class 10 buildings under the Building Code of Australia) are not required to comply with the provisions of AS 2021-2015.</i></p> <p>The subject site is affected by ANEF Contour 20 and partially affected by ANEF Contour 25. The proposed take away food and drink premises is not considered to be a habitable residential building.</p>	NA

Additional Planning Considerations

The following additional planning matters apply to the development:

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Environmental Planning and Assessment Act Regulation 2000</i>	

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<p><i>The provisions of any matters prescribed by the Regulations, which apply to the land to which the development application relates, must be considered.</i></p> <p><i>Clause 92 - Australian Standard AS 2601-1991 (Demolition of Structures).</i> <i>Clause 93 - Fire Safety Considerations (change of use of an existing building).</i> <i>Clause 94 - Fire Safety Considerations (rebuilding/altering/enlarging/extending existing building).</i> <i>Clause 94A Fire Safety Considerations (temporary structures).</i></p> <p>Not applicable.</p>	
<p><i>The Likely Impacts of the Development</i></p>	
<p><i>Context and Setting</i> – The proposed development is considered to be compatible with the context and setting of the subject site. The subject site is located in a newly-created subdivision for the purposes of a neighbourhood centre. The expected development within this area is small-scale commercial. Concerns have been raised by the community regarding impacts upon the nearby residential development. Measures and conditions have been implemented into the design and development consent to mitigate any potential impacts.</p>	Yes
<p><i>Access, Transport and Traffic</i> - Traffic modelling and service requirements for the subdivision were assessed under DA-192-2016. It is considered that traffic generation resulting from the proposed development is unlikely to exceed service delivery. It is noted that discussions are being had between Council and the developer regarding the Tomsitt Drive intersection. This does not impact upon this application.</p>	Yes
<p><i>Public Domain</i> - The proposed development will not adversely impact on public recreational opportunities, pedestrian links or access to public space.</p>	Yes
<p><i>Utilities</i> - The site is serviced with water, sewer, electricity and telecommunication services.</p>	Yes
<p><i>Heritage</i> - The proposed development will have a minimal impact in relation to heritage. The site is not heritage listed, is not adjacent to a heritage item and is not located within a Heritage Conservation Area.</p>	Yes
<p><i>Other Land Resources</i> - The proposed development will not affect the future use or conservation of valuable land resources such as: productive agricultural land; mineral and extractive resources; and water supply catchments.</p>	Yes
<p><i>Water</i> - The proposed development will have minimal impact on the conservation of water resources and the water cycle.</p>	Yes
<p><i>Soils</i> - The proposed development will have minimal adverse impact on soil conservation. The soils are suitable for the development.</p>	Yes
<p><i>Air and Microclimate</i> - The proposed development will have minimal impact on air quality and microclimatic conditions and will be conditions to prevent air pollution such as dust where required.</p>	Yes
<p><i>Flora and Fauna</i> - The proposed development will have a minimal impact in relation to the maintenance of biodiversity in the area. There are no known listings of critical habitat, threatened or endangered species, populations, ecological communities or their habitats on</p>	Yes

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<p>or in close proximity to the site. There is no vegetation removal associated with this application, as vegetation removal was assessed under the development application for the subdivision.</p>	
<p><i>Waste</i> - adequate waste facilities are available for the proposed development. Council's Waste Officer has confirmed this.</p>	Yes
<p><i>Energy</i> – A Basix Certificate was not required to be submitted as part of this application as it is not a residential structure. A Section J report will be required to be submitted as part of the Construction Certificate process including energy efficiency measures.</p>	Yes
<p><i>Noise and Vibration</i> – Given the proposed development is to operate 24 hours a day, there is potential for it to impact upon nearby residential development. A Noise Assessment prepared by Muller Acoustic Consulting was submitted as part of the application.</p> <p>The report assessed noise generating activities during three periods being day, evening and night. The noise generating activities assessed were;</p> <ul style="list-style-type: none"> • Customer light vehicles; • Truck consumable deliveries; • Waste collection; and • Mechanical plant. <p>The noise assessment was conducted with due regard to the EPA's Noise Policy for Industry (NPI) 2017 and the NSW Department of Environment and Climate Change – NSW Interim Construction Noise Guideline (ICNG July 2009). Noise receivers were placed at nearby residential dwelling houses and commercial areas. The trigger/criteria for noise levels at the residential receivers were 48dBA during the day, 45dBA in the evening and 35dBA at night. The predicted noise level at each of the residential receivers was compliant with the Noise Policy for Industry document. During the day, the highest predicted noise level was 35dBA, 35dBA in the evening and 34dBA at night. The highest predicted levels were recorded at Receiver R8, the closest receiver to the development located on the northern side of Franklin Court. The predicted noise levels at the commercial receivers were less than 30dBA and also complied.</p> <p>The results of the assessment concluded that the emissions from the project would satisfy the relevant criteria at all assessed receivers for all assessed periods. Additionally, sleep disturbance is not anticipated as emissions from the project are predicted to remain below the EPA criteria.</p> <p>The submitted report recommends that a 1.3m high acoustic fence/barrier be constructed on the eastern boundary of the subject site as well as mechanical plant being located on the rooftop with an impervious barrier that extends above the top of the plant by 0.6m. The application will be conditioned to comply with the noise assessment as well as incorporate its recommendations. Additionally, a condition will be placed on the consent requiring a noise assessment to be submitted 3 months after the issuing of an occupation certificate to ensure compliance with the submitted noise assessment and relevant noise control legislation.</p> <p>In addition to this, given the proximity of the proposed development to the nearby residential development, a condition of consent has been imposed on the proposal requiring all loading/delivery of goods and waste collection to not occur during the night time period being 10pm to 7am.</p>	Yes
	Yes

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Natural Hazards</i> – The subject site is identified as being bushfire prone land. The proposal is not a residential building and therefore is not required to be built to bushfire construction requirements.	
<i>Technological Hazards</i> – There are no known technological hazards on site.	Yes
<i>Safety, Security and Crime Prevention</i> – The application has been assessed with regards to CPTED principles. See assessment against Part 2.9 of QDCP for detail.	Yes
<i>Social Impact in the Locality</i> – It is considered that the proposed development is unlikely to have a significant	Yes
<i>Economic Impact in the Locality</i> – It is considered that the proposed development will have minimal economic impact in the locality. Whilst the proposal will bring competition to existing and future commercial premises in the locality, it can be said that the proposal will also bring employment opportunities.	Yes
<i>Site Design and Internal Design</i> - The site design and internal design of the development has been assessed under the QDCP 2012. The proposed design is considered to be satisfactory.	Yes
<i>Construction</i> - The construction stage of the proposed development will have the potential to impact on adjoining properties and the environment for a short period of time. Any approval will be conditioned to ensure construction activities do not unreasonably impact on the adjoining properties and their occupants and the environment by way of noise, erosion and the like. These conditions are standard Council conditions of development consent.	Yes
<i>Cumulative Impacts</i> - Cumulative impacts relate to the small impacts of developments in an area that when considered in unison can result in detrimental impact on the natural or built environment. It is considered unlikely that the proposed development will result in adverse cumulative impact.	Yes
<i>The Suitability of the Site for the Development</i>	
<i>Does the proposal fit in the locality?</i> – The locality is a mix of residential development and a small scale neighbourhood shops development. The proposal is the first application within the Poplars development and is considered to be consistent with the locality. The subject site is zoned B1 Neighbourhood Centre in which commercial development such as is proposed is permissible with consent, and therefore it is considered the proposal will fit in with surrounding land uses.	Yes
<i>Are the site attributes conducive to development?</i> – Site attributes such as configuration, size and slope, are considered to be generally conducive to the proposed development.	Yes
<i>Have any submissions been made in accordance with the Act or the Regulations?</i>	
<i>Public Submissions</i> – The application was notified to adjoining owners and a notice was put in the local newspaper for 14 days in accordance with Part 1 of the QDCP 2012. 24 submissions were received. For detailed response to the issues raised, please see engagement section of the Staff Report.	
<i>Submissions from Public Authorities</i> – The application was not required to be referred to public authorities for comment.	

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)												
<i>The Public Interest</i>													
The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.	Yes												
<i>Government and Community Interests</i>													
It is considered that government and community interests will not be adversely affected by the proposed development.													
<i>Development Contributions</i>													
<p><u>Section 7.11 Contributions</u> The South Jerrabomberra Local Contributions Plan 2018 applies to the proposal as it is located in the Poplars precinct. The plan applies to retail, commercial and other non-residential development (including subdivision of land), where that development would create a net increase in demand for the public amenities and services to be provided under this plan.</p> <p>Table 3 - Non Residential Contribution Rates Per Hectare <i>North Poplars = \$150,311.46/ha</i></p> <p>Subject site area of 3108m² - 0.3108ha 0.3108 x \$150,311.46 = \$46,716.80 *this figure has not been indexed and will be subject to previous and future CPI increases*</p> <p>Table 4: Development exempt from the need to pay a contribution Table 4 states that development where a contribution has previously been paid for the same development at the subdivision stage under a predecessor plan. No Section 7.11/94 contributions were paid under this plan under Development Application 192-2016, therefore, the above contributions are applicable.</p> <p><u>Section 64 Contributions</u> The subject land has not been developed prior to the Poplars Subdivision nor had an approved use under its current zoning. With the construction of the subdivision, Council incorrectly applied a rate of 1 Equivalent Tenement (ET) per lot created (crediting 1 ET to the development for the previous use) and charged Section 64 contributions accordingly. As such, the subject lot technically only has a credit of 1 ET for both water and sewer. The rate that should have been applied is 15 ETs per Ha in accordance with the recommendation of the Water Directorate for light industry with unknown future use. To prevent prohibitive S64 contributions due to Council's error, it is recommended that the site should be granted a credit in accordance with the light industry rate.</p> <p>The "Water Directorate Section 64 Determination of Equivalent Tenements Guidelines 2017" was used to determine the appropriate rates to calculate the resultant ETs for the development.</p> <p>The following table provides calculations for the applicable ETs:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"><u>Item</u></th> <th style="text-align: center;"><u>No of Units</u></th> <th style="text-align: center;"><u>ETs per Unit</u></th> <th style="text-align: center;"><u>ETs</u></th> </tr> </thead> <tbody> <tr> <td><u>Water</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Fast food/takeway w/ amenities.</td> <td style="text-align: center;">483 m² GFA</td> <td style="text-align: center;">0.03</td> <td style="text-align: center;">14.49</td> </tr> </tbody> </table>		<u>Item</u>	<u>No of Units</u>	<u>ETs per Unit</u>	<u>ETs</u>	<u>Water</u>				Fast food/takeway w/ amenities.	483 m ² GFA	0.03	14.49
<u>Item</u>	<u>No of Units</u>	<u>ETs per Unit</u>	<u>ETs</u>										
<u>Water</u>													
Fast food/takeway w/ amenities.	483 m ² GFA	0.03	14.49										

MATTERS FOR CONSIDERATION				COMPLIES (Yes/No)
Allow for existing lot	0.311 Ha	15	- 4.67	
Total ETs				
Total Water ET Contributions Payable for this development:			+ 9.82	
Sewer				
Fast food/takeway w/ amenities	483 m ² GFA	0.05	24.15	
Allow for existing lot	0.311 Ha	15	- 4.67	
Total ETs				
Total Sewer ET Contributions Payable for this development:			+ 19.48	
Water Contribution Jerrabomberra Zone: 9.82ET = \$90,211.68 Sewer Contribution West Zone: 19.48ET = \$28787.99				
Total Section 64 Contributions Required: \$118,999.67				

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

ITEM 10.1 DA 446-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
 INCLUDING REVISED PYLON SIGN DESIGN - 6
 FERDINAND LANE, JERRABOMBERRA

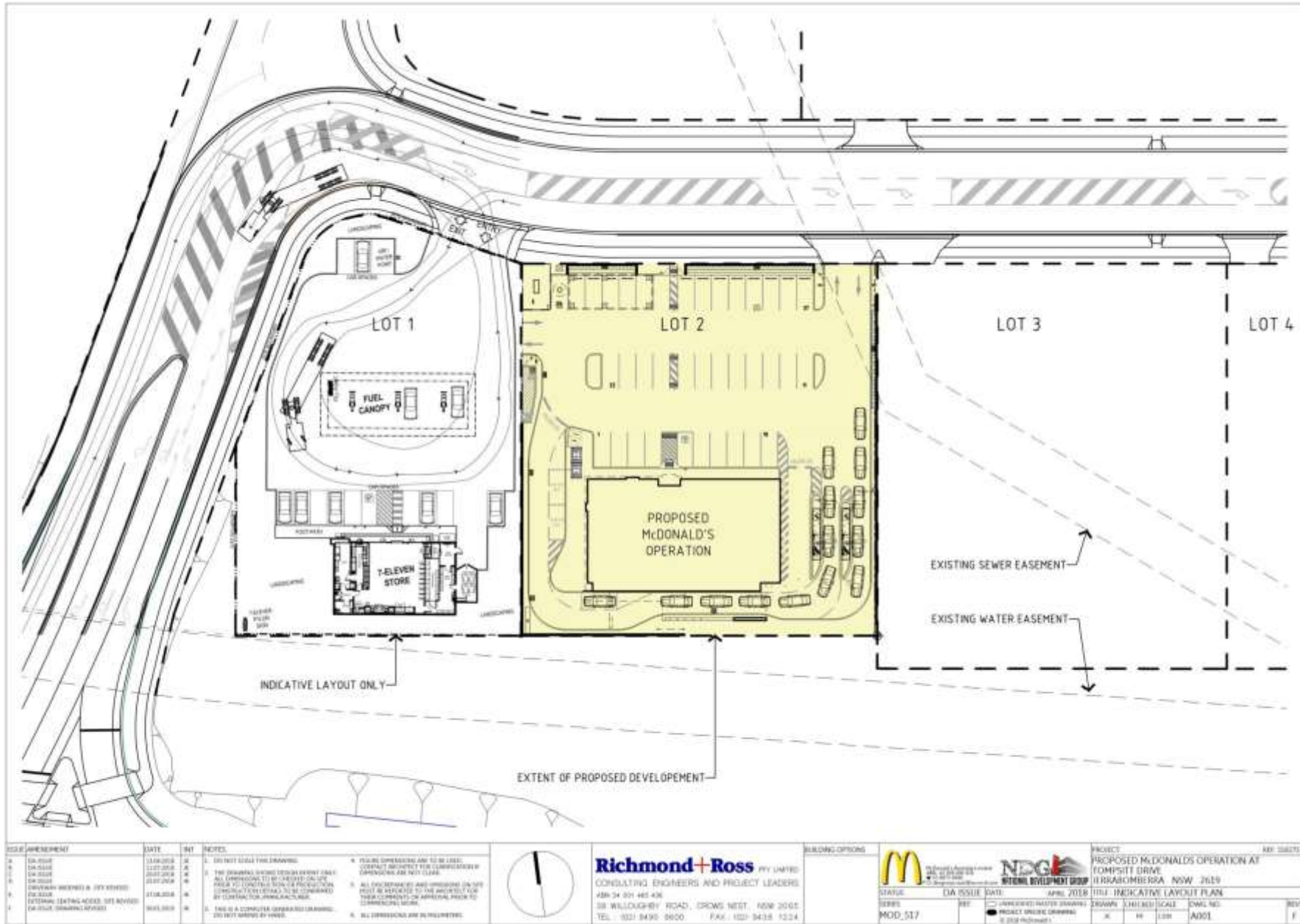
ATTACHMENT 4 DA 446-2018 - ARCHITECTURAL PLANS - 6 FERDINAND LANE

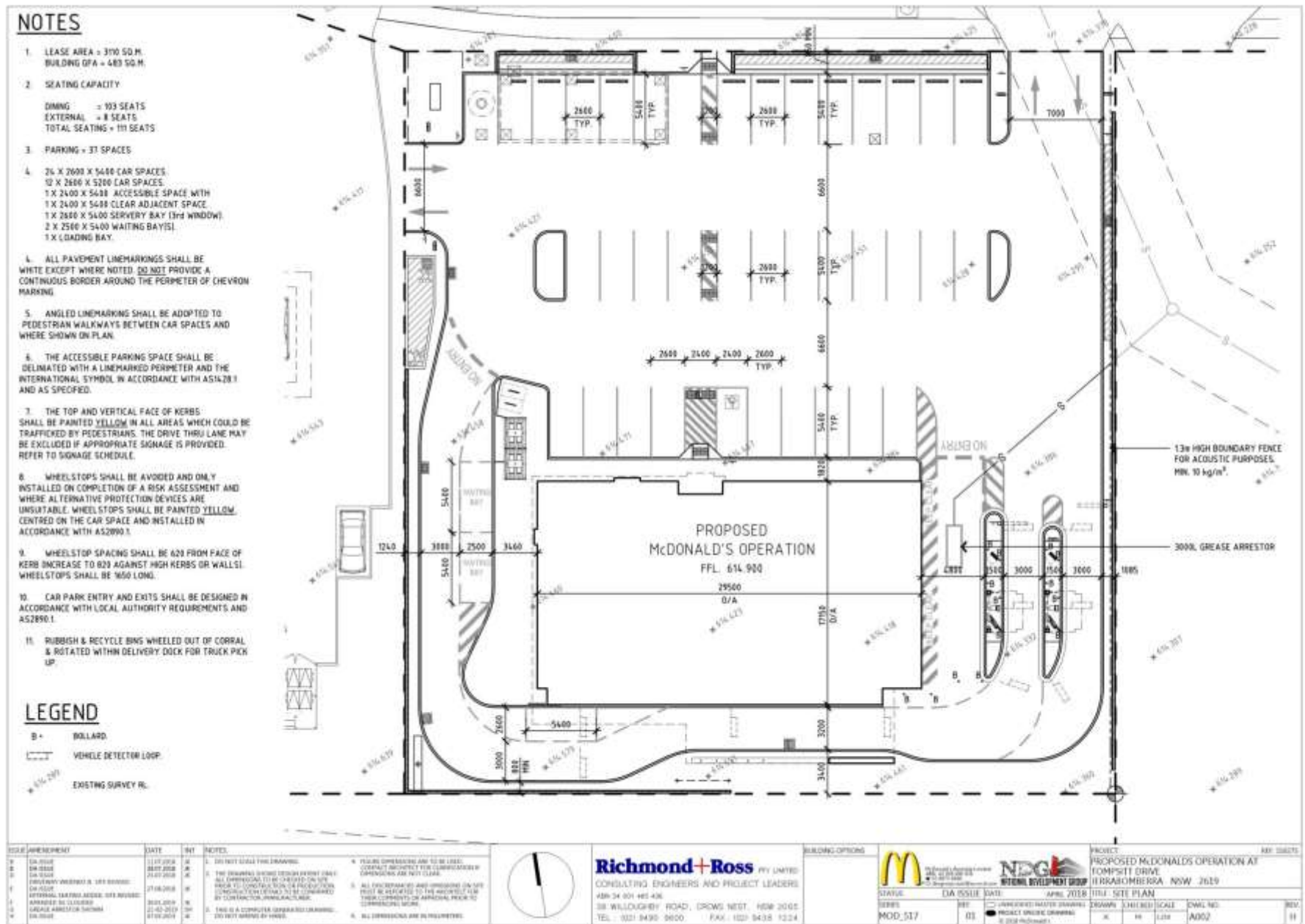
PROPOSED McDONALD'S OPERATION AT:
TOMPSITT DRIVE
JERRABOMBERRA NSW 2619

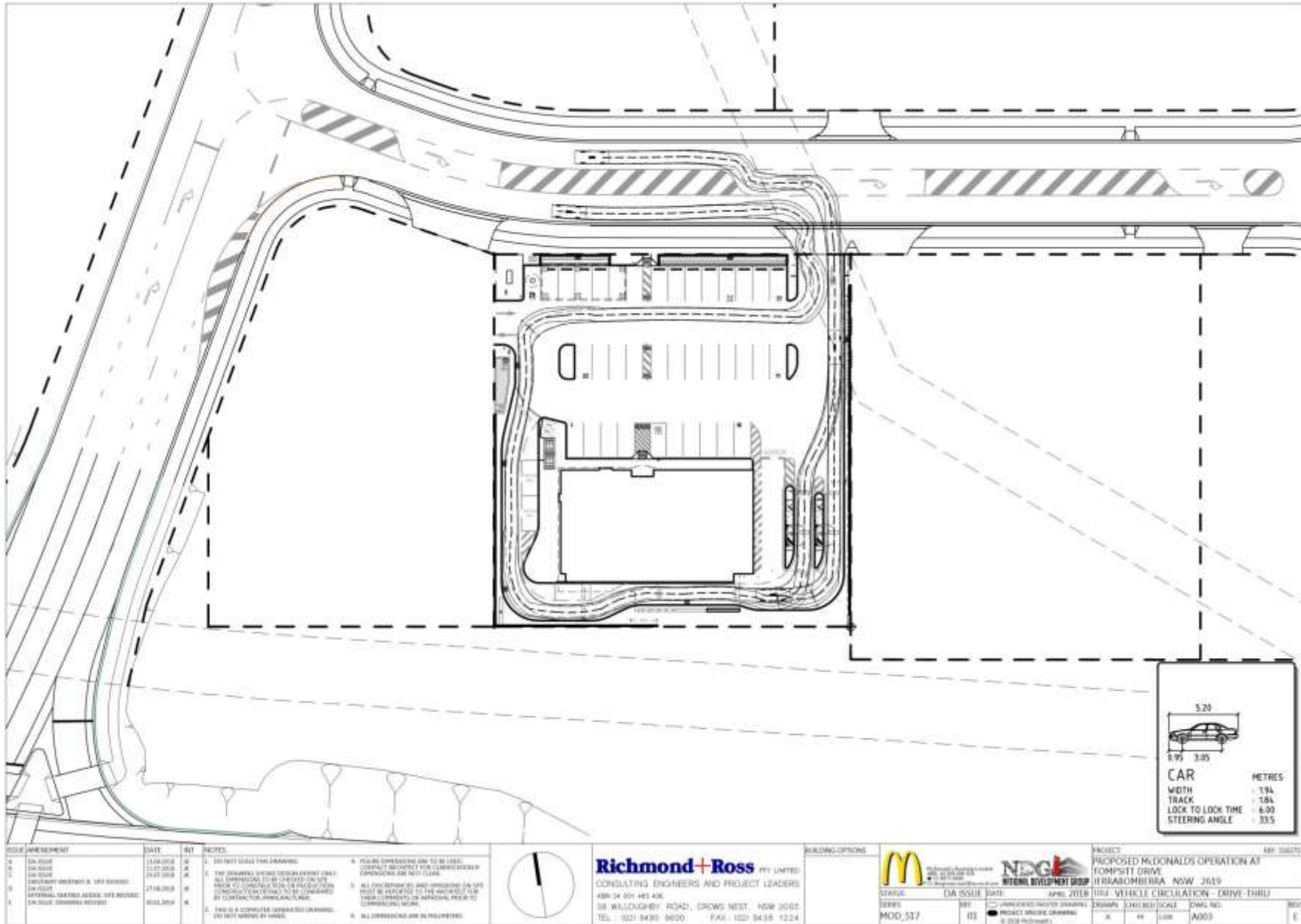


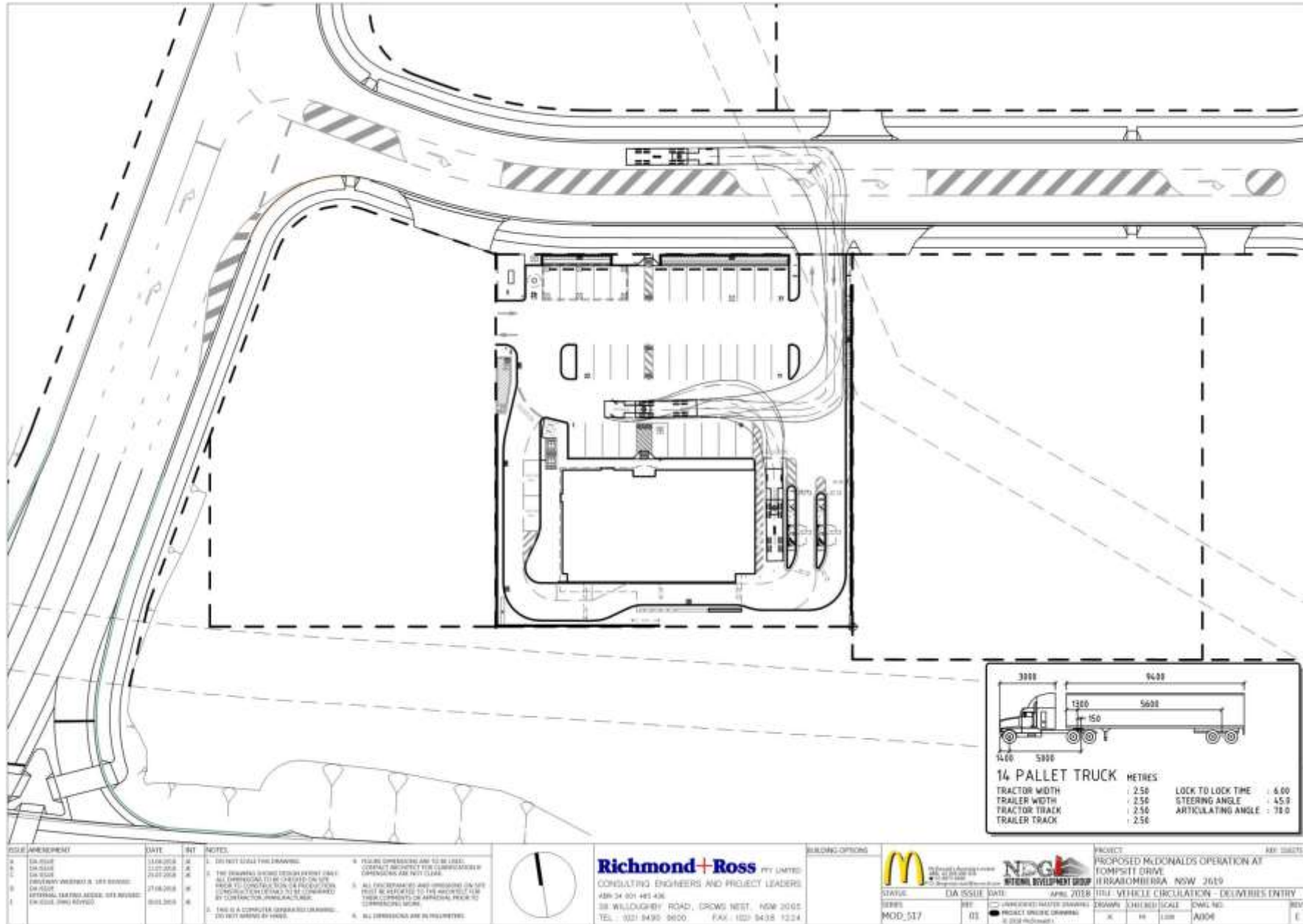
STAGE:
DA ISSUE
ISSUE F, JAN 2019











ISSUE/AMENDMENT	DATE	BY	NOTES
1. DA ISSUE	11.09.2018	AR	1. DO NOT SCALE THIS DRAWING.
2. DA ISSUE	11.09.2018	AR	2. PLEASE DIMENSIONS ARE TO BE USED. GENERAL DIMENSIONS FOR CONFORMANCE DIMENSIONS ARE NOT CLEAR.
3. DA ISSUE	21.01.2018	AR	3. THE DIMENSIONAL SIGN DESIGN FRONT PANEL AND DIMENSIONS TO BE CHECKED ON THE PANEL TO CONFIRM SIGN OR PRODUCTION DIMENSIONS FOR SIGN TO BE COMPLETED BY CONTRACTOR/INSTALLER.
4. DA ISSUE	01.08.2018	AR	4. ALL DIMENSIONS AND DIMENSIONS ON THE PLAN TO BE RECHECKED TO THE ARCHITECT FOR THEIR CONFIRMATION ON APPROVAL PRIOR TO COMMENCING WORK.
5. DA ISSUE	03.01.2018	AR	5. THIS IS A COMPUTER GENERATED DRAWING. DO NOT SCALE BY HAND.
			6. ALL DIMENSIONS ARE IN METRES.

Richmond+Ross PTY LIMITED
 CONSULTING ENGINEERS AND PROJECT LEADERS
 48/24 301 485 436
 38 WILLOUGHBY ROAD, CROWS NEST, NSW 2065
 TEL : 021 9430 9650 FAX : 021 9438 1224

BUILDING OPTIONS

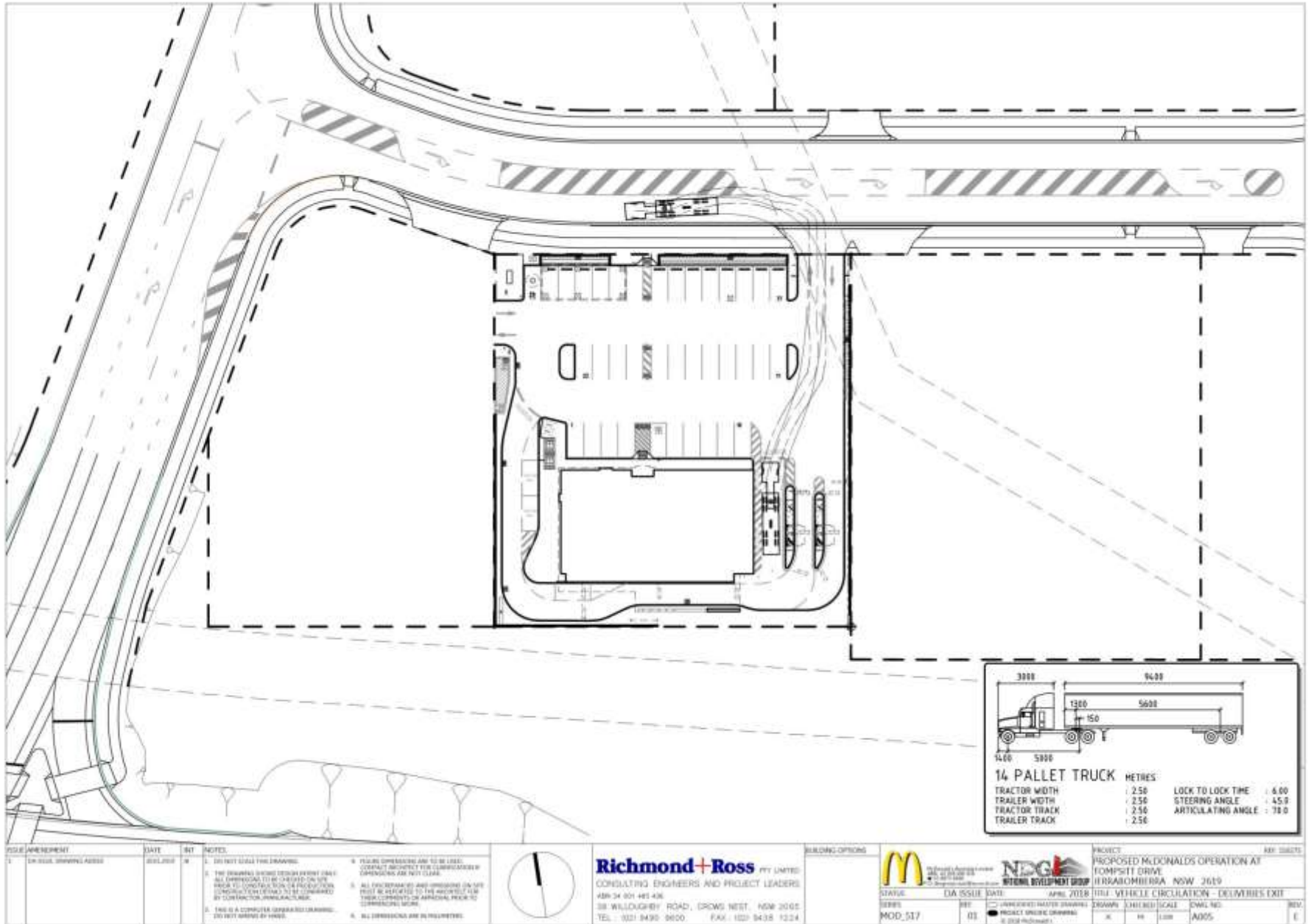
McDonald's
 2018-2019
 5 YEARS

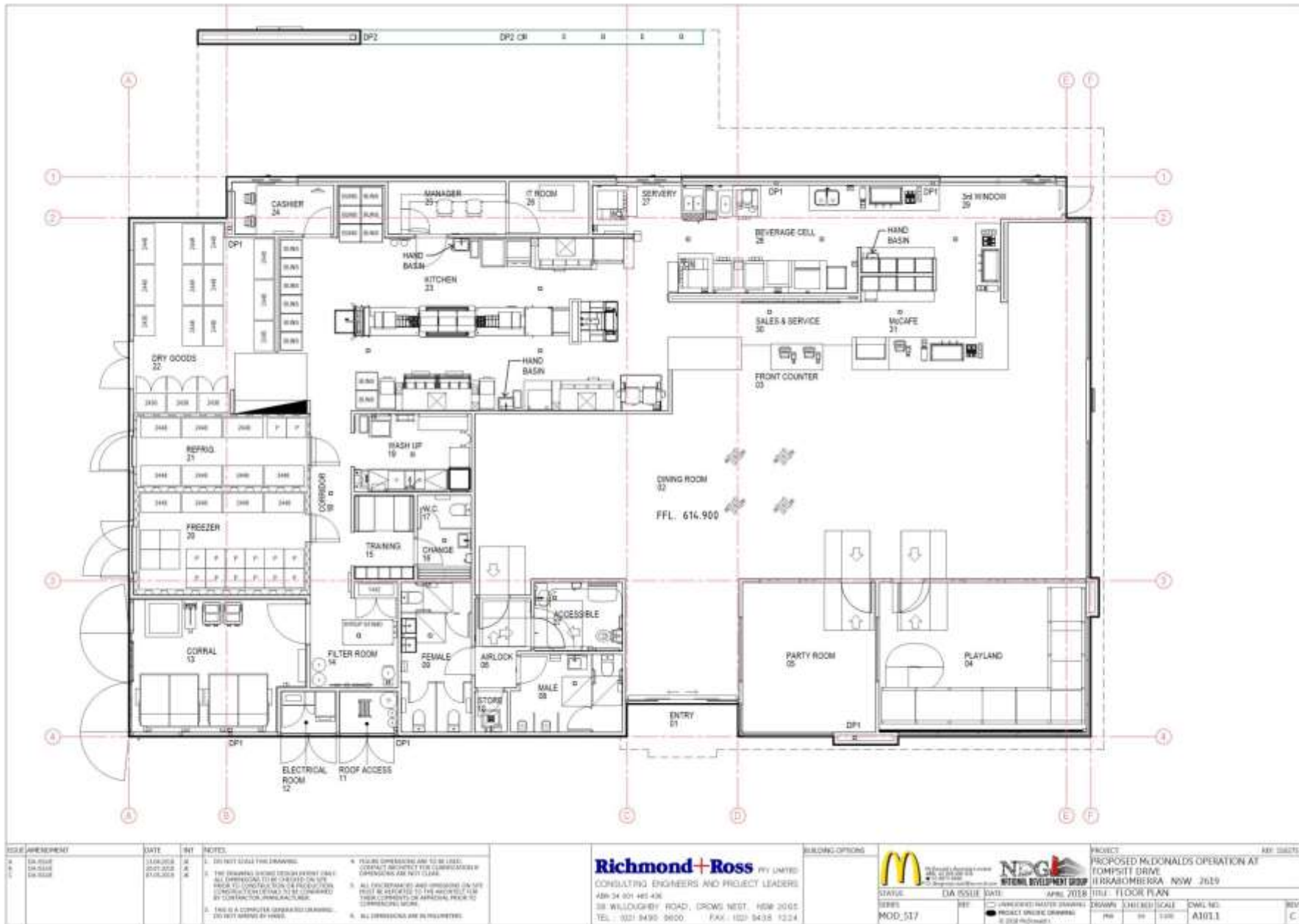
NDG
 NATIONAL DEVELOPMENT GROUP

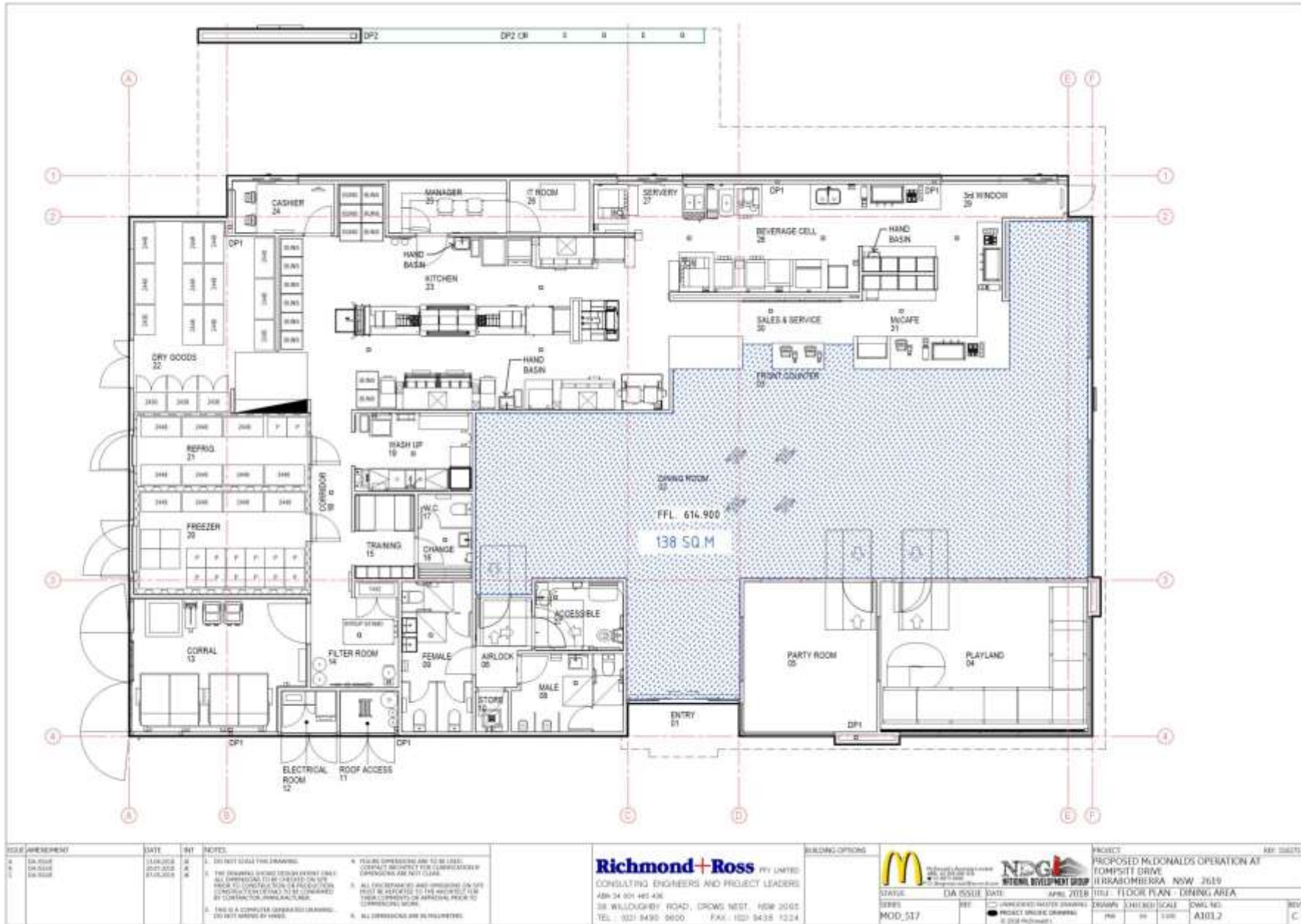
STATUS: DA ISSUE DATE: APRIL 2018
 SERIES: 03
 MOD: 517

PROJECT: PROPOSED MCDONALDS OPERATION AT COMPOSITE DRIVE JERRABOMBERRA, NSW 2619
 TITLE: VEHICLE CIRCULATION - DELIVERIES ENTRY

SCALE: 1:100
 DATE: 11/09/2018
 DRAWN: AR







WALL FINISHES LEGEND				
MATERIAL	TYPE	SPEC. REF.	DEFINITION	QUANTITY
AN	01		ANODISED ALUMINIUM	3 m ²
BT	01	12.E.1	ROBERTSON BRICKS RUSTIC RED BRICK FACING TLE (Pn: 03 8106 1506) UNLESS NOTED OTHERWISE IN DECOR CONSULTANT DOCUMENTS	23 m ²
CT	03	12.D.1	METZ PTY LTD WHITE GLOSS 400mm X 300mm X 7mm WALL TLE. PROVIDE MATCHING EXTRUDED TRIM AT ALL EXTERNAL CORNERS WHERE STAINLESS STEEL CORNER GUARDS ARE NOT PROVIDED.	146 m ²
CT	04	12.D.1	METZ PTY LTD WASHUP WHITE 300mm X 300mm X 6mm WALL TLE. PROVIDE MATCHING EXTRUDED TRIM AT ALL EXTERNAL CORNERS WHERE STAINLESS STEEL CORNER GUARDS ARE NOT PROVIDED.	31 m ²
CT	DEC			83 m ²
IF	01	1.C.3	INSULATED PANEL WITH COVED ALUMINIUM SKIRTING TO THE REFRIGERATION CONTRACTORS SPECIFICATION	74 m ²
MWC	01	7.G.2	DECOWOOD (TIMBER LOOK ALUMINIUM CLADDING SYSTEM USING DECOCLOAD SHADOWLINE PROFILE IN WEATHERED TIMBER (COLOUR) FINISH, FURRING CHANNELS, DECOWOOD WALL STARTERS, EXTERNAL / INTERNAL CORNERS, VERTICAL WALL JOINERS, HEAD / JAMB FLASHINGS, SOFFIT CLIPS AND FIXINGS MUST BE USED, AS DETAILED IN THE ULLTRACLOAD INSTALLATION MANUAL.	32 m ²
MWC	02	11.G.1	LYSAGHT CUSTOM ORB 42MM BMT CORRUGATED STEEL RIVET FIXED VERTICALLY TO FRAMES. PROVIDE WEATHER TIGHT FINISH BY UTILIZING ALL NECESSARY MATCHING ACCESSORIES. THE COMPLETE CUSTOM ORB INSTALLATION INCLUDING FASTENERS AND ACCESSORIES SHALL BE AS SPECIFIED, DRAWN AND IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND SHALL COMPLY WITH AS 1592 AND SAA HB 39	247 m ²
PC	01	8.D.11	POWDER COAT FINISH - DULUX BLACK	12 m ²
PC	02	8.D.11	POWDER COAT FINISH - COLORBOND COLOUR WOODLAND GREY	30 m ²
PT	01	17	DULUX VIVID WHITE PAINT FINISH. REFER TO SPECIFICATION FOR DETAILS ON PAINT TYPE AND APPLICATION	83 m ²
PT	02	17	DULUX WOODLAND GREY PAINT FINISH. REFER TO SPECIFICATION FOR DETAILS ON PAINT TYPE AND APPLICATION	460 m ²
PT	05	17	DULUX McDONALD'S RED (HOT LIPS) R180-9000-8022 (DESCRIPTION TO BE CONFIRMED WITH DULUX PAINT FINISH. REFER TO SPECIFICATION FOR DETAILS ON PAINT TYPE AND APPLICATION	45 m ²
PT	06	17	DULUX VANILLA QUAKE HALF PAINT FINISH. REFER TO SPECIFICATION FOR DETAILS ON PAINT TYPE AND APPLICATION	186 m ²
PT	DEC	23.0	PAINT FINISH. REFER TO DECOR CONSULTANT'S DETAILS	82 m ²
STN	01	8.D.1	RECONSTITUTED STONE. REFER TO DECOR CONSULTANT DOCUMENTS	5 m ²
UFC	APS	H-E	IN-SITU CONCRETE AS PER SPECIFICATION	2 m ²

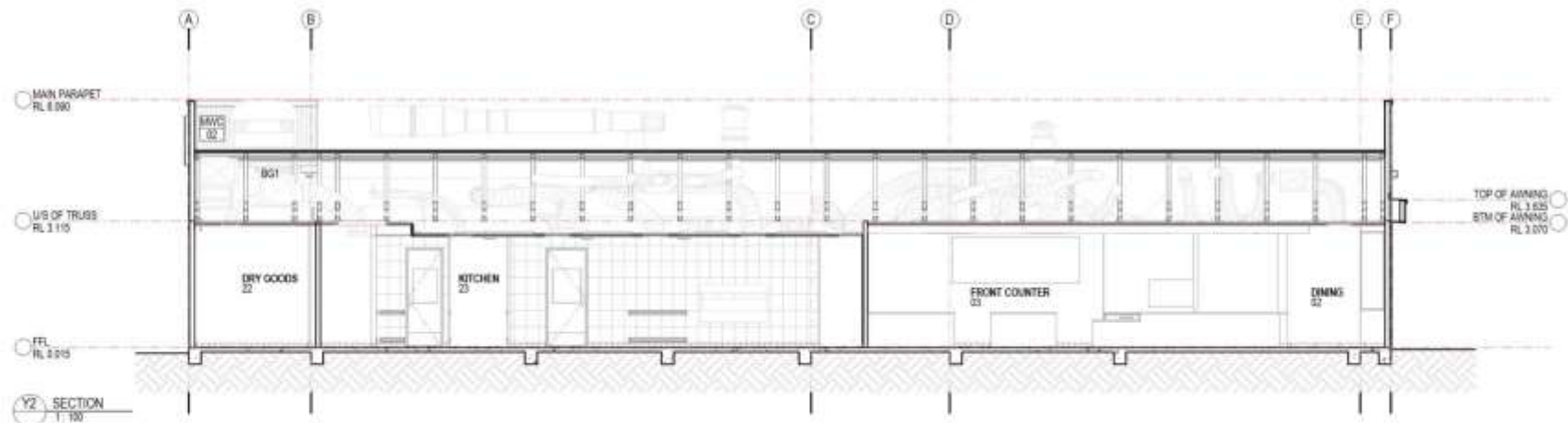
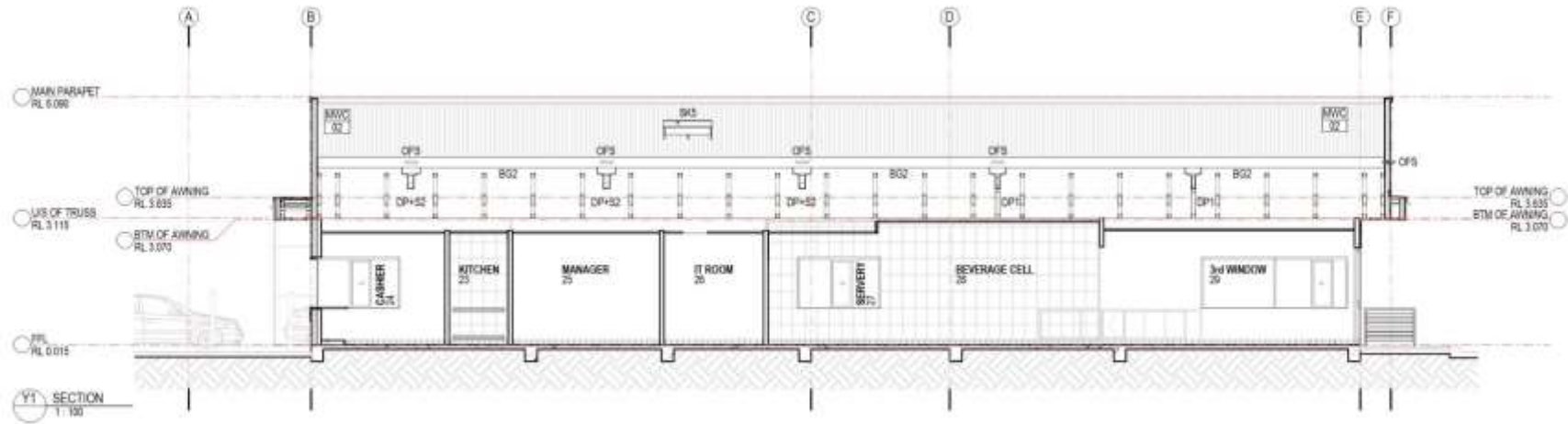
PREFINISHED METAL CAPPING & FLASHING				
MATERIAL	TYPE	SPEC. REF.	DEFINITION	QUANTITY
MC	01	11.E.2	COLORBOND JASPER PEFINISHED METAL CLADDING / FLASHING / CAPPING	1.3 m ²
MC	02	11.E.2	COLORBOND SURFIST PEFINISHED METAL CLADDING / FLASHING / CAPPING	0.4 m ²
MC	03	11.E.2	COLORBOND WOODLAND GREY PEFINISHED METAL CLADDING / FLASHING / CAPPING	
MC	04	11.E.2	COLORBOND MANOR RED PEFINISHED METAL CLADDING / FLASHING / CAPPING	

<table border="1"> <thead> <tr> <th>ISSUE / AMENDMENT</th> <th>DATE</th> <th>BY</th> <th>NOTES</th> </tr> </thead> <tbody> <tr> <td>1. ON ISSUE</td> <td>22/01/2018</td> <td>RWR</td> <td></td> </tr> <tr> <td>2. ON ISSUE</td> <td>15/04/2018</td> <td>MC</td> <td> 1. DO NOT SCALE THIS DRAWING. 2. THE DRAWING SHOULD BE USED AS A GUIDE ONLY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK. 3. THIS IS A COMPUTER GENERATED DRAWING. DO NOT SCALE BY HAND. 4. PLEASE DIMENSIONS ARE TO BE USED. CHECK ALL DIMENSIONS FOR CORRECTNESS. DIMENSIONS ARE NOT CLEAR. 5. ALL DIMENSIONS ARE TO BE USED. CHECK ALL DIMENSIONS FOR CORRECTNESS. DIMENSIONS ARE NOT CLEAR. 6. ALL DIMENSIONS ARE TO BE USED. CHECK ALL DIMENSIONS FOR CORRECTNESS. DIMENSIONS ARE NOT CLEAR. </td> </tr> </tbody> </table>	ISSUE / AMENDMENT	DATE	BY	NOTES	1. ON ISSUE	22/01/2018	RWR		2. ON ISSUE	15/04/2018	MC	1. DO NOT SCALE THIS DRAWING. 2. THE DRAWING SHOULD BE USED AS A GUIDE ONLY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK. 3. THIS IS A COMPUTER GENERATED DRAWING. DO NOT SCALE BY HAND. 4. PLEASE DIMENSIONS ARE TO BE USED. CHECK ALL DIMENSIONS FOR CORRECTNESS. DIMENSIONS ARE NOT CLEAR. 5. ALL DIMENSIONS ARE TO BE USED. CHECK ALL DIMENSIONS FOR CORRECTNESS. DIMENSIONS ARE NOT CLEAR. 6. ALL DIMENSIONS ARE TO BE USED. CHECK ALL DIMENSIONS FOR CORRECTNESS. DIMENSIONS ARE NOT CLEAR.	<p>Richmond+Ross PTY LIMITED CONSULTING ENGINEERS AND PROJECT LEADERS 486-54 901 465 436 38 WILLOUGHBY ROAD, DROWS BEND, NSW 2605 TEL : 021 9430 9600 FAX : 1021 9438 1224</p>	<p>BUILDING OPTIONS</p>   <p>STATUS: DA ISSUE DATE: APRIL 2018 SERIES: PROJECT SPECIFIC DRAWING MOD: 517</p>	<p>PROJECT: PROPOSED McDONALD'S OPERATION AT COMPOSITE DRIVE JERRABOMBERRA NSW 2629 TITLE: FINISHES SCHEDULE DRAWN: L.H. HEDGECOCK SCALE: 1:100 DATE: 15/04/18 DWG NO: A205</p>
ISSUE / AMENDMENT	DATE	BY	NOTES												
1. ON ISSUE	22/01/2018	RWR													
2. ON ISSUE	15/04/2018	MC	1. DO NOT SCALE THIS DRAWING. 2. THE DRAWING SHOULD BE USED AS A GUIDE ONLY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK. 3. THIS IS A COMPUTER GENERATED DRAWING. DO NOT SCALE BY HAND. 4. PLEASE DIMENSIONS ARE TO BE USED. CHECK ALL DIMENSIONS FOR CORRECTNESS. DIMENSIONS ARE NOT CLEAR. 5. ALL DIMENSIONS ARE TO BE USED. CHECK ALL DIMENSIONS FOR CORRECTNESS. DIMENSIONS ARE NOT CLEAR. 6. ALL DIMENSIONS ARE TO BE USED. CHECK ALL DIMENSIONS FOR CORRECTNESS. DIMENSIONS ARE NOT CLEAR.												



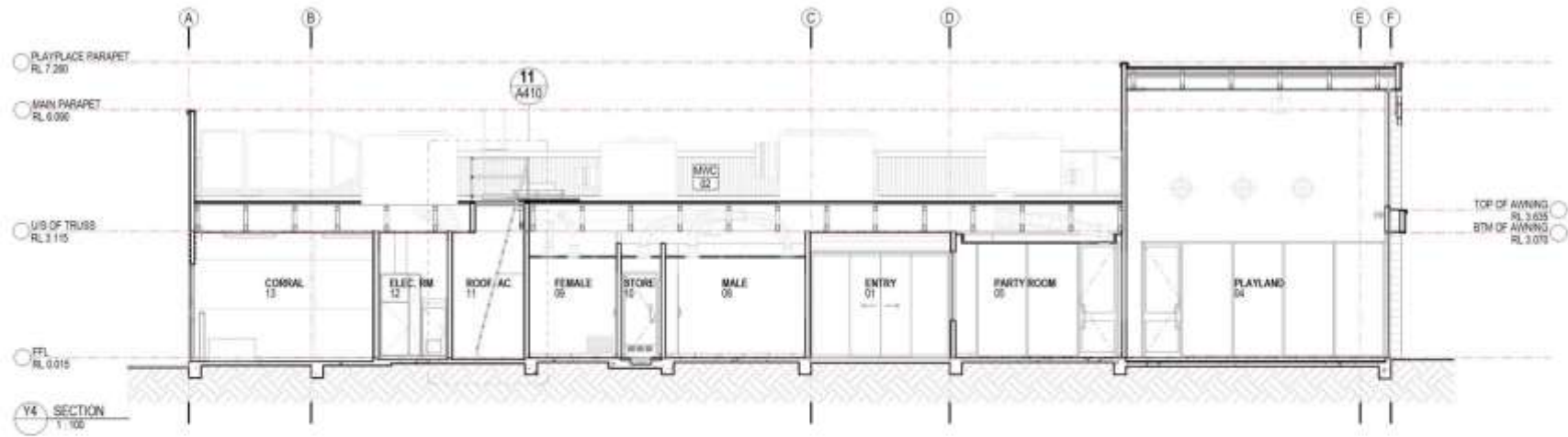
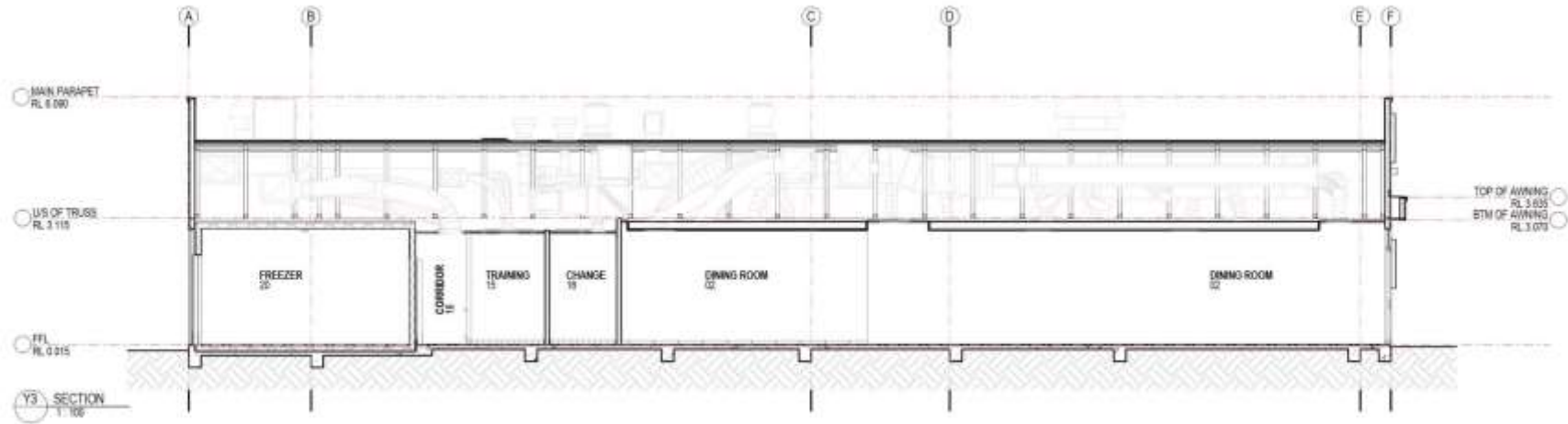






Revisions	Approved Notes	Checked Notes
1. 15/06/2018 Architectural	<p>To be used for the building. The drawings are prepared and approved for construction. The drawings are to be used for construction purposes. Construction shall be in accordance with the approved drawings. The drawings are to be used for construction purposes. The drawings are to be used for construction purposes.</p>	

<p>McDonald's Australia Limited 1111 Sturt Street Sydney NSW 2000 Australia</p>	<p>Project Engineer: Andrew Hogg 02 9550 1000 1111 Sturt Street Sydney NSW 2000 Australia</p>	<p>Project: 6 FERDINAND LANE JERRABOMBERRA</p> <p>Location: 6 FERDINAND LANE JERRABOMBERRA NSW 2533</p>	<p>Scale: 1:100 (A3) 1:100 (A4)</p> <p>Drawn: BUILDING SECTION Y1, Y2</p> <p>Project Number: 150275</p> <p>Drawing Number: A304</p> <p>Sheet: A</p>
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Notes

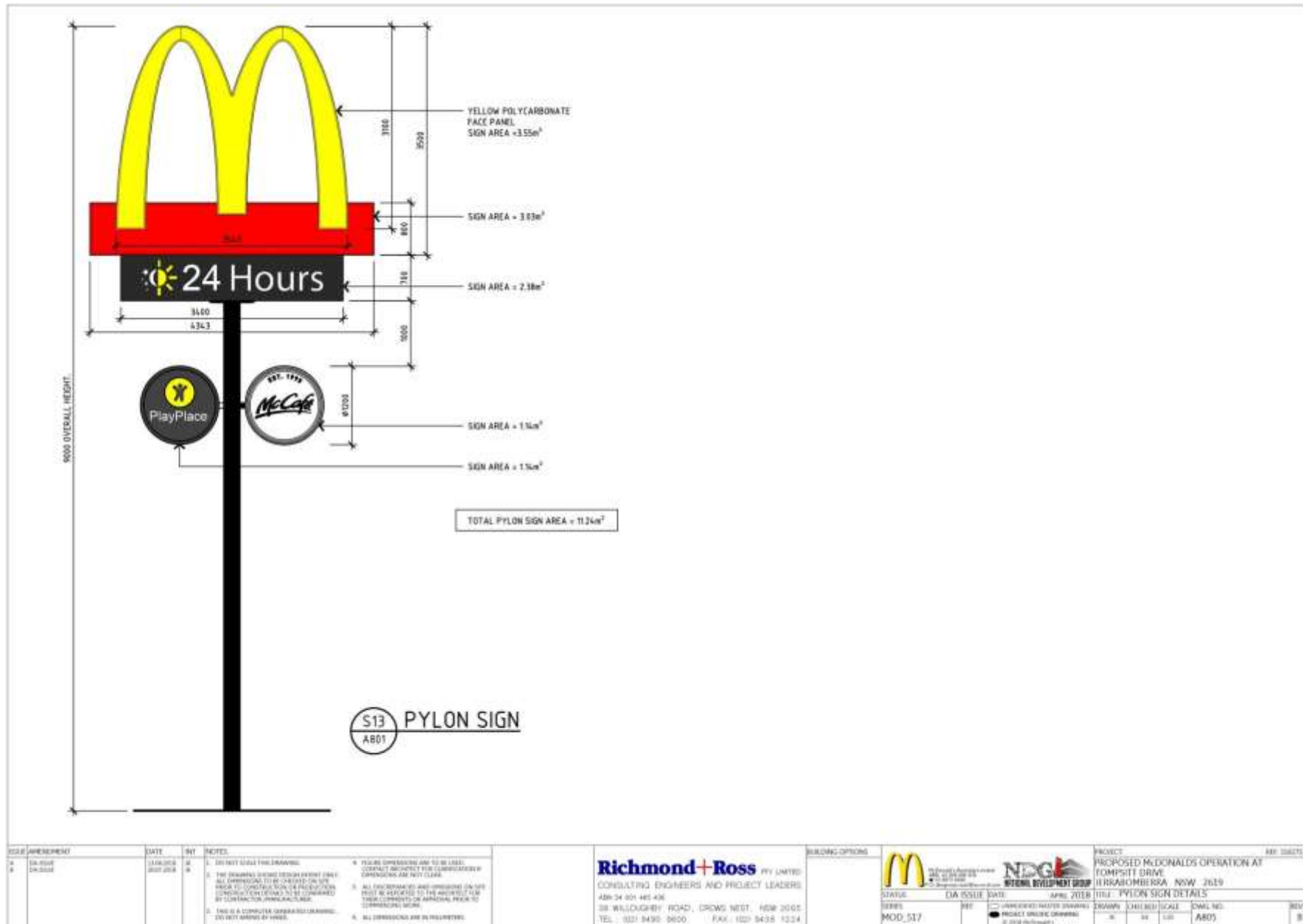
1. GENERAL: Refer to the site plan for the location of the building on the site. The building is to be constructed on the site shown on the site plan. The building is to be constructed on the site shown on the site plan. The building is to be constructed on the site shown on the site plan.



Project Engineer:
 [Name]
 [Contact Info]

Project:
 [Project Name]
 [Address]

Drawn:
 [Name]
Checked:
 [Name]
Project Number: 150275
Drawing Number: A305
Scale: A



S1 HANGING SIGN
 A801 YELLOW LOGO WITH INDIVIDUAL POLYCARBONATE LETTERING FIXED TO FRAME. INTERNALLY ILLUMINATED WHITE LETTERS.

S2 WALL SIGN
 A801 INDIVIDUAL POLYCARBONATE LETTERING INTERNALLY ILLUMINATED. WHITE LETTERS.

S3 WALL/BLADE SIGN
 A801 YELLOW FLAT FACE POLYCARBONATE LOGO INTERNALLY ILLUMINATED. YELLOW LOGO ON SOLID RED BACKGROUND.

S2C ENTRY CLIP
 A801 LED ILLUMINATED WORDMARK ONLY. RED CLIP TO BE CONSTRUCTED BY THE BUILDER.

SSA WALL SIGN
 A801 FABRICATED METAL BUTTON SIGN. OPAL FACES WITH BLACK VINYL GRAPHICS. LED ILLUMINATION.

S5B BLADE SIGN
 A801 INDIVIDUAL HALO ILLUMINATED REVERSE PAN FABRICATED ALUMINUM CHANNEL LETTERS. BRUSHED ALUMINUM FINISH.

COD UNIT BASE PLATE DETAIL
 SCALE 1:10

S7 DIGITAL MENUBOARDS
 A801

S8 DIRECTIONAL SIGN
 A801

ALTERNATIVE WORDING
 (ALL IN TITLE CASE)
 "DRIVE THRU",
 "WELCOME",
 "NO ENTRY",
 "THANK YOU",
 "ANY LANE, ANY TIME"

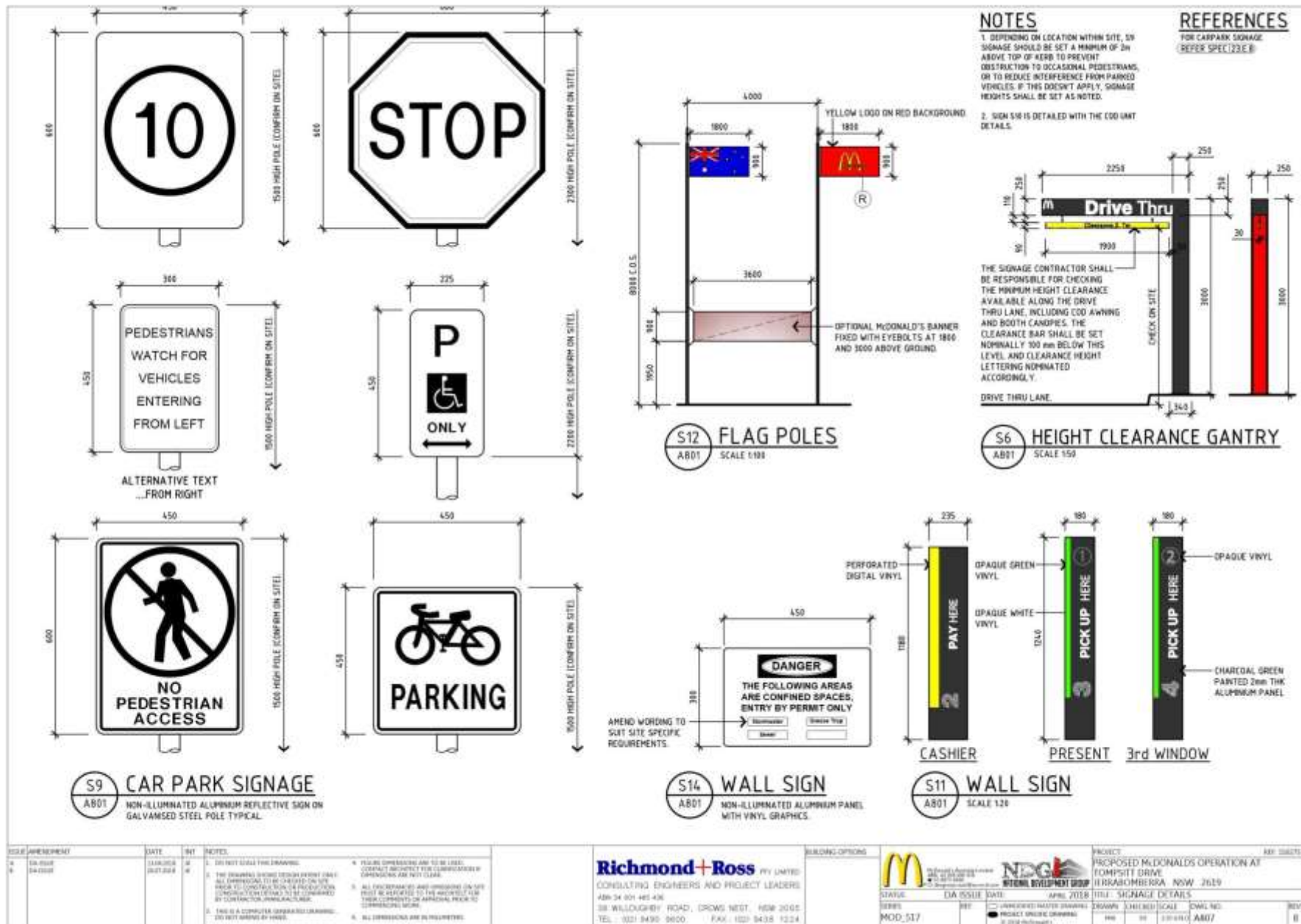
SCALE/REVISION	DATE	BY	NOTES
1	14/06/2018	NR	1. THIS NOT SCALE THIS DRAWING. 2. THE DRAWING SHOULD BE USED TO OBTAIN QUOTES FOR THE SUPPLY AND INSTALLATION OF THE SIGNAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES. 3. THIS IS A COMPUTER GENERATED DRAWING. IT MUST BE CHECKED BY THE USER.
2	14/06/2018	NR	4. PLEASE CONSIDERATION AS TO BE USED. (CONTRACTOR RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.) 5. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SPECIFIED. 6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

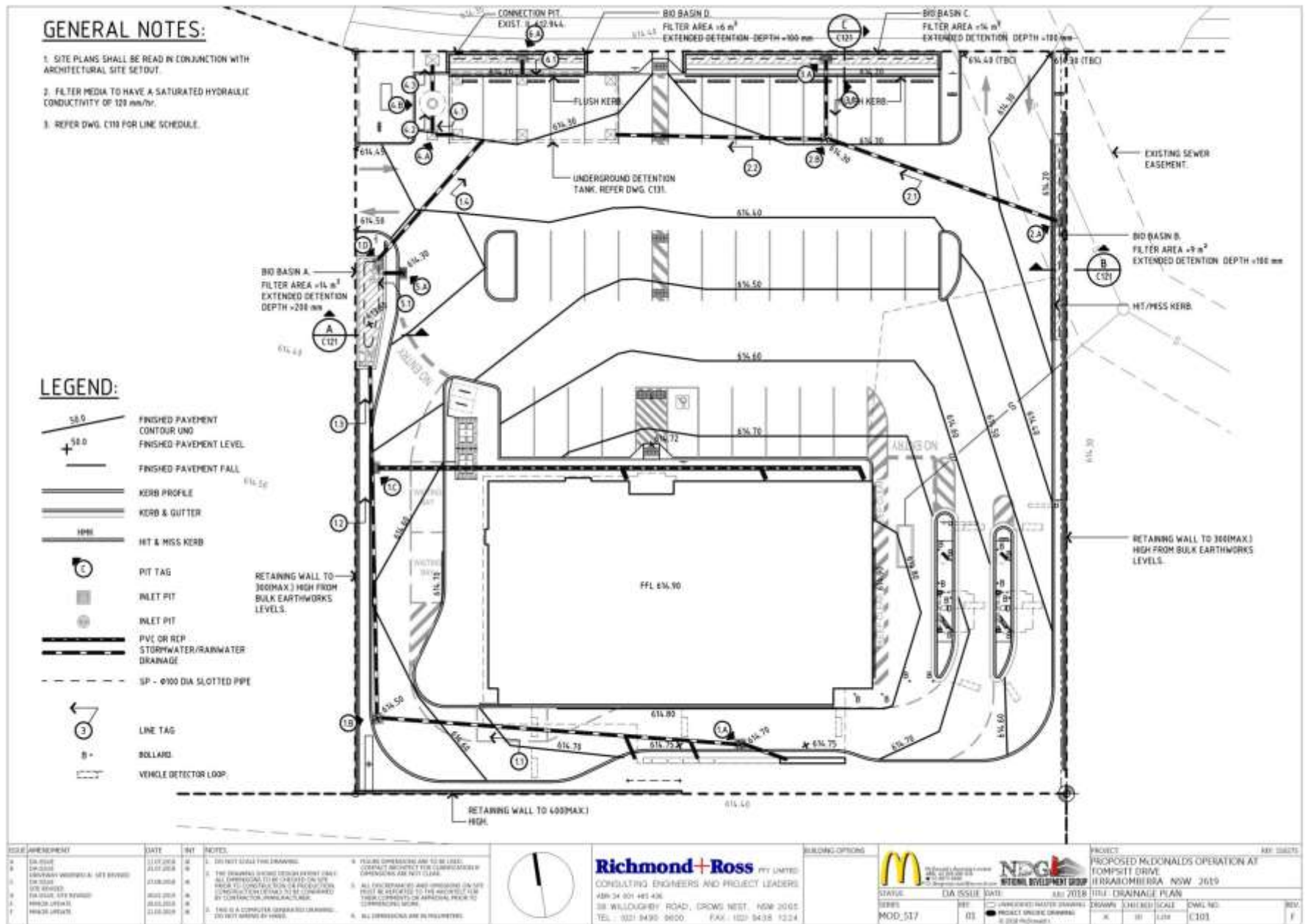
Richmond+Ross PTY LIMITED
 CONSULTING ENGINEERS AND PROJECT LEADERS
 A80-24 201 485 406
 28 WILLOUGHBY ROAD, CROWS NEST, NSW 2085
 TEL : 002 9430 2600 FAX : 002 9438 1224

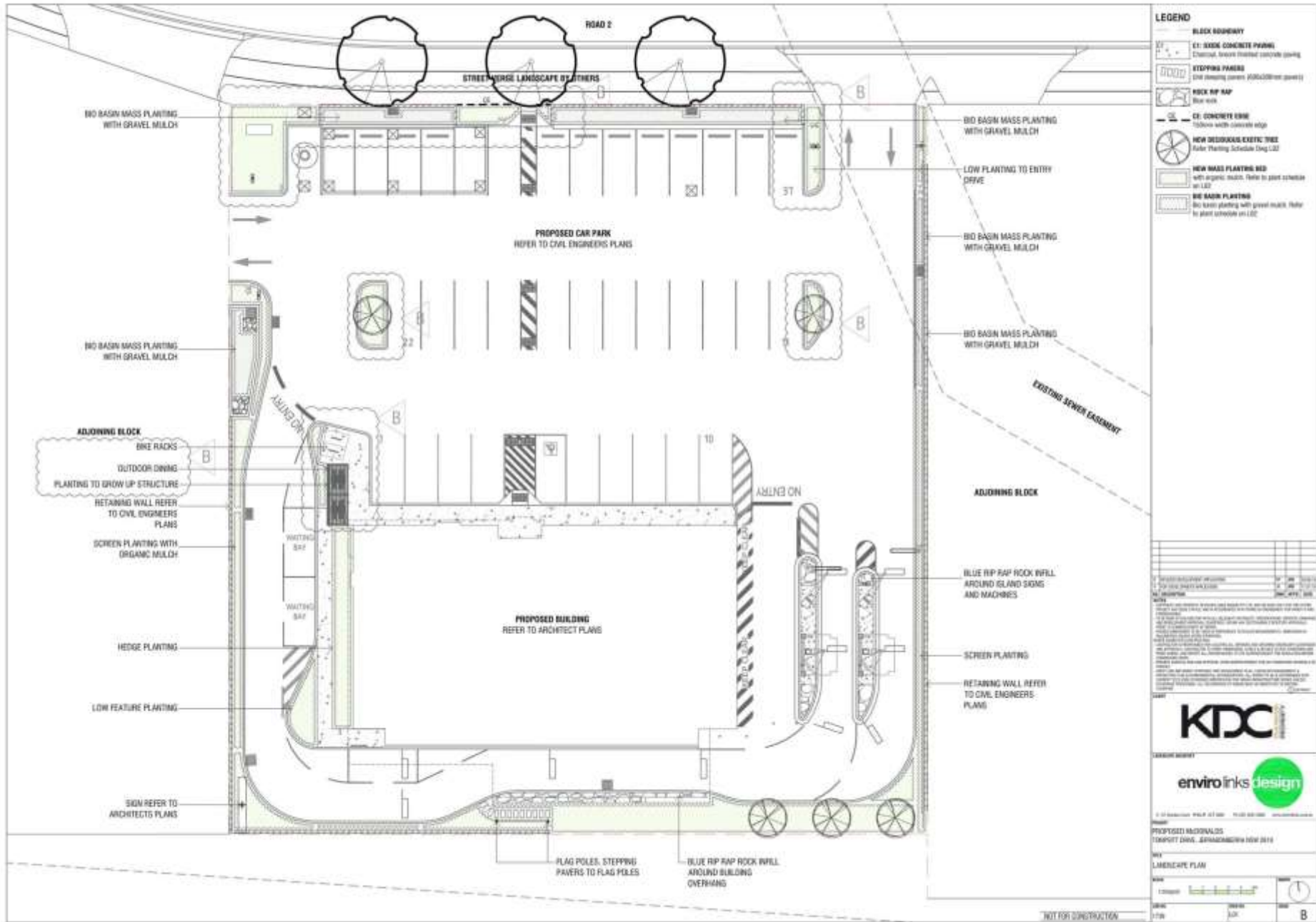
BUILDING OPTIONS

McDonald's (Logo)
 NDCG NATIONAL DEVELOPMENT GROUP

PROJECT: PROPOSED MCDONALD'S OPERATION AT COMPOSITE DRIVE, JERRABOMBERRA, NSW 2629
 DRAWN: [Name] SCALE: [Scale] EMAIL: [Email]
 DATE: [Date] PROJECT: [Project Name] FILE: [File Name]







QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

ITEM 10.1 DA 446-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
 INCLUDING REVISED PYLON SIGN DESIGN - 6
 FERDINAND LANE, JERRABOMBERRA

ATTACHMENT 5 DA 446-2018 - SUBMISSIONS PART 1 - 6 FERDINAND LANE

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Tuesday, October 16, 2018 11:27 AM
To: Environment Planning and Development
Subject: FW: Submission on DA for Poplars Jerrabomberra -31 Tompsitt Drive

From:
Sent: Tuesday, 16 October 2018 10:57 AM
To: Records <Records@qprc.nsw.gov.au>
Subject: Submission on DA for Poplars Jerrabomberra

To whom it may concern,

I am writing to express my objection to the development of a 24 hour McDonalds at the Poplars site currently under construction in Jerrabomberra. I would also like to express my disappointment around the lack of awareness raised by about the consultation underway.

At no stage has this been mentioned in any of your recent newsletters before or during the consultation period, nor has any documentation been accessible via your website.

My concerns include:

- the opening hours of the McDonalds and the increase in traffic/noise as a result
- the general appearance of the building
- the affect on the health and wellbeing of the community
- the accessibility of the venue and the lack of adequate pedestrian access as a result of increased traffic on Thompsitt drive and the Edwin Land Parkway

In addition I also have a concerns about the lack of foresight related to including a petrol station on the site, due to the fact that fossil fuel technology will likely be redundant in the next 20 years. It seems like this site being presented as a highway truck stop as opposed to a community shopping centre.

Please feel free to contact me at any stage, I would be more than happy to discuss this at a formal Council Meeting.

Regards,

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Tuesday, October 16, 2018 11:02 AM
To: Environment Planning and Development
Subject: FW: DA - Proposed McDonald's - Poplars Development jerra - 31 Tomsitt Drive

From:
Sent: Tuesday, 16 October 2018 9:44 AM
To: Records <Records@qprc.nsw.gov.au>
Subject: DA - Proposed McDonald's - Poplars Development jerra

I am writing to express a concern regarding the proposed McDonald's restaurant for the Poplars Marketplace Development. My main pressing issue is the short time frame for submissions which I understand closes today. I was made aware of the submission process via social media from the Jerrabomberra Residents Association (JRA), which in itself is totally inappropriate forum for the public to be made aware of such proposals. I also understand that the DA for this development is on display at the Council offices; it is not on your website. Perhaps Council should have used social media to advertise the submission process and the DA for this development!!

- I would like to request Council urgently extend the time frame for submissions (appears the marketplace is no where near ready for building, therefore what's the urgency);
- Provide Jerrabomberra residents with details of the proposed McDonald's development together with information on other retail outlets who propose to open on this site;
- Give opportunity to the JRA to represent interested residents by providing a details submission to council, which I am assuming would be difficult with the short time frame Council has allowed (I am not a member of the JRA but do take an interest);
- I have reservations about the opening hours for McDonald's and any other business and the impact on the wellbeing of residents and environment of Jerrabomberra. Many of us live in Jerrabomberra because of the lack of city lights, noise and are here to enjoy the bushland setting; Our environment has already been greatly impacted with increased traffic, etc'
- I would object to a 24 hour opening for McDonald's in its present location but am making this statement without viewing the DA at this time because there has been insufficient time;
- I have concerns with the traffic congestion for such a business in this location; we all know how busy the Queanbeyan McDonald's area gets; the existing Jerrabomberra shopping centre is already congested by traffic but there is no proposals to overcome this situation;
- I am not objecting to development as such in Jerrabomberra but any development has to be sympathetic to the environment and greater consideration for a development so close to a residential housing;

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Monday, October 15, 2018 4:13 PM
To: Environment Planning and Development
Subject: FW: maccas at Jerra -31 Tomsitt Drive

From:
Sent: Monday, 15 October 2018 9:05 AM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Subject: maccas at Jerra

I wish to have a say about the proposed McDonalds at Jerrabomberra. I wish to heartily protest about this crass commercial takeaway proposed for a quiet suburb. We do not need junk food here and it will no doubt be detrimental to the family businesses that have been operating for many years. We especially do not want things that will encourage more hoons to drive through our suburb. There are still not enough exits to the suburb for the local residential traffic, so stop encouraging more people to drive through it.

Yours sincerely,

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Monday, October 15, 2018 11:47 AM
To: Environment Planning and Development
Subject: FW: DA 446-2018 - McDonalds Jerra - 31 Tomsitt Drive

From
Sent: Sunday, 14 October 2018 8:39 PM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Subject: DA 446-2018 - McDonalds Jerra

Hello QPRC;

My name is _____ and I am a resident and rate payer at _____. I have
no donations or gifts to councillors or council staff to declare, and have no relevant business or investment
interests.

I object to the subject DA being approved, on the basis of McDonalds' ongoing failure to address the
localised and widespread environmental impact of their business operations.

McDonalds continue to use a significant amount of non-recyclable and non-biodegradable packaging, which
at best contributes to unnecessary landfill, and at worst results in local and widespread litter and impact on
the environment.

For example, McDonalds packaging is prominent among roadside litter along Edwin Land Parkway, despite
the closest store being nearly 10km away in Queanbeyan proper.

I am not against retail (including fast food) development on the site, but believe smaller businesses (and
larger ones that display appropriate corporate citizenship) are more compatible with with the community
values of Jerrabomberra residents.

Current Jerrabomberra Village tenants Jerra Takeaway and Pizza Capers both utilise largely recyclable
packaging, and the nature of their main products (fish and chips and/or pizza) means their packaging is less
likely to be tossed out of a vehicle window.

I would be content to withdraw my objection if adequate conditions were placed upon the developer to
mitigate the widespread litter and environmental impact.

As examples; some kind of penalty for unrecovered McDonalds sourced litter (a la shopping trolleys), a
partnership with council to contribute to local environmental management, or even some kind of offset such
as establishing and sustaining a public recycling facility on-site or elsewhere.

I encourage QPRC to take the opportunity to display leadership in advocating for community concern
around these issues. A successful negotiation resulting in a financially viable "environmentally-friendly-
McDonalds" in Jerra could enhance the image of QPRC, the region, and also McDonalds themselves.

Thank you for your consideration.

Best regards,

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Monday, October 15, 2018 11:47 AM
To: Environment Planning and Development
Subject: FW: Submission regarding McDonalds in Jerra

-----Original Message-----

Sent: Sunday, 14 October 2018 9:39 PM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Subject: Submission regarding McDonalds in Jerra

>
> To whom it may concern
>
> I am quite concerned about the proposal of a McDonalds and then a KFC being bought into Jerrabomberra in the
> new development on Tomsitt Drive.
>
> There are many different and more beneficial things that could be put in this development that doesn't contribute
> to unhealthy lifestyle food choices.
>
> These companies have locations already in Queanbeyan & Fyshwick. If people want those options drive there.
> There is absolutely no need for these businesses to be approved in Jerrabomberra.
>
> Kind Regards
>

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Tuesday, October 16, 2018 11:51 AM
To: Environment Planning and Development
Subject: FW: Objection to the McDonald's Development Application - 31 Tomsitt Drive

Importance: High

Sent: Tuesday, 16 October 2018 11:58 AM
To: Records <Records@qprc.nsw.gov.au>
Cc:
Subject: Objection to the McDonald's Development Application
Importance: High

To whom it may concern,

My name _____, I am resident of Jerrabomberra, and I have concerns about the impact of the proposed development of a 24 hour McDonald's to be built on Thomsitt Drive in Jerrabomberra.

Firstly I would like to raise the fact that we have NOT had adequate time to consider this DA. I would urge QPRC to extend the feedback period immediately, so they can provide a proper presentation to residents about this development, because it is highly controversial for many people living and working in our suburb.

The so-called 'consultation' you have run for this development is quite frankly a joke, and it makes the decision making on this development look very questionable. Running a consultation during school holidays should not EVER occur, particularly for new development in a suburb made up of mostly families, who would not have had the chance to review this documentation properly in the time period you have given. Furthermore finding anything about this controversial development is impossible through QPRC – it is not even on your website! That is not true consultation in my mind, rather it looks sloppy and as though council deliberately want these documents to be hard to find so that they can charge ahead (yet again) with plans that Jerrabomberra residents DO NOT want.

My concerns for this development are based on three main aspects, which I feel the DA does not properly articulate or answer for neighbouring residents, these areas are: **Noise; Traffic; and Community Value/Amenity.**

Noise:

The noise study was not available to me in the DA documents that I could find. Yet again sloppy work from QPRC's part. However as a person who has used McDonald's in Queanbeyan and other locations, I know there is considerable noise from these restaurants, which will negatively impact on the neighbouring residents if this development goes ahead.

- A noise reduction wall along Thomsitt Drive and the end of the development (for Stella Pl, Miles Pl and Franklin Ct) have not been considered as far as I can see; which will mean the noise will travel into this residents homes and disrupt their peace and enjoyment.
- The landscaping plans were also not available to me in the documents I could find, and I could not see any information about the specific kinds of plants/trees that will surround the building. I'm also interested to know about landscaping around the Poplars development as a whole, and whether the two plans will co-exist in a complementary way. Some tree species will do better than others at reducing noise, however there is no detail that I can see about this therefore it impossible to accurately consider this application.
- Delivery trucks in and out of this establishment 1-2 times each day will carry a significant noise burden. These trucks are in the range of 13m (i.e. national carriers) so are not small local carriers, thus they will have high noise output on neighbouring residents as well as our local roads.

the same low socioeconomic demographic as Queanbeyan (which lends itself well to cheap meal options). We will not take enjoyment out of seeing the golden arches in our backyard as a 'convenient' or 'cheap' option – simply because we are smart enough to value quality and health much more highly. Treat us with some dignity and offer a business option for this space that matches our lifestyle!

To sum up – I DO NOT support the development of a McDonald's Restaurant in Jerrabomberra and I would strongly urge QPRC to reject the DA. In saying this, let me make it clear that I would support a café/restaurant of some kind in this area, but it should be one that is smaller, operates in family friendly hours (8.00am-7.00pm) and one that does not negatively impact the traffic flow, amenity, or the health of our residents and children, such as a junk fast food restaurants would.

Regards,

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Monday, October 15, 2018 11:40 AM
To: Environment Planning and Development
Subject: FW: Submission on DA for MaDonalds et. al. at Poplars (Jerrabomberra) - DA 446-2018 -65 Tompsitt Drive

Sent: Sunday, 14 October 2018 7:10 PM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Subject: Submission on DA for MaDonalds et. al. at Poplars (Jerrabomberra)

Good afternoon,

Please take this email as a formal submission in relation to the Development Application (DA) for a Macdonalds and other fast food restaurants at The Poplars (Jerrabomberra).

I have been a resident of Jerrabomberra for over 10 years. I have 2 children attending the local primary school (Jerrabomberra Public School).

I am very unhappy with the proposal to build a Macdonalds and other fast food restaurants at The Poplars Development. The entire Jerrabomberra area doesn't need fast food restaurants. In the immediate area we already have two pizza restaurants, a Chinese restaurant and a general cafe. All of the proposed restaurants in the DA are already available in Queanbeyan Town Centre, less than 15 minutes away. Putting more of these restaurants will only provide poor quality food with little nutritional value. The message is terrible as we struggle with a nation-wide obesity epidemic. In addition, these types of restaurants don't provide us any long-term meaningful employment as they typically employ young people (mostly) teenagers on minimum wage. These restaurants don't provide a positive contribution to the local community in terms of food consumption or employment.

Furthermore, the area being developed is on the main road into Jerrabomberra. To put fast food restaurants at this point will create a visual eyesore to the entrance. The proposed roadworks to allow entry into The Poplars Development is so poorly designed that it will cause traffic congestion in this area. The traffic lights proposed will slow down traffic, making it more difficult for residents to get in and out of the area. Tompsitt Drive is already struggling with traffic, especially in the times of peak traffic. The Council's determination to push traffic into the Edwin Drive Extension (EDE) will only exacerbate the problem. I pessimistically assume that the traffic *created* by this poor development will be used to justify removing the Jerra Circle roundabout to put in another set of traffic lights. Poor decisions compounded by further poor decisions!

What we need in The Poplars are amenities that have been missed in Jerrabomberra. Please have consideration for the residents! As a homeowner in Jerrabomberra I am well aware of the significant contribution to the Queanbeyan Palerang Council homeowners in Jerrabomberra makes to the local council. I believe that amenities for Jerrabomberra should be a priority for the Council. Amenities like an aquatic center; a proper public transport interchange to access schools and the ACT where so many residents work; and a community meeting park (not another poorly designed community center extension)! The proposed Macdonalds, and other fast food restaurants in The Poplars Development won't bring any of those things into Jerrabomberra. What they will encourage are poor eating habits; they will trap people in low value, dead-end employment; they will be an eyesore at the point of entrance to the area and increase traffic congestion issues.

Overall I believe that the only thing that the DA will lead to is further degradation of our community. Ironically, I see that this DA, if approved, will keep house prices in the area depressed, thereby reducing Council revenue.

Please advise the next steps in relation to this DA. I am happy to discuss my submission further if required. I accept correspondence through this email address. My phone number is below.

Regards.

[Sent from Yahoo7 Mail on Android](#)

Tel: 02 6285 6244

Web: www.qprc.nsw.gov.au

Mail: PO Box 90 Queanbeyan NSW 2620



Sent: Tuesday, October 16, 2018 10:30 AM
To: James Rousell <[redacted]>
Subject: Queries / concerns re DA 446-2018 for 6 Ferdinand Drv, Jerra

Hi James,

Thanks for the quick chat today.

As discussed I'm after more information about how the proposed development will work in with active travel (walking/cycling/scooting), especially for children given it's close proximity to Jerrabomberra residential areas and existing shops.

I see this site not only as an attractor for casual dining but also employment for younger members of the community and want to ensure those who are either not of driving age, or chose not to drive can get there safely.

From review of the site plans and the DA the following can be seen:

- There is a footpath of some kind adjacent to the access road (unable to determine if it's width is suitable for shared walking/cycling)
- It is unclear how people using active travel modes can access the site, possibly there is a break halfway along the front however will involve people walking through the middle of the car park

- The vehicle access point to the site is on the right hand side
- There is an access point to the service station on the left hand side
- It is unclear how active travel to this site fits into the wider Jerrabomberra network
- Use of the path adjacent to the access road requires people to cross the entry/exit to the service station

As such, I'm concerned that whilst active travel modes have been 'provided for', they actually represent a fair degree of risk to users due to having to negotiate multiple, high volume drive ways and that the potential for injuries/accidents is higher due to the risks not being designed out.

Possibly as the site entry/exit is on the right hand side, a case could be made for putting a path along the left boundary however the service station access to/from the site negates any benefits of that.

It would be appreciated if you could look into providing more information on the following

- Is it possible to get a copy of the Poplars / Marketplace at Botanical site plan
- Is it possible to determine if the path along the access road is suitable for walking and cycling IAW AustRoads standards
- Is it possible to determine if the path along the access road is planned to connect to existing walking/cycling infrastructure planned for construction between Jerra roundabout and Edmond Ave (Route J1)

If you need any more information please contact m

Regards

This message has been scanned for malware by Websense. www.websense.com

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Monday, October 15, 2018 11:46 AM
To: Environment Planning and Development
Subject: FW: Submission re McDonald's development

Sent: Sunday, 14 October 2018 7:49 PM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Subject: Submission re McDonald's development

Good afternoon,

Please take this email as a formal submission in relation to the Development Application (DA) for a Macdonalds and other fast food restaurants at The Poplars (Jerrabomberra).

I have been a resident of Jerrabomberra for over 10 years. I have 2 children attending the local primary school (Jerrabomberra Public School).

I am very unhappy with the proposal to build a Macdonalds and other fast food restaurants at The Poplars Development. The entire Jerrabomberra area doesn't need fast food restaurants. In the immediate area we already have two pizza restaurants, a Chinese restaurant and a general cafe. All of the proposed restaurants in the DA are already available in Queanbeyan Town Centre, less than 15 minutes away. Putting more of these restaurants will only provide poor quality food with little nutritional value. The message is terrible as we struggle with a nation-wide obesity epidemic. In addition, these types of restaurants don't provide us any long-term meaningful employment as they typically employ young people (mostly) teenagers on minimum wage. These restaurants don't provide a positive contribution to the local community in terms of food consumption or employment. In addition, the last drive through takeaway that was opened in Jerrabomberra closed within a couple of months and there simply wasn't the business to support it. I can only hope the same fate awaits if this development occurs.

Furthermore, the area being developed is on the main road into Jerrabomberra. To put fast food restaurants at this point will create a visual eyesore to the entrance. The proposed roadworks to allow entry into The Poplars Development is so poorly designed that it will cause traffic congestion in this area. The traffic lights proposed will slow down traffic, making it more difficult for residents to get in and out of the area. Tompsitt Drive is already struggling with traffic, especially in the times of peak traffic. The Council's determination to push traffic into the Edwin Drive Extension (EDE) will only exacerbate the problem. I pessimistically assume that the traffic *created* by this poor development will be used to justify removing the Jerra Circle roundabout to put in another set of traffic lights. Poor decisions compounded by further poor decisions!

What we need in The Poplars are amenities that have been missed in Jerrabomberra. Please have consideration for the residents! As a homeowner in Jerrabomberra I am well aware of the significant contribution to the Queanbeyan Palerang Council homeowners in Jerrabomberra makes to the local council. I believe that amenities for Jerrabomberra should be a priority for the Council. Amenities like an aquatic center; a proper public transport interchange to access schools and the ACT where so many residents work; and a community meeting park (not another poorly designed community center extension)! The proposed Macdonalds, and other fast food restaurants in The Poplars Development won't bring any of those things into Jerrabomberra. What

they will encourage are poor eating habits; they will trap people in low value, dead-end employment; they will be an eyesore at the point of entrance to the area and increase traffic congestion issues.

Overall I believe that the only thing that the DA will lead to is further degradation of our community. Ironically, I see that this DA, if approved, will keep house prices in the area depressed, thereby reducing Council revenue.

Please advise the next steps in relation to this DA. I am happy to discuss my submission further if required. I accept correspondence through this email address. My phone number is below.

Regards

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Tuesday, October 16, 2018 8:31 AM
To: Environment Planning and Development
Subject: FW: Proposed McDonalds JERRABOMBERRA - 31 Tompsitt Drive

-----Original Message-----

From
Sent: Monday, 15 October 2018 9:36 PM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Subject: Proposed McDonalds JERRABOMBERRA

To Whom It May Concern,

I am writing to voice my concern over the proposed McDonalds Restaurant in Jerrabomberra.

As a local resident and business owner, plus a former McDonalds employee, I strongly believe that this area would be much better suited to small businesses that are more boutique in nature. Simply put businesses that are more in line with the values and style that Jerrabomberra has to offer.

The main reasons I am opposed to McDonalds opening here are:

- close proximity to residential properties
- increased traffic to an already busy area
- 24hr opening can bring unwanted loitering and noise to residential areas
- devalue surrounding properties
- taking business away from current Queanbeyan McDonalds franchise

I sincerely hope you will put some serious thought towards the development in our much loved community and the wishes of residents.

With regards,

15 October 2018

Email:

Comments re Development Application for Construction of McDonalds Takeaway
at 65 Tomsitt Drive, Jerrabomberra

This letter is to express my concern and objection to the DA lodged for the building and operation of a McDonalds takeaway food store in Jerrabomberra.

McDonalds does not suit the 'flavour' of the Jerrabomberra suburb. A large part of the attraction to live here is the lack of 'big city' commercialisation. McDonalds does not bring with it a positive or local feel. I feel it will attract the wrong type of people to the suburb – especially given the 24 hour trading times. This is completely contrary to the rural feel of the suburb. If people in the suburb or surrounds need to access a McDonalds, the one in Queanbeyan is only 10 minutes away, and there are several in the ACT.

Please keep Jerrabomberra free of the big (ugly) 'golden arches' McDonalds sign. This definitely does not fit in our suburb's look and feel.

The proliferation of rubbish from McDonalds also concerns me. I was stopped at Sutton Forest on the weekend, and the McDonalds litter around the outer perimeter of the travel stop area was nothing short of disgraceful and disturbing. We have a very clean suburb. I would like to see it stay that way. McDonalds will have a huge negative impact on that.

Further, we have food outlets in Jerrabomberra that are less invasive and which are operated by small/family enterprises. Many of these owners being local to the area, which is good for our local economy. If McDonalds is successful, these local businesses will lose business that they otherwise would have had.

Australia has an obesity problem that is contributed to by stores such as McDonalds. Let's be 'brave' and start saying 'no' to the options for bad choices. We do not need a McDonalds. Let's say 'NO'.

I cannot see any positives for having a McDonalds in Jerrabomberra.

Regards

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Tuesday, October 16, 2018 8:35 AM
To: Environment Planning and Development
Subject: FW: Development of a McDonald's restaurant at Jerrabomberra-public consultation submission

-----Original Message-----

From
Sent: Monday, 15 October 2018 10:27 PM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Subject: Development of a McDonald's restaurant at Jerrabomberra-public consultation submission

I wish to convey my disgust at the thought that Jerrabomberra residents would benefit from its very own McDonalds restaurant. I believe it is proposed that we also be given a KFC restaurant. You've got to be kidding surely?

Jerrabomberra has thrived as a community for many years with residents choosing Jerrabomberra to live for its rural atmosphere, community spirit, and simplified living. Yes, we are a growing community who would benefit from essential services like its own aquatic centre, a high school, additional health services and even a new grocery store but fast food outlets? Who are they for exactly? I don't believe it's for the benefit of Jerrabomberra residents who pay significant council rates and fees for services and amenities it doesn't have. The only people I seeing this benefiting is the through traffic heading to and from the coast via Edwin Land Parkway and the new Ellerston Drive Extension. They don't pay Queanbeyan/ Palerang Council rates and levies -Jerrabomberra residents do -and I'm confident many of them don't support this development proposal.

I think it might be time that the Council started consulting with the Jerrabomberra community to find out what we really need as opposed to throwing random unfavourable proposals our way. Have you thought about the health implications of these eating establishments in terms of chronic disease and obesity, have you considered the associated impact on the health care system, have you considered the increased crime rate associated with 24 hr McDonald restaurants including armed robberies? What about litter control?

I suggest more research be done by the Council to investigate these impacts as they are real, evidence based and can have detrimental community effects.

Regards,

Sent from my iPad

James Rousell

From:
Sent: Tuesday, October 16, 2018 3:06 PM
To: Environment Planning and Development
Cc:
Subject: McDonalds Jerrabomberra Submission [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Good afternoon

I would like to contribute to the McDonalds 24/7 proposal to be built in the Jerrabomberra district.

I would like to convey that neither myself, my family or my neighbours would like to have a McDonalds operating 24/7 in the area.

This operating business will bring more perm/casual population and subsequent vandalism, to an already very condensed small area. This will totally destroy the values and community sense that Jerrabomberra has spent far too long to build.

I also found really unfair that you open this submission for comment during the school holidays with today's closing date. It is truly in bad faith to do such thing and it exhibits already poor behaviours and lack of respect for those who leave in Jerrabomberra and their freedom to expose their views.

I would really like for you to respond to this email, which I will also CC into John Barilaro MP, Deputy Premier-Minister for Regional NSW.

Regards

Notice:

The information contained in this email message and any attached files may be confidential information, and may also be the subject of legal professional privilege. If you are not the intended recipient any use, disclosure or copying of this email is unauthorised. If you received this email in error, please notify the sender by contacting the department's switchboard during business hours (8:30am - 5pm Local time) and delete all copies of this transmission together with any attachments.

James Rousell

From:
Sent: Tuesday, October 16, 2018 2:58 PM
To: Environment Planning and Development
Subject: McDonalds Jerrabomberra Submission

Dear Councillors

I have read the development proposal for the Poplars at Jerrabomberra.

I object to the McDonalds development and in particular 24 hours operation.

I am appalled such a large commercial development is planned for a residential suburb. Our community in Jerrabomberra DOES NOT need 24 hours fast food.

A large commercial development will bring even more traffic from other suburbs into Jerrabomberra using us as a bypass services centre.

The lack of information, transparency and timing of this information has been appalling, sly and outright disgraceful.

This is NOT OK.

Jerrabomberra

Sent from my iPhone

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Tuesday, October 16, 2018 2:08 PM
To: Environment Planning and Development
Subject: FW: Concerned Jerrabomberra Resident

-----Original Message-----

From:
Sent: Tuesday, 16 October 2018 1:41 PM
To: Records <Records@qprc.nsw.gov.au>
Subject: Concerned Jerrabomberra Resident

To whom it may concern,

I am writing to express my objection to the development of a 24 hour McDonalds at the Poplars site currently under construction in Jerrabomberra.

Im really disappointed around the lack of awareness raised by about the consultation underway.

At no stage has this been mentioned in any of your recent newsletters before or during the consultation period, nor has any documentation been accessible via your website.

My main concerns include:

- * Jerra is a quiet small community. We don't need these additional facilities.
- * the affect on the health and well-being of the community
- * the opening hours of the McDonalds and the increase in traffic/noise as a result
- * the general appearance of the building
- * the accessibility of the venue and the lack of adequate pedestrian access as a result of increased traffic on Thomsitt drive and the Edwin Land Parkway In addition I also have a concerns about the lack of foresight related to including a petrol station on the site, due to the fact that fossil fuel technology will likely be redundant in the next 20 years. It seems like this site is being presented as a highway truck stop as opposed to a community shopping centre.

It really gives the impression that this consultation development was meant to be hushed and rushed through the system to avoid the public outcry that was clear to happen.

Please feel free to contact me at any stage, I would be more than happy to discuss my concerns further.

Regards,

Sent from my iPhone

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Tuesday, October 16, 2018 4:06 PM
To: Environment Planning and Development
Subject: FW: Proposed McDonalds development in Jerrabomberra.

From:
Sent: Tuesday, 16 October 2018 3:56 PM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Subject: Proposed McDonalds development in Jerrabomberra.

To Whom It May Concern,

I am writing to you to voice my concerns over the proposed McDonalds Restaurant on the site of the Poplars Development in Jerrabomberra.

As a local resident, parent and cyclist, I firmly believe that Jerrabomberra would benefit far more if this area and development were aimed at small (maybe boutique) businesses that fitted more with the quiet 'country style' nature of Jerrabomberra.

As a parent. Trying to educate our children in sensible healthy eating and living is difficult enough, let alone having to do it with a Fast Food giant in such close proximity.

Finally as an avid cyclist. I have already seen the impact that the Edwin Land Parkway extension and Googong has had on the traffic movements in and around Jerrabomberra. Adding a 24hr Fast Food outlet to the mix will surely only add to the dangers already faced by myself and other riders (and Runners/Walkers).

The main reasons that see me opposed to McDonalds opening in Jerrabomberra are:

Increased traffic around the development and 'through' Jerrabomberra being the only McDonalds for some distance.

- close proximity to residents and properties
- devaluing of properties surrounding the development
- 24hr opening can bring unwanted noise, disruption and possible loitering to a primarily residential area
- taking business away from other local small businesses

I sincerely hope you will seriously consider my thoughts towards the development in our much loved community and also the wishes of its residents.

Yours Sincerely

James Rousell

From:
Sent: Tuesday, October 16, 2018 2:01 PM
To: Environment Planning and Development
Subject: McDonalds Jerrabomberra Submission

Dear Councillors

I have read the development proposal for the Poplars at Jerrabomberra.

We are dismayed that such a large commercial development is planned for a residential suburb.

Especially if the planned fast food or other retail is 24 hours. A residential suburb DOES NOT need 24 hours fast food!

Such a large commercial development is obviously designed to bring in traffic from other suburbs. The resulting traffic and general nuisance to existing residents is far in excess than outlined.

We object to the McDonalds development and in particular 24 hours operation.

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Tuesday, October 16, 2018 4:06 PM
To: Environment Planning and Development
Subject: FW: QPRC development tactics.

From:
Sent: Tuesday, 16 October 2018 3:58 PM
To: Records <Records@qprc.nsw.gov.au>
Subject: QPRC development tactics.

To whom it may concern,

I am writing to express my objection to the development of a 24-hour McDonalds at the Poplars site currently under construction in Jerrabomberra. I would also like to express my disappointment of the lack of awareness raised by council's consultation process with the Jerrabomberra residents with the development plans of the poplars site.

At no stage has this been mentioned in any of your recent newsletters before or during the consultation period, nor has any documentation been accessible via your website.

My concerns include:

- * the opening hours of the McDonalds and the increase in traffic/noise as a result
- * the street lighting for the poplars which will flood over into surrounding streets.
- * the resulting mess left from lazy people not able to get out of their cars to dispose of the waste (happens in Qbn all the time)
- * the general appearance of the building
- * the effect on the health and wellbeing of the community with fast fat foods available and obesity.
- * the accessibility of the venue and the lack of adequate pedestrian access as a result of increased traffic on Tomsitt drive and the Edwin Land Parkway

In addition, I also have concerns about the lack of foresight related to including a petrol station on the site, due to the fact that fossil fuel technology will likely be redundant in the next 20 years. It seems like this site is being presented as a highway truck stop as opposed to a community shopping centre.

Construction concerns include:

- * we are constantly needing to clean our vehicles and yard due to the massive amount of dust and debris being deposited from the work site.
- * We constantly have breathing issues/ headaches due to the dust and odd smells arising from the works.

Please feel free to contact me at any stage, I would be more than happy to discuss this at a formal Council Meeting.

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Wednesday, October 17, 2018 7:41 AM
To: Environment Planning and Development
Subject: FW: Objection McDonald's Jerrabomberra

Sent: Tuesday, 16 October 2018 4:48 PM
To: Records <Records@qprc.nsw.gov.au>
Subject: Objection McDonald's Jerrabomberra

To whom it may concern,

I am writing to express my objection to the development of a 24 hour McDonalds at the Poplars site currently under construction in Jerrabomberra. I would also like to express my disappointment around the lack of awareness raised by about the consultation underway.

At no stage have we been informed that it was a McDonald's being built there.

My concerns include:

- * the opening hours of the McDonalds and the increase in traffic/noise as a result
- * the general appearance of the building
- * the affect on the health and wellbeing of the community
- * the accessibility of the venue and the lack of adequate pedestrian access as a result of increased traffic on Thomsitt drive and the Edwin Land Parkway

Ve live right next to this development & are very concerned at the height the land has been filled to making anything built there sit meters above surrounding homes staring down on us all but a 2 storey building will look even worse.

It seems like this site is being presented as a highway truck stop as opposed to a community shopping centre.

Sent from my iPhone

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Wednesday, October 17, 2018 7:44 AM
To: Environment Planning and Development
Subject: FW: Submission Poplars Marketplace- Maccas - 31 Tompsitt Drive

From:
Sent: Tuesday, 16 October 2018 7:16 PM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Cc
Subject: SUBMISSION Poplars Marketplace- Maccas

To Whom it May Concern

There are **so many reasons to object** to this development that appears **not** to have been communicated to the Jerrabomberra Community for consultation in an appropriate manner.

Jerrabomberra already has enough retail precincts for a small population of approximately 10,000. The local food businesses are owned by Jerrabomberra residents and profits are kept in the local community. A National Franchisee (with their large financial backing) will have a significant impact on the local businesses and economy and is not in the 'spirit' of the rural & village atmosphere of Jerrabomberra. There is already a McDonalds in Queanbeyan that can be accessed by anyone, just a few kilometres down the road.

Australia is currently in the grip of an obesity and diabetes epidemic. The answer lies in prevention – in not giving planning permits to fast food outlets that sell unhealthy food. Federal and state government public health prevention policy should not sit in isolation from planning policy. The latter should inform the former. QPRC in their Sports Facilities' Strategic Plan highlight the need for healthy lifestyles "preventable non-communicable diseases, such as mental illness, obesity, cardiovascular diseases, type 2 diabetes and cancer, remain major factors not only affecting health and well-being, but also driving up the cost of health care and reducing the productivity of the workforce." The establishment of a McDonalds store will contribute to these issues in the local community.

Unfortunately McDonalds have spread all over the world.

Please let our little corner of the world continue to be filled with the sights and sounds of the bush, the kangaroos, wombats, swans and ducks and to **free** of the 'golden arches' that will spoil our village forever.

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Wednesday, October 17, 2018 8:47 AM
To: Environment Planning and Development
Subject: FW: McDonalds at Poplars Jerrabomberra - Comments on DA

From:
Sent: Tuesday, 16 October 2018 10:52 PM
To: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Subject: McDonalds at Poplars Jerrabomberra - Comments on DA

Dear Council

I have concerns about the McDonalds restaurant proposed for the Poplars development at Jerrabomberra.

My concerns are four fold:

- Surely the Council with a view to the health and wellbeing of its constituents in mind could take a stand against the addition of another fast/bad food outlet in its neighbourhood and look to foster a development that supports/improves the wellbeing of residents and visitors.
- If we must have a McDonalds surely the Council could limit its opening hours to assist with managing noise, intake of poor foodstuffs (assisting with managing the health of constituents), rubbish etc by not allowing it to be a 24 hour operation. I'd have thought 12 hours per day would be more than adequate or perhaps a curfew ensuring closure from, say, 12pm to 6am.
- The entry (or exit, depending on whether you are travelling east or west) to Jerrabomberra could remain aesthetically pleasing and Council has a role to protect our collective investments (public lands and private dwellings) by ensuring the developers are controlled and the look of the McDonalds and other shops are not a blight on the landscape. The zone between the shops and Tomsitt (viewed as one passes by) must be managed to ensure it does not look like a tip – quite the opposite – the zone should be attractive, which will benefit the community and the retailers.
- Council will need to plan to actively manage the rubbish that the new precinct, and particularly the McDonalds, will generate. We already have a rubbish issue with people driving through Jerrabomberra throwing McDonalds and KFC rubbish out of their cars – and that is with the restaurants being kilometres away. I am constantly picking up rubbish while walking my dog. The rubbish problem and the denigration of our lovely suburb is going to get worse.

I am disappointed having only relatively recently moved to Jerrabomberra, and paying the significant rates that we do, with the poor timeliness and level of engagement, planning, actual 'listening' by Council on issues as well the questionable efficiency with which funds are allocated to projects. The Tomsitt Drive and Poplars developments are just two examples.

Regards

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Wednesday, October 17, 2018 8:46 AM
To: Environment Planning and Development
Subject: FW: Submission extension on the DA for McDonald's

From:
Sent: Tuesday, 16 October 2018 6:04 PM
To: Records <Records@qprc.nsw.gov.au>
Subject: Submission extension on the DA for McDonald's

Good Afternoon,

To whom it may concern,

As a resident and rate payer of Jerrabomberra.
I wish to make a submission in regards to the proposed 24 hour McDonald's proposed in the Poplars development.

We live in the immediate area of [redacted] are one of the houses that will be directly effected by this proposal.

I would like to know why it need to be next door to our residential area and why we have to be neighboured by a 24 hour fast food outlet.

I have read the application and disagree with a lot of the points highlighted.

The opening hours are unnesscesary based on the proximity to residential homes and the noise we will be subjected to with deliveries the traffic noise and the other contributing factors of more traffic noise as it becomes a place for people to hang around also increasing crime and nuisance within the area.

I'm not opposed to the development even though I'm not happy about it. Jerrabomberra has a lovely sense of community and slowly it feels like this is diminishing with the prospects and proposals being bought forward.

I also am opposed to the smell from a McDonald's restaurant brings with the constant cooking smell of grease and fat being smelt in our home.

I don't believe a 24 hour McDonalds is required given that the McDonald's restaurant is located in Queanbeyan in a industrial area less than 7kms down the road is open 24 hours a day.

It's sad that this once lovely suberb will be changed to make way for this development.

Please advise what forms are required to take this matter further.

I also wish to note that we were notified with little time to make submissions based on school holidays and being away for the duration.

Yours sincerely

James Rousell

From: Council Mailuser <Council.Mailuser@qprc.nsw.gov.au>
Sent: Wednesday, October 17, 2018 11:21 AM
To: Environment Planning and Development
Subject: FW: McDonalds DA and Poplars Development

-----Original Message-----

Sent: Tuesday, 16 October 2018 11:55 AM
To: Records <Records@qprc.nsw.gov.au>
Cc:
Subject: McDonalds DA and Poplars Development

Good morning,

I object to the proposal for a 24 hour McDonalds restaurant in the Poplars Development. The consultation period has been inadequate to allow considered stakeholder and local resident input.

I request an extension to this DA and wider community consultation.

Businesses of this nature will affect traffic flow, bring disturbances and extra traffic throughout the 24 hour period. Additionally, how does the addition of several fast food businesses contribute to the health and wellbeing of local residents? How has Town planning considerations been applied to this development?

I am very disappointed with the councils proposal and imagine that my future vote may be my only recourse.

Regards,

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

ITEM 10.1 DA 446-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
 INCLUDING REVISED PYLON SIGN DESIGN - 6
 FERDINAND LANE, JERRABOMBERRA

ATTACHMENT 6 DA 446-2018 - SUBMISSIONS PART 2 - 6 FERDINAND LANE

**SUBMISSION by
2619.**

**DEVELOPMENT APPLICATION LODGED BY MCDONALD'S, for the
operation of a McDonald's restaurant on Tomsitt Drive, Jerrabomberra**

I object to the development application (DA) in its current form, on the following grounds:

1. Pedestrian traffic and child road safety

Jerrabomberra has a large population of older children and young teenagers. McDonald's undertake marketing activities to specifically target these groups of young customers.

It is certain that older children and young teenagers will walk to the McDonald's from their residences in Jerrabomberra, or from the existing shopping village on Limestone Drive. This means they will walk along Tomsitt Drive and attempt to access McDonald's directly via that route.

I have strong concerns around how pedestrians, in particular children, will access the McDonald's from their residences and the existing shopping village safely on foot.

It is clear that vehicle access to the McDonald's will be accommodated; however the DA does *not* address how pedestrians will access the McDonalds from Tomsitt Drive, without a vehicle. The DA does not make clear how pedestrian traffic will be facilitated in a safe manner through the use of footpaths, pedestrian crossings etc.

Children will walk to the McDonald's from their homes regardless of whether there are adequate and safe pedestrian walkways. Children do not have the maturity to assess road risk to the same extent as adults. There will be a large volume of vehicle traffic around the McDonald's to navigate, and therefore a higher relative risk to pedestrians.

I submit that the DA does not safely accommodate pedestrian safety when accessing McDonald's without a vehicle, and therefore should not be approved in its current form.

2. Flow of pedestrians generally

The flow of pedestrian traffic from the existing shopping village on Limestone Drive to the McDonald's will be a large factor in the extent to which rubbish disposal and crime/anti-social behaviour will affect the residents of Miles Place and surrounding streets.

To protect the amenity of residents, the likely flow of pedestrians should avoid Miles Place and surrounding residential areas when pedestrians walk between McDonalds and Limestone Drive.

At present, there is no clear pathway that would carry the flow of pedestrian traffic from the shopping village on Limestone Drive and other areas.

I submit that as the DA does not address how it is intended that pedestrians will access the McDonalds on foot from Limestone Drive or indeed any other part of Jerrabomberra, it should not be approved in its current form.

3. Rubbish disposal

It is well known that fast food outlets generate large amounts of rubbish that litter the road ways and water ways. This is particularly the case with drive-through takeaway stores that are open 24 hours per day.

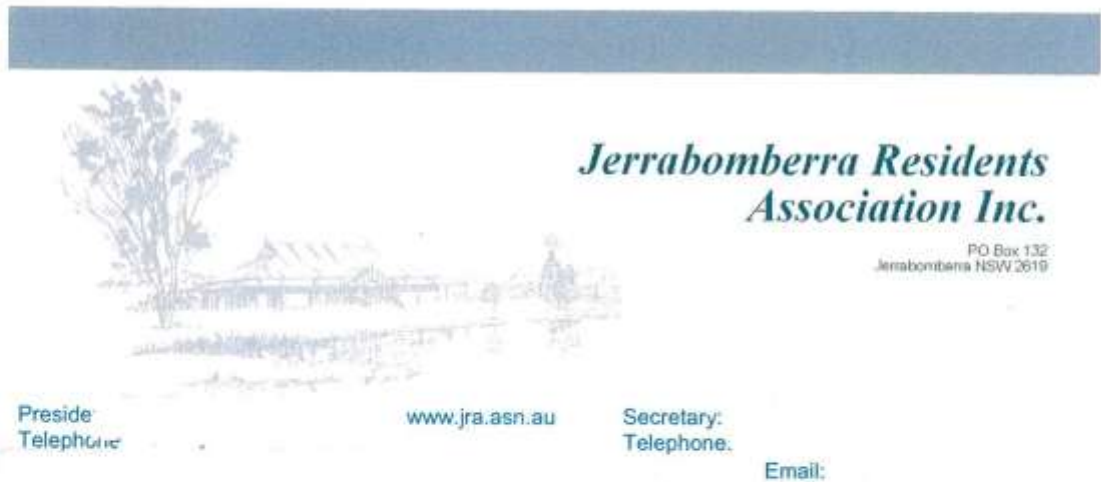
In this case, it is reasonable to expect that at least the adjoining roads (e.g. Tomsitt Drive, Lanyon Drive, Edwin Land Parkway) as well as residential streets in Jerrabomberra, will be negatively affected by the increased litter.

There is concern that the effects of increased litter will be felt by the adjoining streets, e.g. Franklin Court, Stella Place and Miles Place in particular. These streets back on to a common strip of what I understand is Crown land. This runs along the Eastern boundary of the Poplars. It seems highly possible that customers of the McDonald's will walk down that Crown land strip to travel to or from McDonald's, and litter along their way.

There is already an issue with rubbish littering the local community. This will amplify that problem, increasing pollution and detracting from the natural harmony of the environment.

The DA addresses how rubbish will be dealt with on the immediate surrounding location, but it does not address how rubbish will be dealt with in the further reaching areas.

I submit that the DA does not adequately address the impact of rubbish on the Crown strip of land and further reaching areas, and therefore the DA should not be approved in its current form.



Email: council@gprc.nsw.gov.au

Construction and use of Take Away Food and Drink Premises – McDonalds 65 Tomsitt Drive Jerrabomberra

The Jerrabomberra Residents' Association (JRA) has considered the Development Application that is currently on exhibition for the above premise.

Jerrabomberra since its conception in the early 1990's has been built as a Village. It is the view of the JRA that this proposed DA does not fit in with the village style feel of Jerrabomberra. What is proposed would be suited to a main arterial road, not Tomsitt Drive. People opt to live in Jerrabomberra due to the semi-rural feel of the area – a McDonalds outlet will not be welcomed by the majority of residents.

Jerrabomberra proudly has an insignificant litter problem, this can be attributed to factors such as a higher educated population, appealing streetscape and most importantly minimal disposable packaging used by existing businesses. We believe that this establishment will see increased litter, including fast food wrappers, cups, plastic lids and straws being blown around our suburb. The Werribee River Association have been recording where they find most of take away food rubbish as part of a study called "Circles of litter". They found most litter was between 1.2 and 2.5 kilometres from a fast food restaurant. (<http://www.abc.net.au/news/2017-06-01/circles-of-rubbish-ring-fast-food-restaurants-says-riverkeeper/8578876>)

Jerrabomberra is situated in an environmental corridor and the DA borders environmentally significant lands. We do not want the native wildlife to be consuming food and litter that isn't part of their natural diet.

The JRA are opposed to the 24/7 operation of this establishment. Nothing in Jerrabomberra trades later than 11pm. Even aircraft traffic tapers off at this time enabling our suburb to sleep. Some of our members have previously lived nearby one of these 24/7 establishments and can report that late at night they attract undesirables who are not local residents and who are there to cause trouble. As our community backs directly onto this site, we cannot support the premise trading past 11pm and we do not believe that there is any need for 24/7 trading. Furthermore, 24/7 will mean that residents will be subjected to invasive lighting which will impact on their comfort and sleep.

The unpleasant odour of the fatty and oily food being prepared at the outlet will permeate the surrounding area and will be constant and unavoidable. This will degrade the quality of life of close by existing residents (and devalue their properties).

There is no designated crossing or safe way to cross Tomsitt Drive or Edwin Land Parkway from The Park to get to the proposed McDonalds store. This is a particularly important consideration for local school children who attend the Jerrabomberra Public School off Jerrabomberra Parkway.

The proposed nine-metre sign will be ugly, invasive, will not fit in with the village look and feel of Jerrabomberra and will be illuminated during evening hours which could impact on local residents' comfort and sleep. It is the view of the JRA that this sign isn't required. The unique quality of Jerrabomberra is that many of the homes are elevated allowing residents uninterrupted views towards the Canberra Basin and the Brindabellas. The proposed large sign will blot our existing vista and isn't required. The proposed flag poles we consider are sufficient signage.

Jerrabomberra is unique in so much as we now have 3 retail precincts for a population of approximately 10,000. Even with the additional development of South Jerrabomberra we would expect an additional 1500 people to join our community. Our local food businesses are owned by Jerrabomberra residents and profits are kept in the local community. We are concerned that a National Franchisee (with their large financial backing) will have a significant impact on our local businesses and economy.

Australia is currently in the grip of an obesity and diabetes epidemic. The answer lies in prevention – in not giving planning permits to fast food outlets that sell unhealthy food. Federal and state government public health prevention policy should not sit in isolation from planning policy. The latter should inform the former. QPRC in their Sports Facilities' Strategic Plan highlight the need for healthy lifestyles "preventable non-communicable diseases, such as mental illness, obesity, cardiovascular diseases, type 2 diabetes and cancer, remain major factors not only affecting health and well-being, but also driving up the cost of health care and reducing the productivity of the workforce." The establishment of a McDonalds store will contribute to these issues in the local community.

Once again, we are disappointed that QPRC has chosen to put this on exhibition during the school holidays and over a long weekend.

Yours Sincerely

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

ITEM 10.1 DA 446-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
 INCLUDING REVISED PYLON SIGN DESIGN - 6
 FERDINAND LANE, JERRABOMBERRA

ATTACHMENT 7 DA 446-2018 - DRAFT CONDITIONS OF CONSENT

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE (BUILDING)

1. **SUBMIT AN APPLICATION FOR TRADE WASTE (C5)**
Prior to the issue of the Construction Certificate (Building) a Trade Waste Application (C5) to install a waste treatment device or devices must be submitted to, and approved by, Council. The waste treatment devices proposed must be able to cater for discharges from the following sources:
 - (a) Kitchen
 - (b) Café

The application must include the following details;

- (a) Details and location of all processes, tanks, pits and apparatus associated with the generation of trade waste and,
- (b) Specifications of the treatment system including capacity/dimensions, material of construction and lining of the proposed pre-treatment facilities and,
- (c) Details of pipes and floor drainage conveying the waste and,
- (d) A detailed sewage drainage plan.

REASON: To ensure compliance with Section 68 of the *Local Government Act 1993*, Council's Policy for Discharge of Liquid Trade Waste into Council's Sewer 2004/05 and to protect Council's Sewerage System.
(56.11)

Note: For further information regarding Trade Waste treatment and discharge please contact Council's Trade Waste Officer.

2. **SUBMIT A CONSTRUCTION MANAGEMENT PLAN**
Prior to release of any Construction Certificate (Building) a Construction Management Plan for the management of soil, water, vegetation, waste, noise, vibration, dust, hazards and risk for the construction works must be submitted to, and endorsed by, Council. The plan must:
- (a) describe the proposed construction works and construction program and,**
 - (b) set standards and performance criteria to be met by the construction works and,**
 - (c) describe the procedures to be implemented to ensure that the works comply with the standards and performance criteria and,**
 - (d) identify procedures to receive, register, report and respond to complaints and,**
 - (e) nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plan.**

REASON: To ensure that satisfactory measures are in place to provide for environmental management of the construction works. **(56.16)**

PRIOR TO COMMENCEMENT

3. **BUILDING CONTRIBUTIONS TO BE PAID**
Prior to the lodgement of the Notice to Commence Building Work and Appointment of a Principal Certifying Authority the contributions specified in Schedule 1 of this consent must be paid to Council under the provisions of Section 7.11 of the *Environmental Planning and Assessment Act 1979*, Section 64 of the *Local Government Act 1993* and Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000*.

REASON: To provide for the funding of augmentation and provision of services and community facilities. **(57.02)**

4. **CONSTRUCTION CERTIFICATE (BUILDING) TO BE ISSUED**
The erection of a building in accordance with the development consent must not be commenced until a Construction Certificate has been issued by Council or an Accredited Certifier.

REASON: To satisfy the requirements of Section 81A of the *Environmental Planning and Assessment Act 1979*. **(57.03)**

5. **SUBMIT NOTICE OF COMMENCEMENT OF BUILDING WORK**
A Principal Certifying Authority for the building work must be appointed and the Principal Certifying Authority must, no later than two days before the building works commences, notify Council of his or her appointment.

REASON: To satisfy the requirements of Section 81A of the Environmental Planning and Assessment Act 1979. **(57.04)**

6. **ERECT A SIGN FOR ANY DEVELOPMENT WORKS**
A sign must be erected and maintained in a prominent position on any site on which building, subdivision or demolition work is being carried out;
- (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.**
 - (b) Showing the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours.**
 - (c) Stating that unauthorised entry to the work site is prohibited.**

REASON: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000. **(57.08)**

7. **PROVIDE WORKERS TOILET FACILITIES**
Adequate toilet facilities for workers must be provided at or in the vicinity of the work site.

REASON: To provide suitable and hygienic toilet facilities for use by people visiting or working on the site. **(57.09)**

8. **SUBMIT AN APPLICATION FOR TRADE WASTE (C4)**
Prior to the commencement of any building work on the approved land use a Trade Waste Application (C4) for disposal into sewer must be submitted to, and approved by, Council.

REASON: To ensure compliance with Section 68 of the *Local Government Act 1993*, Council's Policy for Discharge of Liquid Trade Waste into Council's Sewer 2004/05 and to protect Council's Sewerage System. **(57.10)**

9. **SUBMIT A TRAFFIC MANAGEMENT PLAN**
Prior to work commencing a Traffic Management Plan for the construction works must be submitted to, and approved by, Council under the provisions of Section 138 of the *Roads Act 1993*.

REASON: To ensure that adequate arrangements are made for traffic and pedestrian safety during the construction works. **(57.13)**

SITE MANAGEMENT DURING DEMOLITION AND CONSTRUCTION

10. **PROVIDE WASTE STORAGE RECEPTACLE**
A waste receptacle must be placed on the site for the storage of waste materials.

REASON: To prevent pollution of surrounding areas. **(58.02)**

11. **INSTALL EROSION AND SEDIMENT CONTROLS**
Erosion and sediment controls must be installed on the site and maintained during the construction period.

REASON: To prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land. **(58.03)**

12. **HOURS OF OPERATION FOR WORKS**
All works associated with the demolition and/or construction of this development must be carried out between the following hours:

Weekdays:	7.00am to 6.00pm
Saturdays:	8.00am to 4.00pm
Sundays and Public Holidays:	NIL

REASON: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality. **(58.04)**

13. WORK ON ADJOINING LAND IS LIMITED

The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for:

- (a) Installation of a temporary, stabilised construction access across the verge.**
- (b) Installation of services.**
- (c) Construction of an approved permanent verge crossing.**

REASON: To minimise interference with the verge and its accessibility by pedestrians. **(58.05)**

14. REPAIR DAMAGED PUBLIC PROPERTY

All damage caused to public property during the establishment of the development must be repaired or reinstated prior to the issue of any Occupation Certificate.

REASON: To ensure that all public property in the vicinity of the development is maintained in its pre-development condition. **(58.06)**

15. WORKS SITES TO BE FENCED

A hoarding or fence must be erected between the development site and public places before commencement of any other work.

REASON: To ensure that an effective barrier is provided to preserve the safety of people and property in public places. **(58.07)**

16. TEMPORARY VEHICLE ACCESS

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

REASON: To minimise transfer of soil from the site onto the road pavement. **(58.08)**

GENERAL CONDITIONS

17. IN ACCORDANCE WITH THE APPROVED PLANS

The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans bearing the Council approval stamp, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by notations made in red ink by Council or conditions of approval.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

REASON: To ensure the development is completed in accordance with the approved plans and the development consent. **(59.02)**

18. OPERATIONAL, TRADING & DELIVERY HOURS ASSOCIATED WITH THIS APPROVAL

Function	Hours Permitted
Operational Hours	24 hours per day (7 days a week)
Trading Hours	24 hours per day (7 days a week)
Delivery Hours	7:00am to 10:00pm (Monday to Saturday) 8:00am to 10:00pm (Sundays/Public Holidays)
Waste Collection	7:00am to 10:00pm (Monday to Saturday) 8:00am to 10:00pm (Sundays/Public Holidays)

REASON: To ensure impacts from noise on surrounding land uses is kept to a minimum **(59.01)**

BUILDING

19. COMPLY WITH THE BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

REASON: This is a prescribed condition under the provisions of clause 98 of the Environmental Planning and Assessment Regulation 2000. **(60.02)**

20. ALL WORKS TO BE CONFINED TO THE SITE
All excavation, backfilling, construction and other activities associated with the development must:-
- (a) Be carried out entirely within the allotment boundaries unless otherwise approved by Council.
 - (b) If within one metre of the verge, the site must be protected by a hoarding which must be erected prior to the commencement of the demolition works.
 - (c) Be kept clear of stormwater, sewer manholes and service easements on the site.

REASON: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired. **(60.05)**

21. SUBMIT SURVEY PLAN SHOWING BOUNDARY SETBACKS
The building must be set out by a Registered Surveyor in accordance with the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries must be prepared upon completion of the base course brickwork and then be submitted to the Principal Certifying Authority.

REASON: To ensure building has been sited in accordance with the approved plans. **(60.08)**

FIRE SAFETY MEASURES

22. SUBMIT FINAL FIRE SAFETY CERTIFICATE
At the completion of works, a Final Fire Safety Certificate detailing each essential fire safety measure provided in the building must be issued by the owner and must be submitted to Council. Copies the certificate must also be given to the Fire Commissioner and be prominently displayed in the building.

REASON: To ensure compliance with the *Environmental Planning and Assessment Regulation 2000*. **(61.02)**

23. **SUBMIT ANNUAL FIRE SAFETY STATEMENT**

Each year, the owner of the building must submit to Council an Annual Fire Safety Statement for the building. The Annual Fire Safety Statement must address each Essential Fire Safety Measure in the building.

REASON: To ensure compliance with the *Environmental Planning and Assessment Regulation 2000*. **(61.03)**

CARPARKING AND ACCESS

24. **CAR PARKING TO COMPLY WITH AS2890**

All car parks must comply with AS2890 – 2004 Parking Facilities.

REASON: To provide adequate off-street car parking. **(66.04)**

25. **ALL SURFACES TO BE CONCRETE OR BITUMEN SEALED**

All parking spaces, loading bays, driveways and turning aisles must be concrete or bitumen sealed, with all parking spaces line marked.

REASON: To ensure car parking spaces are functional prior to use of the premises. **(66.06)**

SAFER BY DESIGN

26. **LIGHTING IN CAR PARKS AND PUBLIC SPACES**

Lighting throughout the car parking area, in public spaces and illuminated signage must comply with AS 2890.1:2004 – Parking Facilities – Off-Street Car Parking, AS 1158 - Lighting for Roads and Public Spaces, and AS 2482:2019 – Control of the Obtrusive Effects of Outdoor Lighting.

REASON: To ensure the provision of adequate lighting within the development. **(71.02)**

ADVERTISING AND BUSINESS/BUILDING IDENTIFICATION SIGNAGE

27. REMOVE DAMAGED OR OBSOLETE SIGNS
The sign(s) allowed by this consent must be removed if the signage becomes obsolete or is in a state of disrepair.

REASON: To ensure that obsolete signs and signs in poor condition are not left on buildings. **(72.04)**

LANDSCAPING

28. LANDSCAPING WORKS COMPLETED BY AN ACCREDITED CONTRACTOR
All landscaping must be completed by a Council accredited Category 1 landscape contractor in accordance with approved landscape plan bearing the Council approval stamp.

REASON: To help ensure a high standard of landscape works. **(73.02)**

FOOD

29. CONSTRUCTION AND FITOUT REQUIREMENTS
Food preparation, sale and storage areas must be constructed and fitted out to comply with the requirements of the:
- (a) *Food Act 2003*;**
 - (b) *Food Regulations 2015*;**
 - (c) Australia New Zealand Food Standards Code; and**
 - (d) AS1668.2 – The use of ventilation and air conditioning in buildings – Part 2: Ventilation design for indoor air contaminant control**

REASON: To ensure safe and hygienic food preparation/storage and compliance with *Food Act 2003* and *Regulations 2015*, Food Standards Code and relevant Australian Standards. **(75.02)**

ENVIRONMENTAL

30. SIGNAGE FOR WASTE STORAGE AREA

Appropriate signage must be provided in the waste storage area advising of the kinds of waste that can be disposed of in the bins.

The sign must be;

- (a) Clearly visible, and**
- (b) Made of durable and weather-proof material.**

In addition, appropriate signage must be placed on the external wall/door of the waste storage area to identify it.

The waste storage area is to be secure and not accessible to the public.

REASON: To provide information to users of the building and reduce the level of contamination found in the waste bins. **(76.02)**

31. THREE MONTH ACOUSTIC REPORT – COMPLIANCE

All recommendations and specifications detailed in the acoustic report titled Noise Assessment (Ref: MAC170574RP1V01) prepared by Muller Acoustic Consulting and dated August 2018 must be implemented and adhered to.

Within three months of the date that any occupation certificate is issued, an acoustic report prepared by a suitably qualified, experienced and independent person must be submitted to Council.

The report must:

- (a) Assess how compliance with the recommendations of the Noise Assessment (Ref: MAC170574RP1V01) prepared by Muller Acoustic Consulting and dated August 2018 has been achieved, and**
- (b) Include an assessment of the level of noise generated from all noise sources and cumulative noise sources on the site, and**
- (c) Identify all reasonable and feasible measures that could be implemented on the site to reduce any additional noise impacts identified as a result of the assessment, and**
- (d) Assess the likely effectiveness of these measures.**

Any measures recommended in the acoustic report to reduce noise impacts must be implemented.

REASON: To ensure noise levels generated from activities on the site are not excessive and do not impact on surrounding sensitive receptors. To ensure compliance with the recommendations of the acoustic report submitted prior to the issue of the development consent. **(76.05)**

32. PLANT AND EQUIPMENT NOISE

The noise level emanating from plant and equipment installed on the premises must not exceed a level of 5dB(A) above background level when measured for a LA_{eq} 15 minute period during the day, evening or night.

REASON: To reduce the noise nuisance to residents and adjacent neighbours, also to comply with the *Protection of the Environment Operations Act 1997* and Regulations. **(76.04)**

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

33. SUBMIT FOOD BUSINESS REGISTRATION FORM

The proprietor of the food business must complete a Council “Food Registration Form” and submit it to Council prior to sale of food commencing.

REASON: To ensure correct information to be gathered on the Food Premises so as to maintain the list of food business that Council is required to maintain as per section 106 of *the Food Act 2003*. **(78.20)**

34. DESIGNER’S CERTIFICATION OF STORMWATER MANAGEMENT

Prior to the issue of any occupation certificate, certification of the as-built stormwater management system, in accordance with the requirements of Council’s Design Specifications D5 and D7, is to be provided to Council by the system designer.

REASON: To ensure that the as-built stormwater management system meets the requirements of Council’s design specifications. **(78.01)**

35. INSTALLATION OF LIGHT BARRIER PRIOR TO OCCUPATION

A suitably designed and constructed light barrier must be installed along the eastern boundary of the lot of an adequate height to prevent light pollution from cars that will be utilising the drive through service during night time hours.

The barrier may double as an acoustic barrier as long as it is able to maintain both the acoustic reduction and light prevention qualities.

REASON: To prevent light pollution from the drive through service impacting local residents . **(78.01)**

36. OBTAIN OCCUPATION CERTIFICATE BEFORE OCCUPATION
Occupation or use of whole or part of the building must not commence unless an Occupation Certificate has been issued in relation to the building or part.

REASON: To satisfy the provisions of Section 6.9 of the *Environmental Planning and Assessment Act 1979*. **(78.02)**

ON-GOING MANAGEMENT OF THE DEVELOPMENT

37. MAINTENANCE OF STORMWATER MANAGEMENT SYSTEM
The on-site stormwater quantity (on-site detention) and quality management system is to be maintained such that the system operation is able to meet the requirements of Council's Design Specifications D5 and D7 in an ongoing capacity.

REASON: To ensure the continual effectiveness of the on-site stormwater management system. **(79.01)**

38. MAINTAIN CAR PARKING AREAS AND DRIVEWAY SEALS
All sealed car parking areas, loading bays, manoeuvring areas and driveways must be maintained in a trafficable condition. Ongoing management of vegetation within parking areas is also required.

REASON: To ensure car park areas are useable and clear sight lines are maintained. **(79.02)**

39. KEEP CAR PARKING AREAS FREE FOR PARKING
The operator of the development must ensure that all vehicles associated with the development are parked within the site in the approved car parking area as line marked.

REASON: To ensure that the car parking provided on site is used for the development. **(79.03)**

40. CAR PARKING SPACES TO BE KEPT FREE AT ALL TIMES
All car parking spaces, loading and unloading areas, vehicle manoeuvring and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times.

REASON: To ensure such areas are available for occupants and visitors of the site. **(79.05)**

41. **VEHICLE AND GOODS STORAGE CONFINED TO THE SITE**
All loading and unloading activities in connection with the development must be carried out wholly within the site and all goods and vehicles associated with the development must be accommodated wholly within the site.

REASON: To ensure free flow of vehicular and pedestrian traffic on the road and the verge. **(79.04)**

42. **COMPLY WITH PLAN OF MANAGEMENT**
The development is to comply with the submitted Plan of Management dated August 2018.

REASON: To ensure the development has a plan of management regarding security and safety, access control, space management and other operating procedures. **(79.01)**

PLUMBING AND DRAINAGE

43. **STORMWATER DISPOSAL REQUIREMENTS**
All stormwater from the site must be trapped and piped to the existing stormwater system via an on-site detention system, in accordance with the approved plans, to limit the discharge from the site to the pre-development rates for the 20% and 1% Annual Exceedance Probability storm events.

REASON: To provide satisfactory stormwater disposal. **(80.08)**

44. **PROVIDE WATER SERVICE AND WATER METER**
A new main water meter and water service shall be installed by Council at no cost to the Council. The size of the meter and service shall be determined by a suitably qualified hydraulic consultant at no cost to Council.

The main meter shall be installed in an easily accessible position at the front of the site, or other accessible position approved by Council.

REASON: To ensure that the development is appropriately water metered. **(80.14)**

45. **PLUMBING AND DRAINAGE INSTALLATION REGULATIONS**
Plumbing and drainage work must be carried out in accordance with the requirements of the *Local Government (General) Regulation 2005*, the *Plumbing and Drainage Act 2011* and Regulations under that Act and with the Plumbing Code of Australia. Such work must be carried out by a person licensed by the NSW Department of Fair Trading.

REASON: This is a mandatory condition under the provisions of the *Local Government (General) Regulation 2005*. **(80.02)**

46. **INSPECTION OF PLUMBING AND DRAINAGE**
Plumbing and Drainage must be inspected by Council at the relevant stages of construction in accordance with Council's inspection schedule.

REASON: To ensure compliance with the inspection requirements of *Plumbing and Drainage Regulation 2012* and Council's inspection schedule. **(80.03)**

47. **FLOOR LEVEL TO BE 150mm ABOVE YARD GULLY**
The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of the yard gully and surface water must be prevented from entering the yard gully.

REASON: To ensure any sewage surcharges occur outside the building and to prevent surface water from entering the sewerage system. **(80.05)**

48. **HEATED WATER NOT TO EXCEED 50 DEGREES C**
All new heated water installations, must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.

All heated water installation for any accessible facility must deliver hot water at a temperature not exceeding 45° Celsius.

REASON: To prevent accidental scalding. **(80.07)**

49. **INSULATE HEATED AND COLD WATER SERVICE PIPES**
Heated and cold water service pipes installed in the following areas of the building must be insulated in accordance with the requirements of AS 3500: Plumbing and Drainage:
- (a) unheated roof spaces**
 - (b) locations near windows, ventilators and external doors where cold draughts are likely to occur**
 - (c) locations in contact with cold surfaces such as metal roof and external metal cladding materials.**

REASON: To prevent the water service being damaged by water freezing within the pipes due to local climatic conditions. **(80.12)**

SIGNAGE SCHEDULE

CODE	DESCRIPTION	QTY
S01	BUDGET SIGN	1
S01-1	DRIVE THRU (600mm Ø)	2
S01-2	OPEN LATE (600mm Ø)	2
S01-3	INTERIALLY ILLUMINATED DIRECTIONAL SIGN	1
S01-4	INTERIALLY ILLUMINATED DIRECTIONAL SIGN	1
S01-5	INTERIALLY ILLUMINATED DIRECTIONAL SIGN	1
S01-6	INTERIALLY ILLUMINATED DIRECTIONAL SIGN	1
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S01-100	INTERIALLY ILLUMINATED DIRECTIONAL SIGN	1

NOTE: Check and verify all dimensions on site before commencement of any work for shop drawings. Any discrepancies should be reported to the architect. Shop drawings and drawings of Premises of Work Building Services Pty Ltd. are not valid for copies or any use in part or whole without author consent.
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SKETCH
 FACILITY APPROVAL
 TOWN PLANNING
 TOWN PLANNING AMENDED
 \$A / CC
 TENDER
 CONSTRUCTION
 AS BUILT

PROJECT FILE
 KFC JERRABOMBERRA
 NEW KFC RESTAURANT
 TOMSPITT DRIVE, NSW

TOWN PLANNING
 SIGNAGE DETAILS:
 BUILDING SIGNS & PYLON SIGN

Drawing Scale: As Shown
 Plan Date: November 2018
 Drawing No.: 18010
 Revision No.: TP020
 Status: F

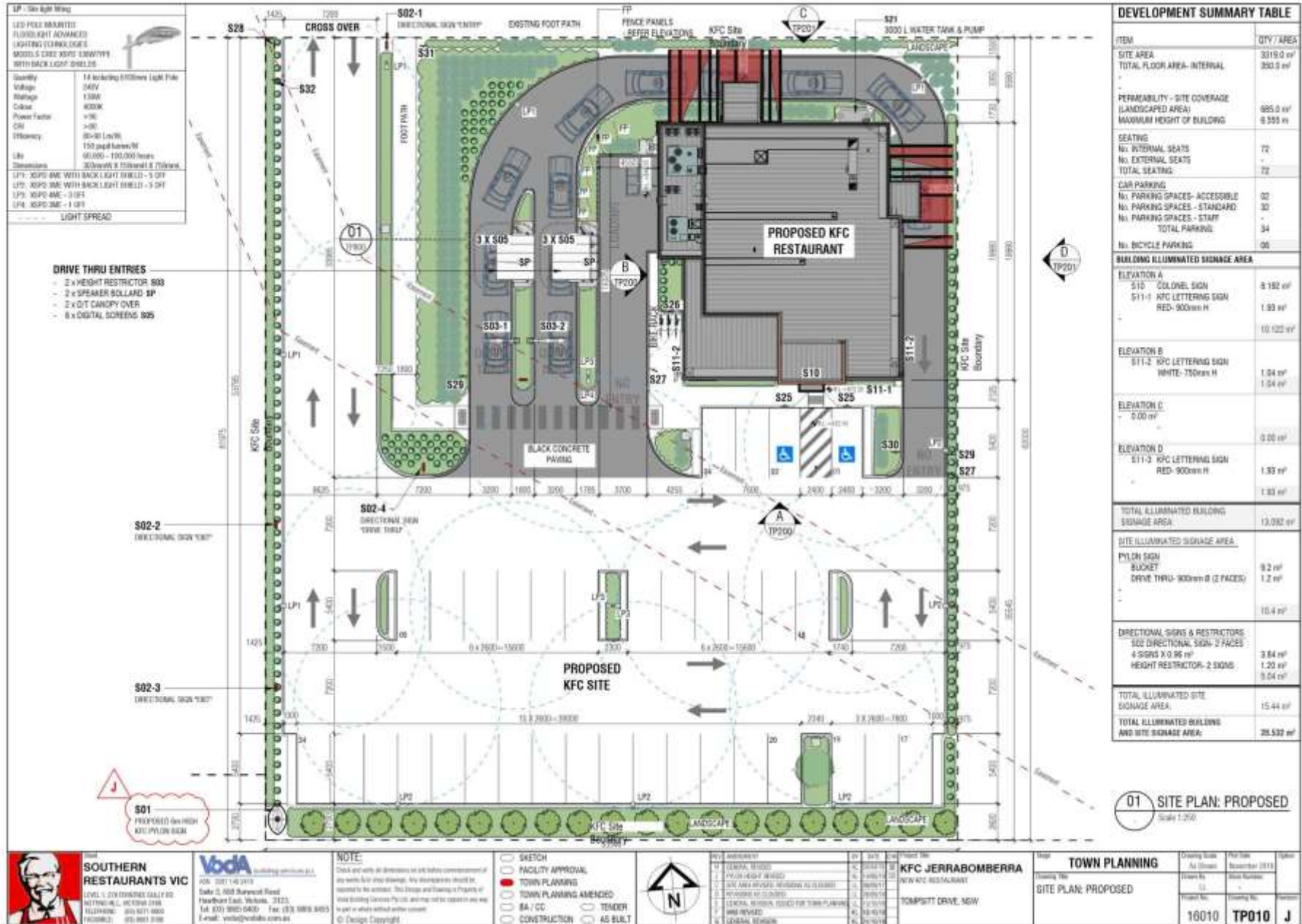
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

ITEM 10.2 DA 505-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
INCLUDING REVISED PYLON SIGN DESIGN - 10
FERDINAND LANE, JERRABOMBERRA

ATTACHMENT 2 DA 505-2018 - REVISED SITE PLAN - KFC PYLON SIGN - 10
FERDINAND LANE



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

- ITEM 10.2 DA 505-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
 INCLUDING REVISED PYLON SIGN DESIGN - 10
 FERDINAND LANE, JERRABOMBERRA
- ATTACHMENT 3 DA 505-2018 - REPORT TO COUNCIL - 12 JUNE 2019 - 10
 FERDINAND LANE

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE
ENVIRONMENT, PLANNING AND DEVELOPMENT

12 JUNE 2019

6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis)

Summary

Reason for Referral to Council

This application has been referred to Council as more than six submissions have been received by Council resulting from the exhibition/notification process and it is in the public interest to have the matter determined by Council.

Proposal:	Takeaway Food and Drink Premises and Associated Signage (KFC Restaurant)
Applicant/Owner:	Purdon Planning Pty Limited/Poplars Development Pty Ltd.
Subject Property:	Proposed Lot 3 DP 1246134, No. 10 Ferdinand Lane, (Lodged under Lot 2 DP 1243031, No. 31 Tomsitt Drive) Jerrabomberra
Zoning and Permissibility:	B1 Neighbourhood Centre under Queanbeyan Local Environmental Plan (Poplars) 2013. Permissible with consent within the zone.
Public Submissions:	Thirteen
Issues Discussed:	Planning Requirements/Issues Raised in Submissions.
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

Recommendation

1. That the CEO be granted delegated authority to determine development application 505-2018 for a takeaway food and drink premises on proposed Lot 3 DP 1246134, 10 Ferdinand Lane Jerrabomberra, subject to formal creation of the title for the proposed allotment.
2. That those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

10 **Background**

Proposed Development

The proposed development is for a Takeaway Food and Drink Premises (KFC Restaurant) and Associated Signage and Car Parking. Specifically, the application includes:

- A building with a gross floor area of 350m² (310m² internal and 40m² external), including a service and dining area, kitchen and preparation area, a drive through, and food storage and disposal facilities;
- A total of 72 seats (56 internal and 16 external), 34 car parks (2 disabled), bicycle parking and 12 queuing spaces.
- A landscaped area of 685m²; and
- Signage – 15.8m² in area and illuminated, including flat wall signage and an 8.5m high, 9.2m² internally illuminated pylon sign.

6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)



Figure 1: Elevation Plan (Source: Voda Building Services)

Subject Property

The subject site is legally described as Lot 2 DP 1243031 and is commonly known as 31 Tomsitt Drive. The subject site was subdivided as part of DA 192-2016. DA 192-2016 was determined in June 2017 and approved the demolition of an existing dwelling house and outbuildings, subdivision of land to create 6 x Torrens Title lots, construction of two public roads and associated works at 300 Lanyon Drive. The lots within this subdivision are yet to be registered and the subject site will be known as Lot 3 DP 1246134 and is commonly known as 10 Ferdinand Lane Jerrabomberra.

30

The site has a total area of 3,319m². There is no existing development on the site. Vehicular access is provided to the side via a newly created driveway from Ferdinand Lane. A site plan is shown in Figure 2 below.

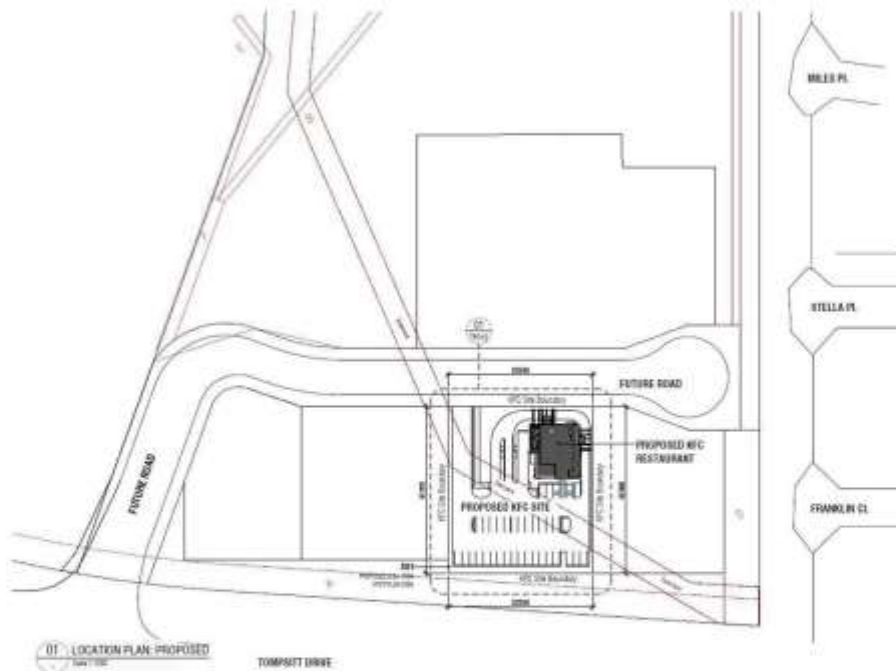


Figure 2: Site Plan (Source: Voda Building Services)

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE 12 JUNE 2019
 6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Figure 3 below shows a more detailed site layout.

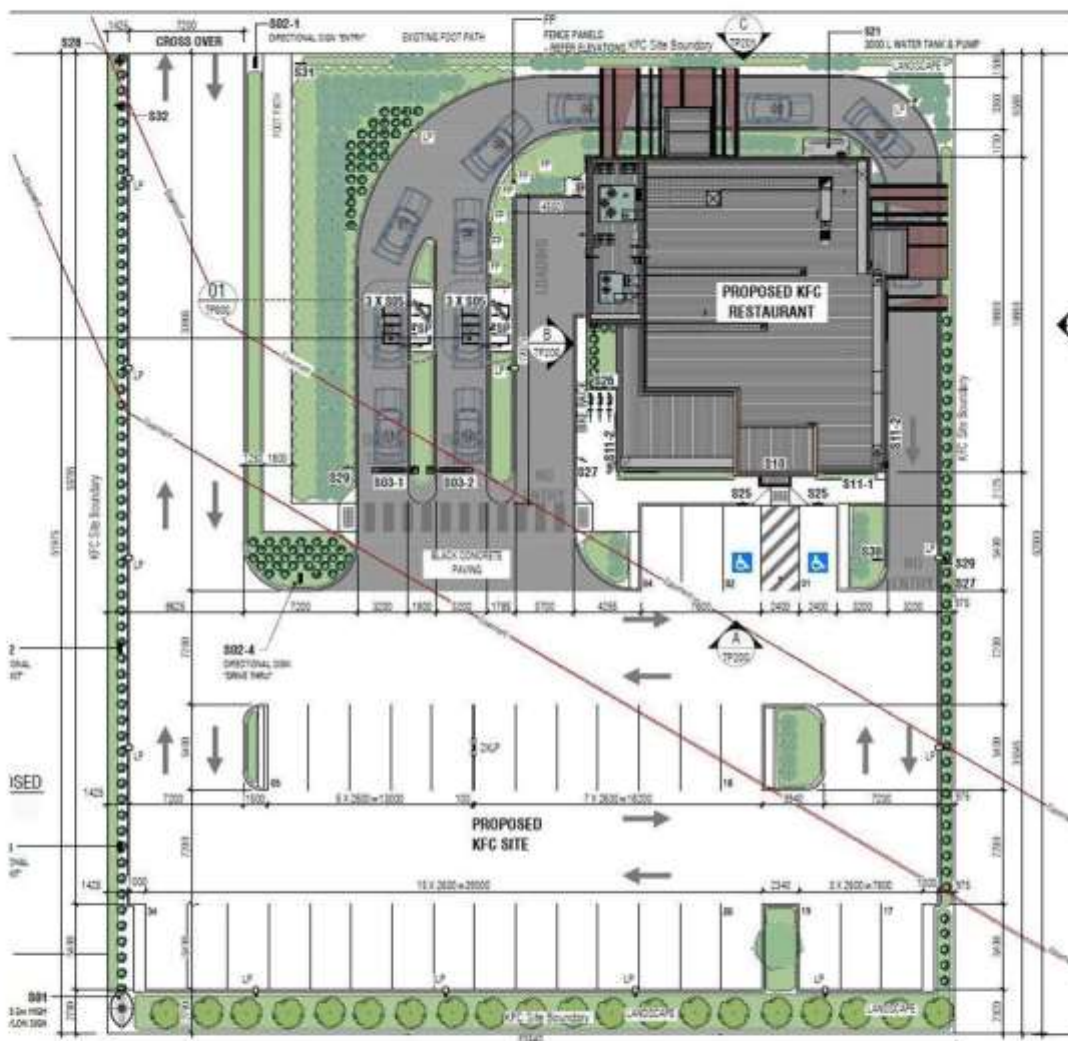


Figure 3: Detailed Site Plan (Source: Voda Building Services)

40.

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE **12 JUNE 2019**
6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.15 of the *Environmental Planning and Assessment Act (EP&AA) 1979*, as amended. The matters that are of relevance under Section 4.15 are summarised in the attached *Section 4.15 Table – Matters for Consideration*.

The following planning instruments have been considered in the planning assessment of the subject development application:

- 1. *State Environmental Planning Policy No. 64 Advertising and Signage*
- 50 2. *State Environmental Planning Policy No. 55 – Remediation of Land*
- 3. *Queanbeyan Local Environmental Plan (Poplars) 2013 (QLEP Poplars 2013)*.
- 4. *South Jerrabomberra Development Control Plan (SJDCP)*
- 5. *Queanbeyan Development Control Plan 2012 (QDCP 2012)*

The development generally satisfies the requirements and achieves the objectives of these planning instruments. A detailed assessment of the key issues of the application are provided below.

(a) State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)

A detailed assessment against *SEPP 64* is provided within the attached *Section 4.15 Table – Matters for Consideration*. The signage proposed is classified as business identification and way finding signage and includes:

- One 8.5m high pylon sign (shown in Figure 4).
- A total of six internally illuminated flush wall signs (three 'KFC' lettering signs (front 1.93m², western 1.04m², eastern 1.93m²), two breakfast signs (front 1.33m², eastern 1.33m²) and a single Colonel sign 8.2m² are secured flush to the wall of the building (as shown in Figure 4).
- Numerous street and directional signs (as shown in Figure 5).

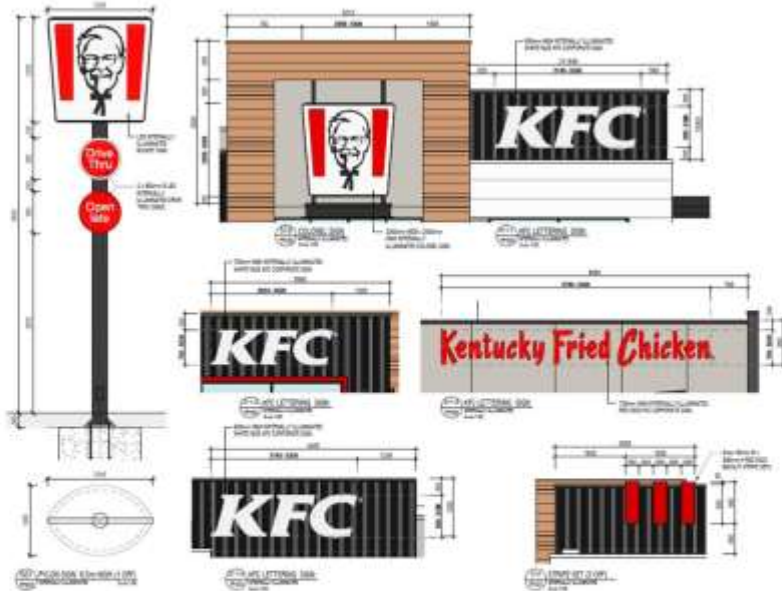


Figure 4: Proposed Business Identification Signage (Source: Voda Building Services)

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

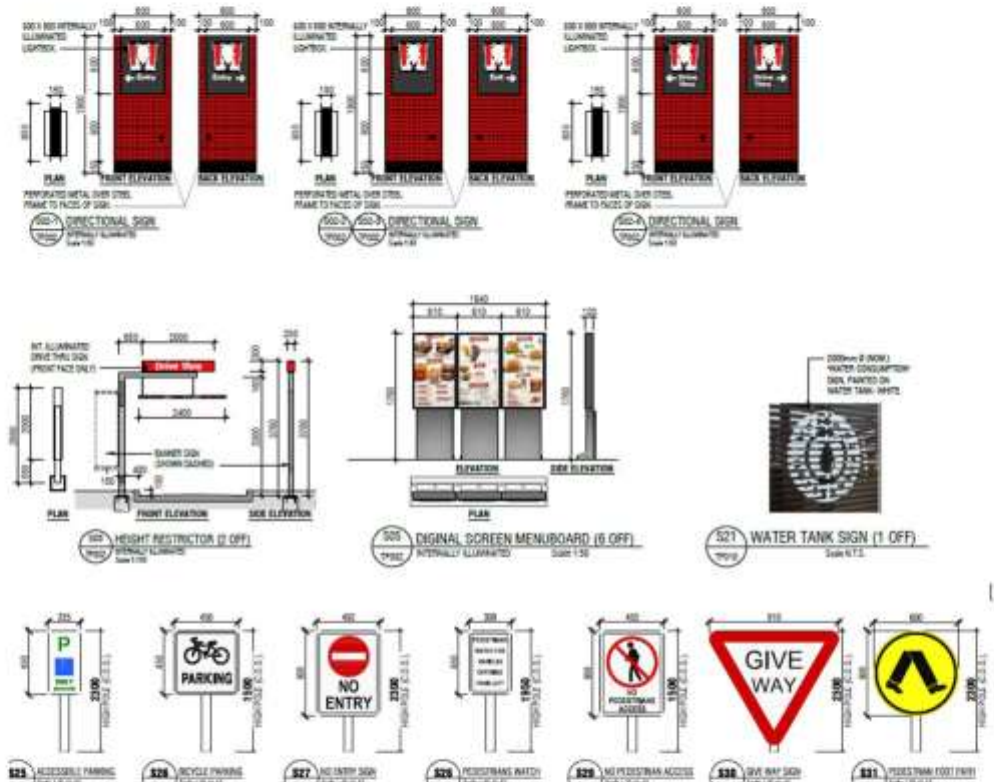
12 JUNE 2019

6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

70 The proposed pylon sign will be internally illuminated and is 8.5m in height. The illumination will not flash, move or be animated and will be conditioned to meet relevant Australian Standards regarding illumination. The top portion of the pylon sign has a total area of 9.2m² with two 1.2m² circular signs attached to the pylon sign.

There are a total of six internally illuminated flush wall signs proposed as a part of the development. These are described above and shown in figure 4.

All internally illuminated street and directional signs are to be installed in accordance with RMS standards. The signage is considered acceptable for the site.



80 **Figure 5: Proposed Street/Directional Signage (Source: Voda Building Services)**

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

12 JUNE 2019

6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

(b) State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

This matter was considered under the subdivision application (DA 192-2016). A phase 2 Environmental Site Assessment (Coffey Environments Australia Pty Ltd (Ref: ENAUBRAD01138AA) and dated 23 November 2011) was submitted which identified several areas of environmental concern and recommended that a Remedial Action Plan (RAP) be prepared for the land and remediation carried out.

90 The development consent required additional works including preparation of a Remedial Action Plan and subsequent validation activities (validation report) of the site prior to the commencement of any development works on the site.

No conditions will be required for this application in regards to contamination and remediation of land, as all relevant works have been completed in accordance with the requirements of DA 192-2016 upon release of the subdivision certificate. The site is considered appropriate for this type of development.

(c) Compliance with LEP

100 The proposed development has been assessed in accordance with the *Queanbeyan Local Environmental Plan (Poplars) 2013*. The proposed development is consistent with the aims and objectives of the plan. The proposed development is defined as a *Take Away Food and Drink Premises*, which is defined as *premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises*.

The subject site is within the B1 Neighbourhood Centre Zone and a *Takeaway Food and Drink Premises* is permissible with consent in the zone.

The proposed development is also consistent with the requirements of the development standards contained within Part 4 of the QLEP (Poplars) 2013. Notably, it meets both the building height and floor space ratio controls detailed under clause 4.3 and 4.4 respectively. **Compliance with DCP**

110 The proposed development has also been assessed against the relevant sections of the Queanbeyan Development Control Plan 2012 and South Jerrabomberra Development Control Plan, with a detailed assessment provided below:

Queanbeyan Development Control Plan 2012

Part 2 – All Zones - Section 2.2 Car Parking

120 Council's Development Engineer has assessed manoeuvring and car parking for patrons and service vehicles. The provision of car parking and layout of the carpark is considered to be more than adequate for the proposed development. The QDCP 2012 requires 1 parking space per 3 seats for a Take-Away Food and Drink Premises, plus a queuing area for 5-12 cars. The proposed development has a total of 72 seats. The proposed development requires 24 spaces in total, as well as 1 disabled space and an area to accommodate a service vehicle. The application proposes a total of 34 spaces, including 2 disabled parking spaces, queuing space for 12 vehicles and bicycle parking. The development is compliant with this section of the QDCP 2012. For a full assessment of car parking and access requirements please refer to the Development Engineer's comments within this report below.

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

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6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Section 2.3 Environmental Management

Lighting

130 A site plan was submitted showing light spill from the proposed lighting of the off-street car park. The light spill diagram is considered adequate in terms of its potential impacts on adjoining properties, this includes adjoining commercial property and surrounding nearby residences. The light spill diagram is provided on the site plan included in the attachment – architectural plans.

Noise

A Noise Assessment Report was submitted with the Development Application to support the proposal. Proposed hours of operation for the premises are 10:00am to 11:00pm. Delivery hours are proposed wholly within the prescribed operational hours.

The Noise Assessment Report makes three key recommendations for the site. These include:

140 *Plant Noise* - All plant, including any refrigeration plant when taken together are not to exceed the criteria at the boundaries as established in this report and reported as the night time one: LAeq 35 dB(A). This should be verified during construction. This is the most stringent criterion.

Waste collection - Waste collection should be conducted during the hours of 7 am to 6 pm Monday to Saturday, and 8 am to 6 pm Sunday and public holidays.

Drive through Windows - No attenuation is required to the drive through speakers, as there is adequate distance and a noise wall. Payment and collection points should not be amplified. Further, the payment and pick-up windows should not exceed the criteria.

150 The development will be conditioned to comply with the recommendations of the Noise Assessment Report. Additionally, operational, trading and delivery hours will be imposed by a condition of consent and will be generally consistent with these recommendations.

Waste

160 A Waste Management Plan was submitted in support of the proposed development. The plan includes provisions to deal with operational waste, including a waste enclosure and external/internal bins and provisions for dealing with oil spills. Compliance with this plan will be conditioned, whilst construction waste will need to be addressed through the submission of a Construction Management Plan, which will be conditioned to be submitted prior to commencement of construction of the proposed development.

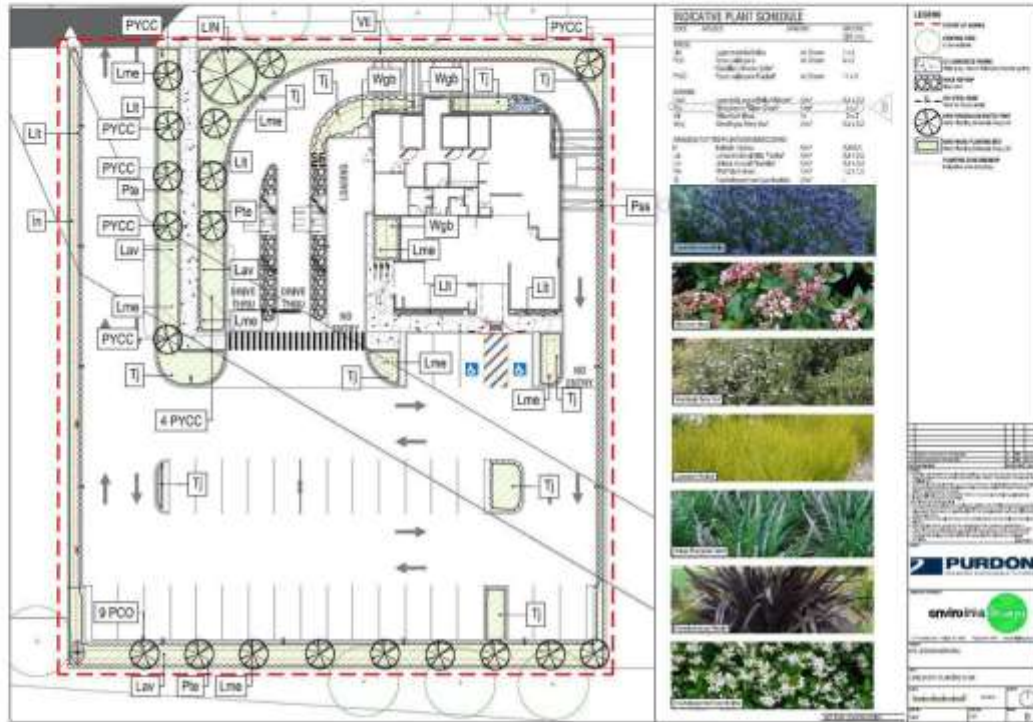
PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

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6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Section 2.6 Landscaping

A Landscape Plan was prepared by a Category 1 Landscape Consultant as listed on Council's Landscape Consultant Register. The proposed landscaping is considered appropriate for the site. Specifically, as per the landscape plan depicted below in Figure 6 and 7, the proposed development incorporates the following plantings:



6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

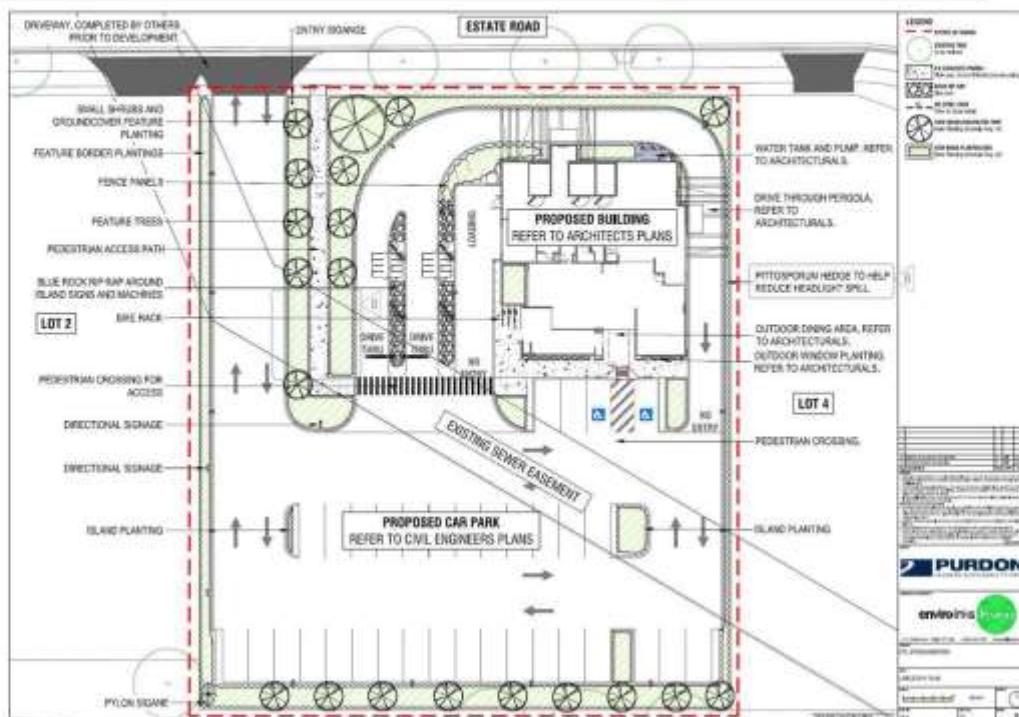


Figure 7: Landscape Plan 2 (Source: Enviro Links Design)

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The proposed landscaping is considered appropriate for the site. It will not obscure site lines to and from entry and exit points and will add to the amenity of the site and streetscape.

Section 2.9 Safe Design

The proposed development is generally consistent with the aims and objectives of this section of the QDCP 2012. The proposed design contains clear entry points to and from the site with entry to the building clearly defined from the internal car park. Landscaping is considered appropriate for the site and will not detrimentally impact site lines or create areas for hiding. Passive and natural surveillance is not considered an issue for the proposed development.

180

South Jerrabomberra Development Control Plan

The assessment against the South Jerrabomberra Development Control Plan found the proposed development to generally comply with the objectives and controls listed under Part 10 'Neighbourhood Centre Controls and Principles'. A detailed assessment is provided within the attached Section 4.15 Report – Matters for Consideration.

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

12 JUNE 2019

6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10
Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

(a) *Building Surveyor's Comments*

The proposed development is likely able to comply with the Building Code of Australia. There are no objections to the proposed development.

190 (b) *Development Engineer's Comments*

Traffic and Parking - Clause 2.2 of the Queanbeyan DCP requires 1 parking space per 3 seats for a take-away food and drink premises, plus queuing area for 5-12 cars. With a total of 72 seats proposed, 24 spaces would be required as well as 1 disabled space and a service vehicle area. The application proposes 34 spaces, including 2 disabled spaces, queuing space for 12 vehicles, as well as bicycle parking, which satisfies DCP requirements.

200 Carpark users would be classified by AS2890 as Class 3A (short-term, high turnover). Parking spaces are to be minimum 2.6 x 5.4m with an aisle width of 6.6m. Disabled spaces are to be 2.4 x 5.4m, with a 2.4m wide shared space and bollard to be provided. The submitted parking layout complies with these requirements (66.04).

The applicant has nominated a heavy rigid vehicle as the service vehicle, 12.5m long by 2.5m wide. A suitable service vehicle area has been provided, 3.7m wide with a length of approx. 19.3m. Swept paths have been submitted, demonstrating single-manoeuve access and egress is achievable without encroachment over boundaries or into parking spaces.

A pedestrian crossing is located at the entrance to the drive-thru. As landscaping is kept to shrubbery and groundcover either side, adequate pedestrian sight lines have been provided. To ensure safety of pedestrians and drivers, ongoing vegetation management within the carpark will be required (79.02).

210 A traffic report has not been submitted with the application. It's almost a certainty that the Poplars subdivision and Tralee intersection will cause significant impacts to the function of Tomsitt Drive, however these concerns aren't the subject of this application as the development of a lot within the Poplars subdivision. Traffic modelling was completed as part of the subdivision DA (DA 192-2016), taking into account the use of the subject site for general retail. Peak traffic generations from Stage 1 were forecasted and the intersection designed accordingly. The introduction of traffic lights and an extended right-hand turn lane on Tomsitt Drive has been approved as part of the subdivision of the land and the proposed use is considered consistent with the envisaged usage for the subdivision.

220 *Access* - A survey plan has been submitted confirming there is minimal fall over the site. Hence, driveway grades will be relatively flat. The driveway/roadway is 7.2m wide internally, which is in accordance with AS2890.2 guidelines.

A shared VKC (approx. 18m wide) between Lots 2 & 3 has been constructed during subdivision works. As the verge crossover is existing and internal driveway grades don't pose an issue, there is no need to condition driveway construction or inspection by Council.

Stormwater, Sewer & Water - The proposed development is considered to be able to be adequately serviced and provisions for sewer, water and stormwater have been assessed as satisfactory.

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PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

12 JUNE 2019

6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

(c) *Environmental Health Comments*

The proposed development is to comply with the *Food Act 2003* and *Regulation 2015* and Food Standards Code. Additionally, the development must ensure:

- Plant and equipment noise is not to exceed 5dB above background.
- Waste collection times are to be restricted to certain hours.
- The installation of a light barrier along the eastern boundary to prevent drive through car lights affecting surrounding properties until other buildings in the area are built and block the line of sight.
- Registration of the food business with Council.
- 240 • Submission of a noise report after 3 months of operation to determine operational noise impact with all recommendations adequately implemented.

Financial Implications

Section 7.11 contributions are applicable to the development. The subject site is located within the North Poplars contribution zone for non-residential development. The contribution rate is \$150,311.46 per hectare (note: this rate was calculated during adoption of the contribution plan and does not reflect subsequent CPI increases).

Table 3 - Non Residential Contribution Rates Per Hectare

- North Poplars = \$150,311.46/ha
- Subject site area of 3,319m² = 0.3319ha
- 250 • 0.3319 x \$150,311.46 = \$49,888.37

*this figure has not been indexed and will be subject to previous and future CPI increases

Section 64 Water and Sewer contributions are applicable to the proposed development. The applicable zone is Jerrabomberra and 5.52 Water Equivalent Tenements (ETs) and 12.52 Sewer ETs are applicable.

Total Section 64 Charge is: \$69,211.96 (\$50,709.62 water) and (\$18,502.34 sewer).

An invoice will be provided with the issued consent.

Engagement

260 The proposal required notification under the Queanbeyan DCP 2012. A total of 13 submissions were received. The relevant issues raised within the submissions and a response is provided below:

Issue: Operating Hours and Noise

270 *Comment:* Issues were raised with the potential for 24 hour operation of the premises. The proposed development for a KFC Restaurant, proposes operating hours from 10:00am to 11:00pm (7 days) and delivery hours of 7:30am to 10:30pm (Mon-Fri). The development consent will include operating hours as a condition to ensure compliance with these hours can be enforced. The operating hours are generally consistent with KFC Restaurants around Australia. Additionally, taking into consideration the location of the allotment, the submitted noise assessment report and the implementation of appropriate noise mitigation measures the proposed operating and delivery hours are seen as acceptable and it is not anticipated that the development will have an unreasonable impact on surrounding sensitive land uses.

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

12 JUNE 2019

6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10
Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Issue: Waste and Litter Management

280 *Comment:* The issue of waste and litter from the site and impacts on the surrounding area were raised. The proposed development and application was supported by a waste management plan. The waste management plan outlines details for how the site will manage waste from staff and patrons in regards to operational waste and litter. The waste management plan and site and floor plan for the development identify the provision of a waste enclosure and external bins, an excerpt from the waste management plan is provided below with further detail:

Waste Enclosure

"The building includes a waste room of approximately 15.5m² adjacent to the loading dock/service bay. This waste room is the standard size for KFC Restaurants of this size and seating capacity. It allows for waste bins and recycling bins to be stored in an area separate from the restaurant operations but readily accessible from both within the building and externally.

290 *It is expected that the KFC restaurant will generate approximately 13m³ of general waste and 3m³ of recyclable waste per week. Allowing for 3 collections per week this results in a requirement for 2 x 3m³ waste bins and 1 x 1.1m³ recycling bin. The proposed waste enclosure has sufficient area to accommodate these bins".*

The consent will be conditioned accordingly so that a litter management plan is provided to Council prior to operation of the site and can be enforced if issues arise.

Issue: Visual Impact of Signage

Comment: The proposed development incorporates a number of business identification signs and wayfinding/directional signage. This includes a pylon sign and flush wall signs with the business name/branding. Comprehensive detail of the proposed signage is provided within the SEPP 64 – Advertising and Signage assessment provided within the Section 4.15 Report – Matters for Consideration and within this report.

300 The proposed signage is not inconsistent with the assessment criteria within schedule 1 of SEPP 64 and the requirements of the relevant Development Control Plan. However, it is acknowledged that the combination of signs from the adjoining sites will have a cumulative impact. However, only one pylon sign is being permitted on each site and the three on the Tomsitt Drive frontage are evenly spread. This and the variation in height of the pylon signs (9.0m to 5.0m) will provide a visual break-up and reduce the overall impact of the combined 4 pylon signs. Additionally, adequate distances between sites and appropriate landscaping will aid in breaking up signage and allowing for satisfactory visual impact.

Issue: Contamination

310 *Comment:* Concerns were raised in regards to importation of fill and the existing use of the site and potential contamination. The site has been adequately remediated within the requirements of the conditions of consent for the subdivision (DA 192-2016). Please refer to the comments against SEPP 55 Remediation of Land within this report for further information.

PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

12 JUNE 2019

6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Issue: Public Health

Comment: The issue of public health and dietary choices has been considered by Council. However, it is noted that individual dietary choices are not a matter for consideration in regards to the relevant environmental planning instruments and cannot be enforced or controlled through the development assessment process. A Takeaway Food and Drink Premises is permissible with consent in the zone.

320 **Conclusion**

The submitted proposal for a Takeaway Food and Drink Premises & Associated Signage (KFC Restaurant) on proposed Lot 3 DP 1246134, 10 Ferdinand Lane Jerrabomberra, is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and a total of 13 submissions were received. A response to submissions is provided within this report and all issues are deemed to have been addressed or are able to be mitigated through the imposition of relevant conditions of consent.

330 The proposal has been assessed under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, including the relevant provisions of the *Queanbeyan Local Environmental Plan (Poplars) 2013*, the *Queanbeyan Development Control Plan 2012* and the *South Jerrabomberra Development Control Plan*. The development satisfies the requirements and achieves the objectives of these instruments. The proposed development is considered satisfactory for approval subject to the recommended conditions of consent.

However, the proposed lot on which the proposed development is to be erected does not formally exist. As such the applications are unable to be given final approval until the proposed lots are formally created and land titles registered. For this reason approval should be withheld and the CEO given delegated authority to determine the application once the land title is formally registered.

Attachments

- | | |
|--------------|--|
| Attachment 1 | DA 505-2018 - Attachment Section 4.15 - Matters for Consideration - Takeaway Food and Drink Premises (KFC Resturant) - 10 Ferdinand Lane (<i>Under Separate Cover</i>) |
| Attachment 2 | DA 505-2018 - Architectural Plans - Takeaway Food and Drink premises (KFC Restaurant) - 10 Ferdinand Lane (<i>Under Separate Cover</i>) |
| Attachment 3 | DA 505-2018 - Submissions - Takeaway Food and Drink Premises - 10 Ferdinand Lane (<i>Under Separate Cover</i>) |
| Attachment 4 | DA 505-2018 - Draft Conditions - Takeaway Food and Drink Premises - 10 Ferdinand Lane (<i>Under Separate Cover</i>) |

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

ITEM 10.2	DA 505-2018 - TAKEAWAY FOOD AND DRINK PREMISES - INCLUDING REVISED PYLON SIGN DESIGN - 10 FERDINAND LANE, JERRABOMBERRA
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ATTACHMENT 4	DA 505-2018 - SECTION 4.15 MATTERS FOR CONSIDERATION - 10 FERDINAND LANE
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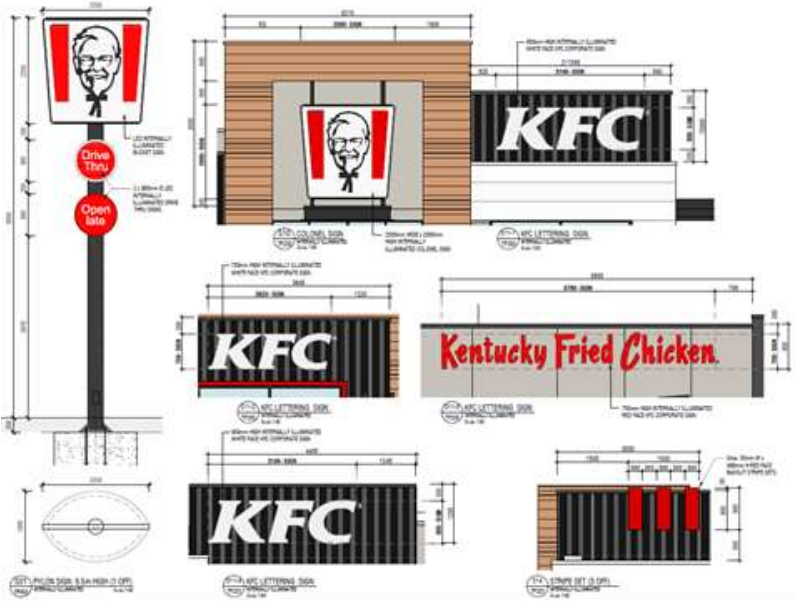
ATTACHMENT - SECTION 4.15 TABLE – Matters for Consideration

This application has been assessed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the following matters are of relevance to **Development Application No 505-2018**.

State Environmental Planning Policies

The proposed development has been assessed in accordance with the requirements of the relevant State Environmental Planning Policies (SEPPs) including any draft SEPPs and a summary is provided in the following table:

SEPP COMMENTS	COMPLIES (Yes/No)
State Environmental Planning Policy No 55 - Remediation of Land	
<p>Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. There are no records of the site being previously used for any potentially contaminating purposes.</p> <p>This matter was considered under the subdivision application (DA 192-2016). A phase 2 Environmental Site Assessment (Coffey Environments Australia Pty Ltd (Ref: ENAUBRAD01138AA) and dated 23 November 2011) was submitted which identified several areas of environmental concern and recommended that a Remedial Action Plan (RAP) be prepared for the land and remediation carried out.</p> <p>The development consent required additional works including preparation of a Remedial Action Plan and subsequent validation activities (validation report) of the site prior to the commencement of any development work on the site.</p>	Yes
State Environmental Planning Policy No 64 - Advertising and Signage	
<p>Part 1 Preliminary</p> <p>Aims and Objectives</p> <p>Consideration is required of the aims and objectives of SEPP 64, including:</p> <ul style="list-style-type: none"> (a) <i>To ensure that signage (including advertising):</i> <ul style="list-style-type: none"> I. <i>Is compatible with the desired amenity and visual character of an area, and</i> II. <i>Provides effective communication in suitable locations, and</i> III. <i>Is of high quality design and finish, and</i> (b) <i>To regulate signage (but not content) under Part 4 of the Act, and</i> (c) <i>To provide time-limited consents for the display of certain advertisement, and</i> (d) <i>To regulate the display of advertisements in transport corridors, and</i> (e) <i>To ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i> <p>Provided appropriate recommended conditions of consent are complied with, the proposed development is considered generally satisfactory with respect to the prescribed aims and objectives of SEPP 64. The proposed signage is compatible with the amenity and visual character of the area, provides effective communication in a suitable location and is of acceptable quality design and finish.</p> <p>Definitions</p>	Yes

SEPP COMMENTS	COMPLIES (Yes/No)
<p>In terms of the definitions prescribed by SEPP 64, a number of definitions are considered relevant:</p> <p>signage means all signs, notices, devices, representations and advertisements that advertise or promote any goods services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage and includes:</p> <ul style="list-style-type: none"> (a) building identification signs, and (b) business identification signs, and (c) advertisements to which Part 3 applies, <p>but does not include traffic signs or traffic control facilities.</p> <p>Business identification sign has the same meaning as in the Standard Instrument.</p> <p>business identification sign means a sign:</p> <ul style="list-style-type: none"> (a) that indicates: <ul style="list-style-type: none"> (i) the name of the person or business, and (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and (b) that may include the address of the premises or place and a logo or other symbol that identifies the business, <p>but that does not contain any advertising relating to a person who does not carry on business at the premises or place.</p> <p>The proposal involves the installation of a number of signs, as outlined in the Applicant's signage schedule. The signs consist primarily of business identification signs (illuminated signs 'Kentucky Fried Chicken', 'KFC', and associated logos 'the bucket') including the name of the business, and a logo that identifies the business. Additional signage for information, direction or traffic/parking purposes is proposed on free-standing panels including menu boards, entry/exit signs, 'drive-thru', parking, no entry etc. It is noted that the words 'Kentucky Fried Chicken', 'KFC', and the symbol 'Colonel Harland Sanders' are registered Trademarks associated with the business.</p> <p>The signage associated with the development is considered business identification signage and is consistent with the definition provided above. Please refer to the images below depicting the proposed signage.</p> 	

SEPP COMMENTS	COMPLIES (Yes/No)
<p>600 X 800 INTERNALLY ILLUMINATED LIGHTBOX. PERFORATED METAL OVER STEEL FRAME TO FACES OF SIGN.</p> <p>S02-1 DIRECTIONAL SIGN INTERNALLY ILLUMINATED Scale 1:50</p> <p>S02-2 DIRECTIONAL SIGN INTERNALLY ILLUMINATED Scale 1:50</p> <p>S02-4 DIRECTIONAL SIGN INTERNALLY ILLUMINATED Scale 1:50</p> <p>S03 HEIGHT RESTRICTOR (2 OFF) INTERNALLY ILLUMINATED Scale 1:50</p> <p>S05 DIGITAL SCREEN MENUBOARD (6 OFF) INTERNALLY ILLUMINATED Scale 1:50</p> <p>S21 WATER TANK SIGN (1 OFF) Scale N.T.S.</p> <p>S25 ACCESSIBLE PARKING S26 BICYCLE PARKING S27 NO ENTRY SIGN S28 PEDESTRIANS WATCH S29 NO PEDESTRIAN ACCESS S30 GIVE WAY SIGN S31 PEDESTRIAN FOOT PATH</p>	
<p>Part 2 Signage Generally</p> <p>Granting of consent to signage</p> <p>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:</p> <ul style="list-style-type: none"> (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. <p>An assessment against schedule 1 is provided below.</p> <p>Schedule 1 Assessment Criteria</p> <p>1. Character of the Area</p> <ul style="list-style-type: none"> • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? <p>The locality is a developing commercial area. The proposed restaurant/café, takeaway food and drink premises is consistent with the proposed uses along this</p>	

SEPP COMMENTS	COMPLIES (Yes/No)
<p>section of Tomsitt Drive (medical centre, Aldi, McDonalds, 7-Eleven) in terms of signage associated with these types of developments.</p> <p>The proposed business signage relates to the subject use and will be located predominantly on the building façade and within the landscaped areas of the site. A single pylon sign is proposed.</p> <p>The proposal is considered compatible with the developing character of this commercial area and associated permitted uses: petrol station, take-away premises, and shopping centre. The desired future character of the area has been considered, given the site is located within an area undergoing transition.</p> <p>There is no specific theme for outdoor advertising existing in the area, however the proposal when developed will be consistent with the future character of the area.</p> <p>The sign provides clear lettering of the business name and uncomplicated graphics for the logo.</p> <p>2. Special Areas</p> <ul style="list-style-type: none"> 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? <p>It is considered that the proposed signage does not 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.</p> <p>3. Views and Vistas</p> <ul style="list-style-type: none"> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? <p>The proposed sign does not obscure or compromise important views or dominate the skyline. The viewing rights of other advertisers and businesses have been respected. The signs are located within the building height parameters (with the exception of a single pylon sign).</p> <p>4. Streetscape, setting or landscape</p> <ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? 	

SEPP COMMENTS	COMPLIES (Yes/No)
<p>The proposed signs satisfy this criterion. The scale, proportion and forms are considered appropriate for the streetscape. The signs are located within the building height parameters (with the exception of a single pylon sign) which is located near the Tomsitt Drive street frontage (and opposite an undeveloped area zoned for recreation).</p> <p>5. Site and Building</p> <ul style="list-style-type: none"> • 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? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both? <p>The signage proposed is considered sympathetic to the developing character of this area of Tomsitt Drive and the signage will be consistent with the proposed signage in the area. It is considered that the proposed sign will be appropriate in the proposed location.</p> <p>6. Associated Devices and Logos with Advertisements and Advertising Structures</p> <ul style="list-style-type: none"> • 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? <p>The signage will be illuminated. No other platforms or safety devices are proposed.</p> <p>7. Illumination</p> <ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? <p>The proposed signage is illuminated.</p> <p>A condition of consent will be imposed in relation to illumination and prohibiting any flashing signage.</p> <p>The graphics are designed to be in accordance with the nature of the business.</p> <p>8. Safety</p> <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? <p>The proposed signage is located predominantly on the building façade and within the landscaped areas of the site. The 3-Dimensional signage (bucket) is proposed</p>	

SEPP COMMENTS	COMPLIES (Yes/No)
at a height and location that would not impact on the safety of pedestrians or cyclists.	

Local Environmental Plans

The proposed development has been assessed in accordance with the relevant requirements of the *Queanbeyan Local Environmental Plan (Poplars) 2013* and no relevant draft LEPs apply to the land. A summary is provided as follows:

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
Part 1 Preliminary	
Clause 1.2 Aims of Plan	
<p>(a) to rezone certain land at The Poplars to achieve economically, environmentally and socially sustainable urban development that complements and provides a range of facilities for the benefit of the adjoining Jerrabomberra community,</p> <p>(b) to facilitate the orderly growth of the Poplars urban release area in a staged manner that promotes a high level of amenity for workers and the timely provision of physical and social infrastructure through appropriate phasing of the development of land,</p> <p>(c) to identify, protect and manage environmentally and culturally sensitive areas within Poplars, including but not limited to waterways and riparian corridors, habitat corridors, native vegetation and associated buffers, and heritage items,</p> <p>(d) to provide appropriate employment and community land use opportunities consistent with the environmental capacity of the land,</p> <p>(e) to provide appropriate controls for future development to minimise any adverse impact on the adjoining Jerrabomberra community.</p> <p>The proposed development for a Takeaway Food and Drink Premises (KFC Restaurant) at 10 Ferdinand Lane Jerrabomberra (lodged as 71 Tompsitt Drive) is consistent with the aims of the Queanbeyan Local Environmental Plan (Poplars) 2013. Specifically, the development provides appropriate employment opportunities for the local community and is consistent with the intended use for the site that was determined during the rezoning and subdivision of the land.</p>	Yes
Clause 1.4 Definitions	
<p>The proposal involves the preparation and sale of food and drink for consumption on the premises and as take away meals and drinks, and associated parking, landscaping and signage. The following definitions are considered relevant:</p> <p>restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.</p>	Yes

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
<p>Take away food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.</p> <p>In considering the characterisation of the proposed use, it is unclear which is the 'principal purpose' of the proposed use, however, notwithstanding the use of the site as a restaurant or café or a takeaway food and drink premises are both uses permitted on the site.</p> <p>Both a restaurant or café and a take away food and drink premises are land uses permitted with consent in the B1 Neighbourhood Centre zone, under Queanbeyan Local Environmental Plan (Poplars) 2013.</p> <p>Signage is proposed as part of the application, defined as:</p> <p>signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:</p> <ul style="list-style-type: none"> (a) an advertising structure, (b) a building identification sign, (c) a business identification sign, <p>but does not include a traffic sign or traffic control facilities.</p> <p>Signage is permitted with consent.</p>	
Part 2 Permitted or Prohibited Development	
Clause 2.1 Land Use Zones	
The subject site is zoned B1 Neighbourhood Centre. A Takeaway Food and Drink Premises is a permissible use within the B1 Zone.	Yes
Clause 2.3 Zone Objectives and Land Use Tables	
<ul style="list-style-type: none"> • To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. • To permit small-scale non-residential uses that will provide goods and services to meet the day-to-day needs of people who live and work in the surrounding neighbourhood. • To provide active land uses at street level. • To ensure that residential development does not compromise the existing and future operations of the Canberra Airport. <p>The proposed development is consistent with the zone objectives. Specifically, it will provide economic benefit to the local community through employment opportunities and will provide a service to residents.</p>	Yes
Clause 2.7 Demolition requires development consent	
The site is a greenfield site with no previous development. As a result, no demolition is proposed as a part of this development application.	N/A
Part 4 Principal Development Standards	
Clause 4.3 Height of buildings	
The maximum building height applicable to the subject site is 8.5m. The proposed development has a maximum height of 6.5m for the building and 8.5m for the pylon sign. Complies.	Yes
Clause 4.4 Floor space ratio	
A maximum Floor Space Ratio (FSR) of 1:1 is permitted on the site.	N/A

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
The site area is 3,319m ² and the GFA of the proposed development is 350m ² for an FSR of 0.10:1. Complies.	
Part 5 Miscellaneous Provisions	
Clause 5.10 Heritage Conservation	
The subject site is not heritage listed, not within the vicinity of a heritage item and is not located within a heritage conservation area. The clause is therefore not applicable.	N/A
Clause 5.11 Bush fire hazard reduction	
The entire site is bushfire prone. A bushfire report was submitted with the development, any necessary bushfire requirements will be conditioned as a part of the consent. Refer to the assessment under section 2.8 of Part 2 of the QDCP 2012 for further comment.	Yes
Part 6 Additional Local Provisions	
Clause 6.1 Earthworks	
Earthworks were completed as a part of the subdivision development application which created the allotment to which this proposal relates.	Yes
Clause 6.2 Riparian Lands and Watercourses	
The subject site is not located on or within the vicinity of riparian lands and watercourses.	Yes
Clause 6.3 Airspace Operations	
The proposed development has a maximum height of 6.5m for the building and 8.5m for the pylon sign and will not penetrate the OLS.	Yes
Clause 6.4 Development in Areas Subject to Aircraft Noise	
The subject site is partially within the 20 and 25 ANEF. The development does not propose any new dwellings or noise sensitive development, therefore this requirement is not considered applicable.	N/A
Clause 6.6 Essential Services	
Essential services are available to the site. Council's Development Engineer has stated that the development complies with this clause, please refer below for further comment.	
Development Engineers Comments	
Water	
The subdivision civil works contractor has constructed a 150mm potable water main in the road reserve along the front of the lot, with a 40mm tie provided at the north-east corner. This is in accordance with Council's D11 specification for South Jerrabomberra for minimum commercial water service requirements and is likely adequate for the site, however the applicant should engage a hydraulic consultant and notify Council if an upgrade is required prior to installation of a main water meter (80.14).	
The development may require an RPZ device installed at the meter, as mentioned in the DCR meeting. If so, this is to be included on the plan and registered with Council. (Condition???)	
A hydrant has also been provided in the vicinity of each lot. Further fire requirements are to be assessed by Council's building surveyor.	Yes
Sewer	
A 150mm sewer tie has been provided to the north-east corner of the lot as part of the subdivision construction work, connecting to a 225mm main in the road reserve. A trade waste application will need to be submitted to Council (56.11) and a trade waste connection and grease trap will be required. The grease trap location has been indicated on the civil plans. This is to be further assessed by Council's health team.	

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
<p>An 8m wide sewer easement with 525mm trunk main runs diagonally through the lot, with an invert depth of approx. 4-5m. No buildings are proposed within the easement and the paved driveway/parking areas would be acceptable under Council's Development Adjacent to Water, Sewer & Stormwater Mains Policy. Landscaping in the easement is to be restricted to small shrubs and vegetation, <1.5m high (73.01). The plants detailed in the mass planting bed would be acceptable. If in the future Council requires excavation or removal of structures to access the sewer main, the owner would bear any costs of reinstating.</p> <p>The drive-thru signage/height restrictors appear to be located just outside of the easement. This would be within the zone of influence of the sewer main, however given the depth of the main and width of the easement, it would be considered unreasonable to condition piers of 4-5m depth for such a small-scale structure.</p> <p>It is also noted that the internal SW pipes run through the sewer easement twice, with at least 3m clearance between the pipe invert levels. This is unavoidable given the site orientation, however Council will not be held accountable if damage is incurred during future maintenance within the easement.</p> <p>Stormwater</p> <p>A 375mm service main supplies a Class 4 RCP tie toward the north-east corner of the lot. The civil plans and site survey indicate that the tie is 375mm, while CC plans for the Poplars development specify 300mm. The tie location on the survey is also approx. 10m closer to the centre of the lot than shown on the approved construction drawings. Specific details should be confirmed on submission of final WAE, however shouldn't affect the stormwater drainage flow rates in the drainage plan.</p> <p>Stormwater management plans have been submitted along with the DRAINS model that was used for design and QPRC's D5 Hydrology Summary sheet.</p> <p>Stormwater quality has been addressed using MUSIC modelling and the model outputs are in accordance with Council's D7 Stormwater Management guidelines. A SPEL Hydro-system and SPEL stormsacks within sumps are to be installed to achieve the desired treatment targets.</p> <p>A 3000L tank collects roof-water to be reused for on-site irrigation, however there seems to be some discrepancy between the MUSIC node diagram and drainage plan. The flow diagram indicates that the rainwater tank will discharge to the SPEL Hydro-system, however this is not shown on the plans and is unlikely given the tank location. Similarly, the path of the excess roof-water to the OSD tank has not been specified.</p> <p>The internal drainage system consists of grated pits in the carpark, which drain to the front of the site, through the SPEL system to the on-site detention tank. Sumps also collect runoff from the internal roads. It is noted that pipe diameter reduces from 300mm to 225mm as water flows through the SPEL system. The applicant has advised that this reduction is intentional to avoid an additional bypass line on the stormwater treatment unit and that their DRAINS model has confirmed that no additional upwelling will occur.</p> <p>The OSD tank should be sized to maintain predevelopment flow rates for 20% and 1% AEP rain events (80.08) and an internal screen should be fitted to prevent orifice blockage. The plans propose a 22kL OSD tank with 210mm orifice plate. Without access to the DRAINS model or specific detail of the OSD tank design and calculations, it is difficult to confirm how this has been sized, although the orifice plate does seem quite large. However, the output graphs for the 5 and 100 year storm events show that predevelopment flow rates are not exceeded and confirm that the drainage system will be satisfactory.</p>	
<p>Clause 6.7 Land Adjoining Hume Industrial Area and Goulburn/Bombala Rail Line</p>	

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
The subject site is lot located within the visual and acoustic buffer and therefore this clause is not considered applicable.	N/A

Development Control Plan

The Queanbeyan Development Control Plan (QDCP) 2012 & South Jerrabomberra Development Control Plan apply to the development and a summary of the relevant provisions is provided in the following table.

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
Part 1 About This Development Control Plan	
<p>1.8 Public Notification Of A Development Application The development application was notified to adjoining owners and advertised. The proposal required notification under Queanbeyan DCP 2012. 13 submissions were received. Details of the issues identified within the submissions and a response is provided below. Please refer to the community consultation section of the Staff Report for further consideration of the relevant issues raised in the submissions.</p> <p>Issue: Operating Hours and Noise Comment: Issues were raised with the potential for 24 hour operation of the premises. The proposed development for a KFC Restaurant, proposes operating hours from 10:00am to 11:00pm (7 days) and delivery hours of 7:30am to 10:30pm (Mon-Fri). The development consent will include operating hours as a condition to ensure compliance with these hours can be enforced. The operating hours are generally consistent with KFC Restaurants around Australia. Additionally, taking into consideration the location of the allotment, the submitted noise assessment report and the implementation of appropriate noise mitigation measures. The proposed operating and delivery hours are seen as acceptable and it is not anticipated that the development will have an unreasonable impact on surrounding sensitive land uses.</p> <p>Issue: Waste and Litter Management Comment: the issue of waste and litter from the site and impacts on the surrounding area were raised. The proposed development and application was supported by a waste management plan. The waste management plan outlines details for how the site will manage waste from staff and patrons in regards to operational waste and litter. The waste management plan and site and floor plan for the development identify the provision of a waste enclosure and external bins, an excerpt from the waste management plan is provided below with further detail:</p> <p>Waste Enclosure <i>“The building includes a waste room of approximately 15.5m² adjacent to the loading dock/service bay. This waste room is the standard size for KFC Restaurants of this size and seating capacity. It allows for waste bins and recycling bins to be stored in an area separate from the restaurant operations but readily accessible from both within the building and externally.</i></p> <p><i>It is expected that the KFC restaurant will generate approximately 13m³ of general waste and 3m³ of recyclable waste per week. Allowing for 3 collections per week this results in a requirement for 2 x 3m³ waste bins and 1 x 1.1m³ recycling bin. The proposed waste enclosure has sufficient area to accommodate these bins”.</i> The consent will be conditioned accordingly so that a litter management plan is provided to Council prior to operation of the site and can be enforced if issues arise.</p>	Yes

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>Issue: Visual Impact of Signage Comment: The proposed development incorporates a number of business identification signs and wayfinding/directional signage. This includes a pylon sign and flush wall signs with the business name/branding. Comprehensive detail of the proposed signage is provided within the SEPP 64 – Advertising and Signage assessment provided within the Section 4.15 Report – Matters for Consideration and within this report. The proposed signage is not inconsistent with the assessment criteria within schedule 1 of SEPP 64 and the requirements of the relevant Development Control Plan. However, it is acknowledged that the combination of signs from the adjoining sites will have a further cumulative impact. The variation in height of the pylon signs will provide a visual break-up. Additionally, one of the premises has a pylon sign with a total height of 5m, it is not anticipated that this would be visible from Tomsitt Drive and will reduce the overall impact of the combined 4 pylon signs. Additionally, adequate distances between sites and appropriate landscaping will aid in breaking up signage and allowing for satisfactory visual impact.</p> <p>Issue: Contamination Comment: Concerns were raised in regards to importation of fill and the existing use of the site and potential contamination. The site has been adequately remediated within the requirements of the conditions of consent for the subdivision (DA 192-2016). Please refer to the comments against SEPP 55 Remediation of Land within this report for further information.</p> <p>Issue: Public Health Comment: The issue of public health and dietary choices has been considered by Council. However, it is noted that individual dietary choices are not a matter for consideration in regards to the relevant environmental planning instruments and cannot be enforced or controlled through the development assessment process. A Takeaway Food and Drink Premises is permissible with consent in the zone.</p>	
Part 2 All Zones	
<p>2.2 Car Parking</p> <p>Council’s Development Engineer has assessed car parking for patrons, service vehicles and in regards to manoeuvring to be more than adequate for the proposed development. The QDCP 2012 requires 1 parking space per 3 seats for a Take-Away Food and Drink Premises, plus a queuing area for 5-12 cars. The proposed development has a total of 72 seats. The proposed development requires 24 spaces in total, as well as 1 disabled space and an area to accommodate a service vehicle. The application proposes a total of 34 spaces, including 2 disabled parking spaces, queuing space for 12 vehicles and bicycle parking. The development is compliant with this section of the QDCP 2012. For a full assessment of car parking and access requirements please refer to the Development Engineer’s comments below:</p> <p>Traffic and Parking</p> <p>Clause 2.2 of the Queanbeyan DCP requires 1 parking space per 3 seats for a take-away food and drink premises, plus queuing area for 5-12 cars. With a total of 72 seats proposed, 24 spaces would be required as well as 1 disabled space and a service vehicle area. The application proposes 34 spaces, including 2 disabled spaces, queuing space for 12 vehicles, as well as bicycle parking, which satisfies DCP requirements.</p>	Yes

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>Carpark users would be classified by AS2890 as Class 3A (short-term, high turnover). Parking spaces are to be minimum 2.6 x 5.4m with an aisle width of 6.6m. Disabled spaces are to be 2.4 x 5.4m, with a 2.4m wide shared space and bollard to be provided. The submitted parking layout complies with these requirements (66.04).</p> <p>The applicant has nominated a heavy rigid vehicle as the service vehicle, 12.5m long by 2.5m wide. A suitable service vehicle area has been provided, 3.7m wide with a length of approx. 19.3m. Swept paths have been submitted, demonstrating single-manoeuvre access and egress is achievable without encroachment over boundaries or into parking spaces.</p> <p>A pedestrian crossing is located at the entrance to the drive-thru. As landscaping is kept to shrubbery and groundcover either side, adequate pedestrian sight lines have been provided. To ensure safety of pedestrians and drivers, ongoing vegetation management within the carpark will be required (79.02).</p> <p>A traffic report has not been submitted with the application. It's almost a certainty that the Poplars subdivision and Tralee intersection will cause significant impacts to the function of Tomsitt Drive, however these concerns aren't the subject of this application as the development of a lot within the Poplars subdivision. Traffic modelling was completed as part of the subdivision DA (DA 192-2016), taking into account the use of the subject site for general retail. Peak traffic generations from Stage 1 were forecasted and the intersection designed accordingly. The introduction of traffic lights and an extended right-hand turn lane on Tomsitt Drive has been approved with these subdivisions prior and the proposed use is considered consistent with the envisaged usage for the subdivision.</p> <p>Access</p> <p>A survey plan has been submitted confirming there is minimal fall over the site. Hence, driveway grades will be relatively flat. The driveway/roadway is 7.2m wide internally, which is in accordance with AS2890.2 guidelines.</p> <p>A shared VKC (approx. 18m wide) between Lots 2 & 3 has been constructed during subdivision works. As the verge crossover is existing and internal driveway grades don't pose an issue, there is no need to condition driveway construction or inspection by Council.</p>	
<p>2.3 Environmental Management</p> <p>A Section J report will be required at Construction Certificate stage.</p> <p>Lighting</p> <p>A site plan was submitted showing light spill from the proposed lighting of the off-street car park. The light spill diagram is considered adequate in terms of its potential impacts on adjoining properties, this includes adjoining commercial property and surrounding nearby residences. The light spill diagram is provided on the site plan included in the attachment – architectural plans.</p> <p>Noise</p> <p>A Noise Assessment Report was submitted with the Development Application to support the proposal. Proposed hours of operation for the premises are 10:00am to 11:00pm. Delivery hours are wholly within operational hours.</p> <p>The Noise Assessment Report makes three key recommendations for the site. These include:</p>	<p>Yes</p>

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>Plant Noise All plant, including any refrigeration plant when taken together are not to exceed the criteria at the boundaries as established in this report and reported as the night time one: LAeq 35 dB(A). This should be verified during construction. This is the most stringent criterion.</p> <p>Waste collection Waste collection should be conducted during the hours of 7 am to 6 pm Monday to Saturday, and 8 am to 6 pm Sunday and public holidays.</p> <p>Drive through Windows No attenuation is required to the drive through speakers, as there is adequate distance and a noise wall. Payment and collection points should not be amplified. Further, the payment and pick-up windows should not exceed the criteria.</p> <p>The development will be conditioned to comply with the recommendations of the Noise Assessment Report.</p> <p>Waste A Waste Management Plan was submitted in support of the proposed development. The plan includes provisions to deal with operational waste, including a waste enclosure and external/internal bins and provisions for dealing with oil spills. Compliance with this plan will be conditioned, whilst construction waste will need to be addressed through the submission of a Construction Management Plan, which will be conditioned to be submitted prior to commencement of construction</p>	
<p>2.4 Contaminated Land Management Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.</p> <p>This matter was considered under the subdivision application (DA 192-2016). A phase 2 Environmental Site Assessment (Coffey Environments Australia Pty Ltd (Ref: ENAUBRAD01138AA) and dated 23 November 2011) was submitted which identified several areas of environmental concern and recommended that a Remedial Action Plan (RAP) be prepared for the land and remediation carried out.</p> <p>The development consent required additional works including preparation of a Remedial Action Plan and subsequent validation activities (validation report) of the site prior to the commencement of any development work on the site.</p> <p>No conditions will be required for this application in regards to contamination and remediation of land, as all relevant works have been completed in accordance with the requirements of DA 192-2016 upon release of the subdivision certificate. The site is considered appropriate for this type of development.</p>	Yes
<p>2.5 Flood Management The subject site is not within a flood prone area.</p>	N/A
<p>2.6 Landscaping A Landscape Plan was prepared by a Category 1 Landscape Consultant as listed on Council's Landscape Consultant Register. The proposed landscaping is considered appropriate for the site. Specifically, the plan proposes the following plantings:</p>	Yes

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)																																																																
<p>INDICATIVE PLANT SCHEDULE</p> <table border="1"> <thead> <tr> <th>CODE</th> <th>SPECIES</th> <th>SPACING</th> <th>MATURE SIZE (m)</th> </tr> </thead> <tbody> <tr> <td colspan="4">TREES</td> </tr> <tr> <td>LIN</td> <td>Lagerstroemia indica</td> <td>As Shown</td> <td>7 x 5</td> </tr> <tr> <td>PCO</td> <td>Pyrus calleryana</td> <td>As Shown</td> <td>6 x 2</td> </tr> <tr> <td>PYCC</td> <td>Pyrus calleryana 'Capital'</td> <td>As Shown</td> <td>11 x 3</td> </tr> <tr> <td colspan="4">SHRUBS</td> </tr> <tr> <td>LVan</td> <td>Lavandula angustifolia 'Hidcot'</td> <td>4/m²</td> <td>0.3 x 0.3</td> </tr> <tr> <td>Pss</td> <td>Pittosporum 'Silver Sheen'</td> <td>1/m²</td> <td>4 x 2</td> </tr> <tr> <td>VII</td> <td>Viburnum tinus</td> <td>1v</td> <td>2 x 2</td> </tr> <tr> <td>Wng</td> <td>Westringia 'Grey Box'</td> <td>2/m²</td> <td>0.5 x 0.2</td> </tr> <tr> <td colspan="4">GRASSES/TUFTED PLANTS/GROUNDCOVERS</td> </tr> <tr> <td>In</td> <td>Isolepis nodosa</td> <td>6/m²</td> <td>0.6x0.4</td> </tr> <tr> <td>Lta</td> <td>Lomandra longifolia 'Tanika'</td> <td>4/m²</td> <td>0.6 x 0.5</td> </tr> <tr> <td>Lm</td> <td>Liriope muscari 'Isabella'</td> <td>5/m²</td> <td>0.4 x 0.4</td> </tr> <tr> <td>Pte</td> <td>Phormium tenax</td> <td>1/m²</td> <td>1.5 x 1.5</td> </tr> <tr> <td>Tj</td> <td>Trachelospermum jasminoides</td> <td>2/m²</td> <td>-</td> </tr> </tbody> </table> <p>The proposed landscaping is considered appropriate for the site. It will not obscure site lines to and from entry and exit points and will add to the amenity of the site and streetscape.</p>	CODE	SPECIES	SPACING	MATURE SIZE (m)	TREES				LIN	Lagerstroemia indica	As Shown	7 x 5	PCO	Pyrus calleryana	As Shown	6 x 2	PYCC	Pyrus calleryana 'Capital'	As Shown	11 x 3	SHRUBS				LVan	Lavandula angustifolia 'Hidcot'	4/m ²	0.3 x 0.3	Pss	Pittosporum 'Silver Sheen'	1/m ²	4 x 2	VII	Viburnum tinus	1v	2 x 2	Wng	Westringia 'Grey Box'	2/m ²	0.5 x 0.2	GRASSES/TUFTED PLANTS/GROUNDCOVERS				In	Isolepis nodosa	6/m ²	0.6x0.4	Lta	Lomandra longifolia 'Tanika'	4/m ²	0.6 x 0.5	Lm	Liriope muscari 'Isabella'	5/m ²	0.4 x 0.4	Pte	Phormium tenax	1/m ²	1.5 x 1.5	Tj	Trachelospermum jasminoides	2/m ²	-	
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<p>2.7 Soil, Water and Vegetation Management Plan (SWVM Plans) Standard conditions relating to site management will be imposed should development consent be granted.</p>	Yes																																																																
<p>2.8 Guidelines for Bushfire Prone Areas The subject site is bushfire prone and the application will be conditioned to comply with any construction requirements if necessary. Council's Building Surveyor has assessed the bushfire impact of the development and assessed compliance with the BCA and the PBP (Planning for Bushfire Protection) guide.</p>	Yes																																																																
<p>2.9 Safe Design The proposed development is generally consistent with the aims and objectives of this section of the QDCP 2012. The proposed design contains clear entry points to and from the site with entry to the building clearly defined from the internal car park. Landscaping is considered appropriate for the site and will not detrimentally impact site lines or create areas for hiding. Passive and natural surveillance is not considered an issue for the proposed development</p>	Yes																																																																
<p>2.11 Height of Buildings Refer to LEP assessment (Clause 4.3).</p>	Yes																																																																
<p>2.13 Preservation of Trees and Vegetation No tree or vegetation removal is proposed or required.</p>	N/A																																																																
<p>Part 10 Neighbourhood Centre Controls and Principles</p>																																																																	
<p>10.3 Signage</p> <p>Objectives:</p> <p>1) To ensure that signage (including advertising):</p> <ul style="list-style-type: none"> i. Is compatible with the desired amenity and visual character of an area. ii. Provides effective communication in suitable locations. iii. Is of high quality design and finish. 	Yes																																																																

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>2) <i>Maintain uniformity and orderly standards for advertising structures, as well as controlling the number and types of advertisements.</i></p> <p>3) <i>Ensure that the placement and design of advertisements and advertising structures are consistent with the architectural theme and design of a building and that such advertisements are not placed on prominent architectural features of a building including gables or the like.</i></p> <p>4) <i>Ensure that advertisements and advertising structures do not detract from the streetscape and waterscape of the locality, nor lead to visual clutter through the proliferation of such advertisements.</i></p> <p>5) <i>Ensure that advertisements and advertising structures do not constitute a traffic hazard to motorists and pedestrians.</i></p> <p>6) <i>Ensure that advertisements and advertising structures do not interfere with the operation of traffic control signs and signals.</i></p> <p>7) <i>Ensure equal viewing rights where practical, for all advertisements and advertising structures, and to ensure that such advertisements are affixed and maintained in good structural condition at all times.</i></p> <p>8) <i>Reduce the proliferation of advertisements and advertising structures by requiring rationalisation of existing and proposed advertisements and the use of common directory boards in proposed and existing multi occupancy developments.</i></p> <p>The proposed signage is generally consistent with objectives of this section. Specifically, it is consistent and complimentary to the built form of the proposed building and will not have an impact on the amenity of the locality or impede on the viewing rights of advertising signage proposed by other entities. The signage is generally low-scale and acceptable for the building, site and locality.</p> <p>Controls:</p> <p>a) <i>Comply with the relevant controls in Part 9 Signage of this DCP for the type of sign proposed.</i></p> <p>Part 9 Signage of the South Jerrabomberra DCP outlines the provisions for signage to be designated as 'exempt development'. The proposed signage does not meet any criteria as designated within Part 9 of this DCP therefore consent is required. As a result, signage was assessed in detail against SEPP 64 'Advertising and Signage' which is provided at the start of this report.</p>	
<p>10.4 Safety and Security</p> <p>Objectives:</p> <p>1) <i>To create an environment in which people feel safe to walk during the day and night.</i></p> <p>2) <i>Enhance public safety by reducing opportunities for crime to occur.</i></p> <p>3) <i>Improve observation of public and private spaces.</i></p> <p>4) <i>Optimise the use of public spaces and facilities by the community.</i></p> <p>5) <i>Promote the design of safe, accessible and well maintained buildings and spaces.</i></p>	Yes

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>The proposed development is generally consistent with the objectives of section 10.4. Specifically, the development has clear entry and exit points and will have adequate lighting during night operating hours.</p> <p>Controls:</p> <p><i>a) Comply with the relevant controls in Clause 2.2 of the Queanbeyan Development Control Plan 2012</i></p> <p>Please refer to the assessment against clause 2.2 of the QDCP 2012 in the above section and specifically clause 2.9 safety.</p>	
<p>10.5 Site Car Parking</p> <p>Objectives:</p> <p><i>1) Ensure that onsite parking for all development is provided to meet the anticipated demand of employees, residents and customers.</i></p> <p>The proposed development is consistent with this control, as it provides an excess of car parking above the requirements of Part 2 of the QDCP 2012.</p> <p>Controls:</p> <p><i>a) Comply with the relevant controls in Clause 2.2 of the Queanbeyan Development Control Plan 2012.</i></p> <p>Please refer to the assessment against clause 2.2 of the Queanbeyan Development Control Plan 2012 in the above section.</p>	Yes
<p>10.7 Pedestrian Access and Mobility</p> <p>Objectives:</p> <p><i>1) To provide safe and easy access to buildings to enable better use and enjoyment by people regardless of age and physical condition whilst also contributing to the vitality and vibrancy of the public domain.</i></p> <p><i>2) To ensure buildings and places are accessible to people with a disability.</i></p> <p><i>3) To provide a safe and accessible public domain.</i></p> <p>Disabled parking spaces, pedestrian linkages and adequate signage ensure that the development is safe and easy to access for everyone.</p> <p>Controls:</p> <p><i>a) To assist people with a disability the main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity.</i></p>	Yes

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>Entry points to the building are visible from both the street and the car park. The design and layout of the building will make it easy to access and easy to identify entry points. Complies.</p> <p><i>b) The design of facilities (including car parking requirements) for disabled persons shall comply with the relevant Australian Standard (AS 1428 Pt 1 and 2 or as amended) and the Disability Discrimination Act 1992 (as amended).</i></p> <p>The design of the proposal and its facilities is capable of complying with the relevant Australian standards and disability discrimination act. Further assessment against these provisions will be provided at construction certificate stage.</p> <p><i>c) The development shall provide at least one main pedestrian entrance with convenient barrier free access to the ground floor and/or street level.</i></p> <p>The proposed development complies with this control.</p> <p><i>d) The development shall provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access.</i></p> <p>The proposed development complies with this control.</p> <p><i>e) The development shall provide visually distinctive accessible internal access linking to building entry points and the public domain.</i></p> <p>Marked pedestrian linkages are proposed throughout the carpark, creating visually distinctive links between the car park, road and entry points to the proposed building. Complies.</p> <p><i>f) Pedestrian access ways, entry paths and lobbies shall use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip resistant materials, tactile surfaces and contrasting colours.</i></p> <p>This requirements will form a part of the conditions of the development consent.</p> <p><i>g) Any new development providing basement car parks shall make provision for access for persons with a disability.</i></p> <p>No basement parking is proposed. Not applicable.</p>	
<p>10.12 Additional Objectives and Controls for Poplars Neighbourhood Centre</p> <p>Objectives:</p> <p>1) <i>To ensure that the design, mix and siting of development supports the neighbourhood centre.</i></p> <p>2) <i>To ensure that design and siting of the development establishes a high quality, vibrant and attractive place.</i></p> <p>3) <i>To ensure that the arrangement of uses takes into account the residential amenity of the adjacent housing.</i></p>	<p>Yes</p>

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>4) <i>To ensure that the arrangement of uses takes into account and minimises any adverse impacts on the ecological values of the adjoining environmental conservation land.</i></p> <p>5) <i>To ensure personal safety for workers and visitors to the development.</i></p> <p>6) <i>To ensure design minimises the opportunity for crime and maximises opportunities for passive surveillance.</i></p> <p>The proposed development is generally consistent with the objectives of this section. Specifically, it addresses safety, design and amenity adequately through its overall layout and design. For further comment refer to the assessment against the relevant sections of Part 2 of the QDCP 2012.</p> <p>The Built Form Controls:</p> <p>a) <i>Development is generally to take the form of 1 to 2 storeys.</i></p> <p>The building is within the specified height limit under the QLEP (Poplars) 2013. It is single storey. Complies.</p> <p>b) <i>The equivalent of 3 storey built form structures may be considered in order to provide variation and diversity and may form part of key signage elements and strategic articulation of the built form.</i></p> <p>Not applicable to this development.</p> <p>c) <i>The design and siting of buildings shall give consideration to providing a transition to the existing residential development.</i></p> <p>The proposed development is single storey and is consistent with the intended uses of the subdivision of the site.</p> <p>d) <i>Where practical, active building frontages at ground level are to define edges to the pedestrian network and public domain elements.</i></p> <p>The proposed building is adjacent to the street, and as a result it adequately addresses the streetscape through setback and building form. Complies.</p> <p>e) <i>Where practical large format retail uses are to contain active uses along primary pedestrian connections and frontages.</i></p> <p>Adequate linkages from the street to the building have been provided. Complies.</p> <p>f) <i>Blank walls are discouraged.</i></p> <p>No blank walls are proposed. The proposed building is adequately articulated.</p> <p>g) <i>Built form is to include a high level of architectural finish and design.</i></p> <p>The proposed development is reasonable in this regard, and is consistent with other KFC premises across Australia. A number of contemporary building materials are proposed that create visual interest and adequate articulation. Complies.</p>	

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p><i>h) Articulated and varied architectural forms and facades are encouraged.</i></p> <p>The design of the façade is articulated sufficiently, it incorporates a range of materials, colours and windows and doors. Complies.</p> <p>Access and Mobility Controls:</p> <p><i>a) Pedestrian links are to be open and the pedestrian network within the Neighbourhood Centre is to facilitate movement between the centre and any new bus stop that might be provided, central public spaces, retail facilities and the car parking areas.</i></p> <p>Note: Additional controls for access and parking are set out in part 5.</p> <p>Car parking areas of the proposed development are linked and integrated into the surrounding pedestrian network</p> <p>Landscaping and Edge Treatment Controls:</p> <p><i>a) The landscaping of a sufficient width and suitable species shall be provided around the perimeter of the neighbourhood centre including Tomsitt Drive.</i></p> <p>The mix of small-medium trees and mix of shrubs with grass and mulch ground cover provides adequate landscaping for the type of development. A buffer is provided around the perimeter of the site from the landscaping. For further information in regards to the proposed planting schedule please refer to the assessment against clause 2.6 of Section 2.2 of the QDCP 2012.</p> <p><i>b) The landscape buffer along the eastern edge of the centre shall be designed to provide a suitable buffer to minimise any impact on the amenity of the adjacent residential area.</i></p> <p>The allotment is not located against the landscape and acoustic wall buffer. A small landscaping strip is provided along the eastern boundary of the site.</p> <p><i>c) Landscaping along the northern edge shall be designed to minimise any adverse impact to the environment / conservation values of the adjoining land.</i></p> <p>The proposed landscaping achieves the objectives of the control with an appropriate mix of shrubs, ground cover and trees.</p> <p><i>d) Landscape edge to Tomsitt Drive shall provide a suitable address whilst also retaining visibility for the commercial uses along the frontage.</i></p> <p>The lot borders Tomsitt Drive, the planting located on the southern boundary facing Tomsitt Drive includes small-medium size trees and grasses/shrubs. The landscaping will retain visibility between the site and the street, whilst also enhancing the amenity of the streetscape. Complies.</p> <p><i>e) All landscape areas shall be designed in accordance with safer by environmental design practices.</i></p> <p>Appropriate tree and shrub species have been selected for the development. Please refer to the assessment against Section 2.2, clause 2.6 and 2.7 of the QDCP 2012 that discusses landscaping and safe design.</p>	

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012/ SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p><i>Safety and Surveillance Controls:</i></p> <p>a) <i>Buildings should be designed to overlook public domain areas and provide casual surveillance.</i></p> <p>No public domain is located within the vicinity of the proposed development. Not applicable.</p> <p>b) <i>Building entrances should be orientated towards the street wherever possible to ensure visibility between entrances, foyers, car parking areas and the street.</i></p> <p>The primary entrances of the proposed building face the internal car park with the façade and identification signage visible from the street to direct patrons in. Complies.</p> <p>c) <i>Appropriate lighting should be provided to all cycle and pedestrian paths, bus stops, car parks and buildings.</i></p> <p>Internal pedestrian links from the car park to the proposed building will be adequately lit. Complies.</p> <p>d) <i>Development should provide clear sight lines and well-lit routes between buildings and the street, and along pedestrian and cycle networks within the public domain.</i></p> <p>Adequate pedestrian links and lighting has been provided for the site. Clear site lines are retained from the street and car park through to the access points of the proposed building.</p> <p>e) <i>Consideration should be given to the use of landscape elements so as to not compromise the perceived level of safety.</i></p> <p>The proposed landscaping incorporates mulch, grass, small-medium size trees and shrubs. The spacing between trees and placement of shrubs will not impact natural surveillance and site lines through the car park and towards the proposed building. Complies.</p>	

Additional Planning Considerations

The following additional planning matters apply to the development:

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Environmental Planning and Assessment Act Regulation 2000</i>	
<p><i>The provisions of any matters prescribed by the Regulations, which apply to the land to which the development application relates, must be considered.</i></p> <p><i>Clause 92 - Australian Standard AS 2601-1991 (Demolition of Structures).</i> <i>Clause 94 - Fire Safety Considerations (rebuilding/altering/enlarging/extending existing building) applies to the proposal. Recent renovations have been undertaken in the building and it is considered that the measures contained in the building are adequate to protect persons using the building, and to facilitate their egress from the building in the event of a fire.</i></p>	Yes

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>The Likely Impacts of the Development</i>	
<i>Context and Setting</i> – The proposed development will have a minimal impact on the scenic qualities and features of the landscape including views and vistas and is compatible with the established character of the locality. There will be minimal impact on adjacent properties in relation to overshadowing and privacy.	Yes
<i>Access, Transport and Traffic</i> - The proposed development's impact in relation to access, transport and traffic is considered to be acceptable. The matters relating to parking and access have been previously addressed under Part 2 of the QDCP 2012.	Yes
<i>Public Domain</i> - The proposed development will not adversely impact on public recreational opportunities, pedestrian links or access to public space.	Yes
<i>Utilities</i> - The site is serviced with water, sewer, electricity and telecommunication services.	Yes
<i>Heritage</i> - The proposed development will have a minimal impact in relation to heritage. The site is not heritage listed, is not adjacent to a heritage item, and is not located within a Heritage Conservation Area.	Yes
<i>Other Land Resources</i> - The proposed development will not affect the future use or conservation of valuable land resources such as: productive agricultural land; mineral and extractive resources; and water supply catchments.	Yes
<i>Water</i> - The proposed development will have minimal impact on the conservation of water resources and the water cycle.	Yes
<i>Soils</i> - The proposed development will have minimal adverse impact on soil conservation. The soils are suitable for the development.	Yes
<i>Air and Microclimate</i> - The proposed development will have minimal/satisfactory impact on air quality and microclimatic conditions and will be conditioned to prevent air pollution such as dust or odour where required.	Yes
<i>Flora and Fauna</i> - The proposed development will have a minimal impact in relation to the maintenance of biodiversity in the area. There are no known listings of critical habitat, threatened or endangered species, populations, ecological communities or their habitats on or in close proximity to the site.	Yes
<i>Waste</i> - adequate waste facilities are available for the proposed development.	Yes
<i>Energy</i> – A BASIX Certificate is not required for this proposal. A Section J Report will be required at Construction Certificate stage.	N/A
<i>Noise and Vibration</i> - The proposed development is not likely to cause any adverse ongoing impact from noise or vibration. Appropriate conditions will be added to the consent in regards to operating and delivery hours.	Yes
<i>Natural Hazards</i> - Flood management has been addressed under the QDCP (Poplars) 2013. The site is not flood prone.	Yes
<i>Technological Hazards</i> - No technological hazards are known to affect the site.	N/A
	Yes

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Safety, Security and Crime Prevention</i> - The proposed development complies with the relevant section of the QDCP (Poplars) 2013 and the QDCP 2012 and South Jerrabomberra Development Control Plan on crime prevention through environmental design.	
<i>Social Impact in the Locality</i> - The social impacts of the proposal are anticipated to be minimal.	Yes
<i>Economic Impact in the Locality</i> - The economic impacts of the proposal are anticipated to be positive in terms of creating local employment opportunities and increasing access to services/products for consumers.	Yes
<i>Site Design and Internal Design</i> - The site design and internal design of the development has been assessed under the QDCP 2012 and South Jerrabomberra Development Control Plan. The proposed design is considered to be satisfactory.	Yes
<i>Construction</i> - The construction stage of the proposed development will have the potential to impact on adjoining properties and the environment for a short period of time. Any approval will be conditioned to ensure construction activities do not unreasonably impact on the adjoining properties and their occupants and the environment by way of noise, erosion and the like. These conditions are standard Council conditions of development consent.	Yes
<i>Cumulative Impacts</i> - Cumulative impacts relate to the small impacts of developments in an area that when considered in unison can result in detrimental impact on the natural or built environment. It is considered unlikely that the proposed development will result in adverse cumulative impact.	Yes
<i>The Suitability of the Site for the Development</i>	
<i>Does the proposal fit in the locality?</i> - The proposal is considered to be compatible with its site and general locality.	Yes
<i>Are the site attributes conducive to development?</i> – Site attributes such as configuration, size and slope, are considered to be generally conducive to the proposed development.	Yes
<i>Have any submissions been made in accordance with the Act or the Regulations?</i>	
<i>Public Submissions</i> - The application was required to be notified. A total of 13 submissions were received during the notification period. An assessment against the issues raised in the submissions has been provided under the assessment against the QDCP 2012 within Part 1. The community consultation section of the Council Report also contains a response to the issues raised within the submissions that were received during the public exhibition period.	Yes
<i>Submissions from Public Authorities</i> – The application was referred to NSW Police with no comment returned. In this instance Council assumed no objection. The application was also referred to NSW RMS who had no objection to the development. One of the comments from RMS related to the intersection of Tompsitt Drive and was only relevant to the subdivision works which are subject to a separate assessment and approval to the KFC development.	Yes
<i>The Public Interest</i>	
It is considered that the public interest will not be adversely affected by the proposed development. Standard conditions will be imposed to ensure minimal impacts to surrounding properties.	Yes
<i>Government and Community Interests</i>	

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
It is considered that government and community interests will not be adversely affected by the proposed development.	Yes
Section 7.11 and 64 Development Contributions	
<p><i>Section 7.11 Contributions are applicable to the development.</i></p> <p><i>Section 64 Contributions are applicable to the development.</i></p> <p>An invoice containing contribution charges will be issued with the development consent. Please refer to the Council Report for further information on contributions.</p>	Yes

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

- ITEM 10.2 DA 505-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
 INCLUDING REVISED PYLON SIGN DESIGN - 10
 FERDINAND LANE, JERRABOMBERRA
- ATTACHMENT 5 DA 505-2018 - ARCHITECTURAL PLANS - 10 FERDINAND
 LANE



KFC JERRABOMBERRA

NEW KFC RESTAURANT AT
 TOMPSITT DRIVE, NSW



LOCATION PLAN
 SCALE: N.T.S.

DRAWING REGISTER:

ARCHITECTURAL DRAWINGS

DRG. NO.	DESCRIPTION	REV.
18010-TP000	COVER SHEET, DRAWING REGISTER & LOCATION MAP	K
18010-TP002	LOCATION PLAN: PROPOSED	E
18010-TP010	SITE PLAN: PROPOSED	H
18010-TP011	SWEEP PATH DIAGRAMS	F
18010-TP020	SIGNAGE DETAILS: BUILDING & PYLON SIGN	E
18010-TP021	SIGNAGE DETAILS: DIRECTIONAL, MENU BOARDS, HEIGHT RESTRICTOR & TRAFFIC SIGNS	C
18010-TP101	FLOOR PLAN: PROPOSED	G
18010-TP120	ROOF PLAN: PROPOSED	C
18010-TP200	ELEVATION A & ELEVATION B: PROPOSED	F
18010-TP201	ELEVATION C & ELEVATION D: PROPOSED	G
18010-TP000	DRIVE THRU AWNING DETAILS: PROPOSED	D



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voda building solutions p.l.l.
 A.M. 3027 140 3319
 Suite 15, 605 Burnwood Road
 Fawkner East, Victoria, 3123
 Tel: (03) 9492 0400 Fax: (03) 9492 0450
 E-mail: voda@vodafone.com.au

NOTE:
 Check and verify all dimensions on site before commencement of any works for this drawing. Any amendments should be approved by the council. This design and drawing is Property of Voda Building Services Pty Ltd, and may not be copied or any way in part or whole without author consent.
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- SKETCH
- FACILITY APPROVAL
- TOWN PLANNING
- TOWN PLANNING AMENDED
- BA / CC
- CONSTRUCTION
- TENDER
- AS BUILT

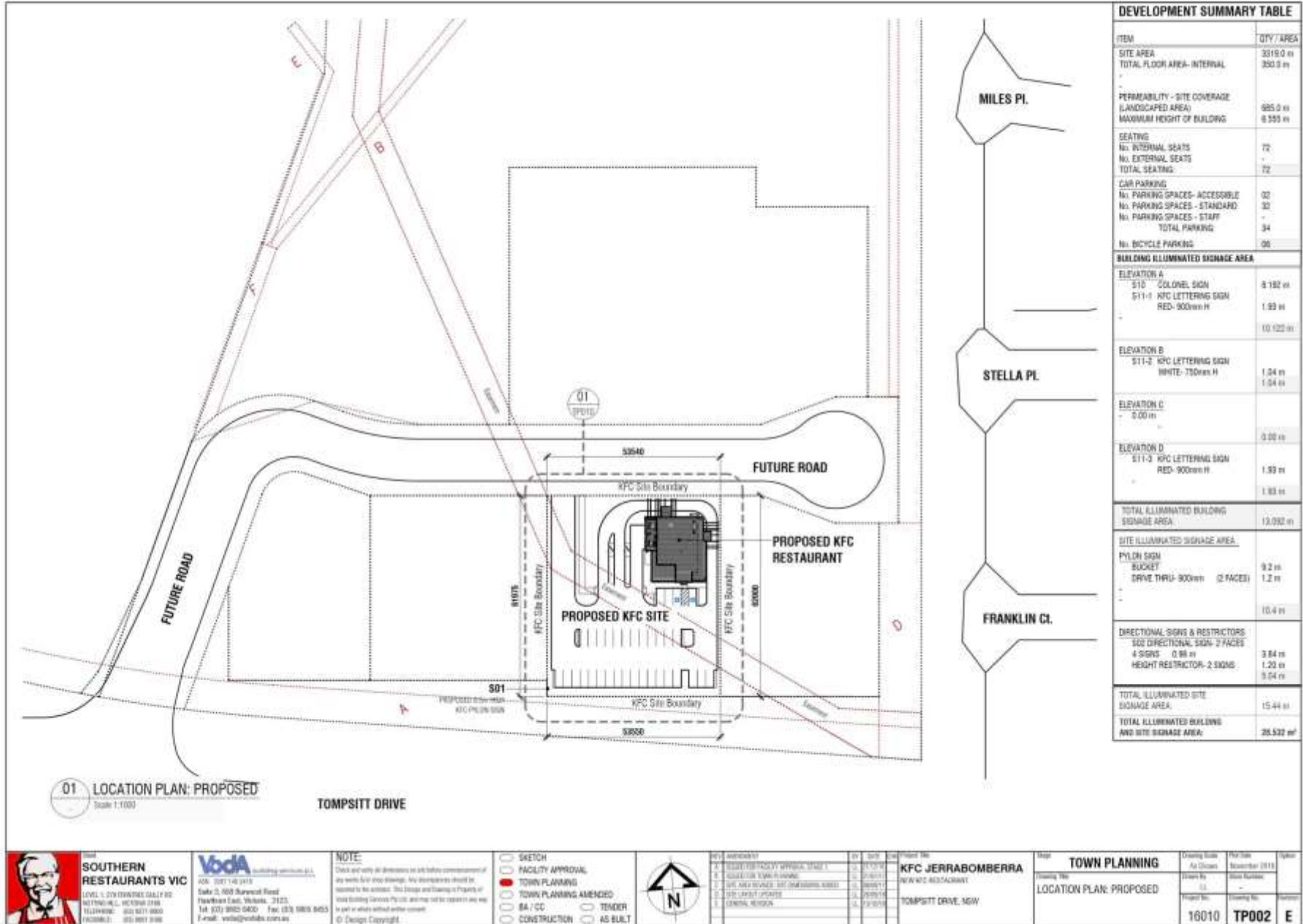
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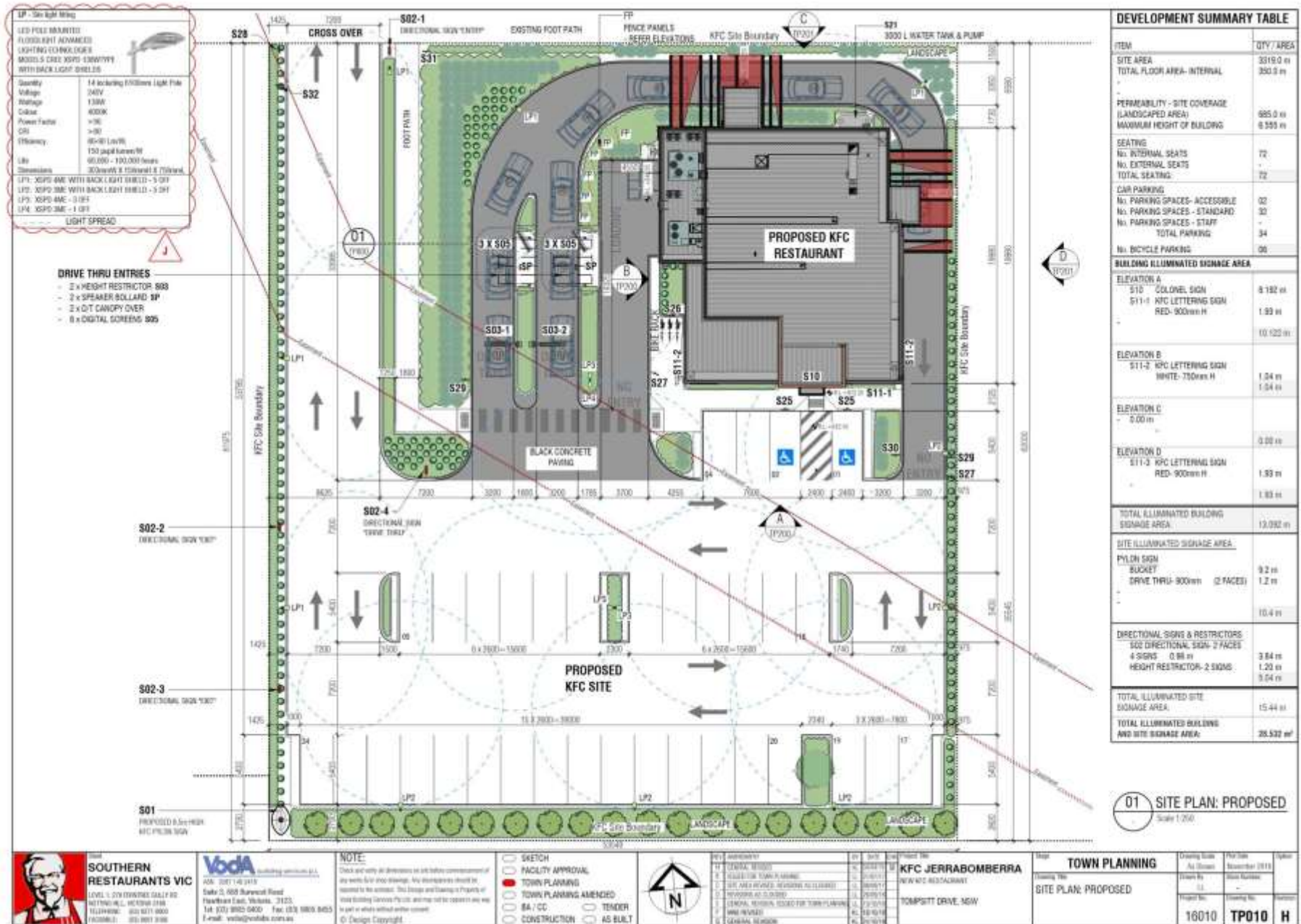
Project No: **KFC JERRABOMBERRA**
 NEW KFC RESTAURANT
 TOMPSITT DRIVE, NSW

Stage: **TOWN PLANNING**
 Drawing Title: **COVER SHEET, DRAWING REGISTER & LOCATION MAP**

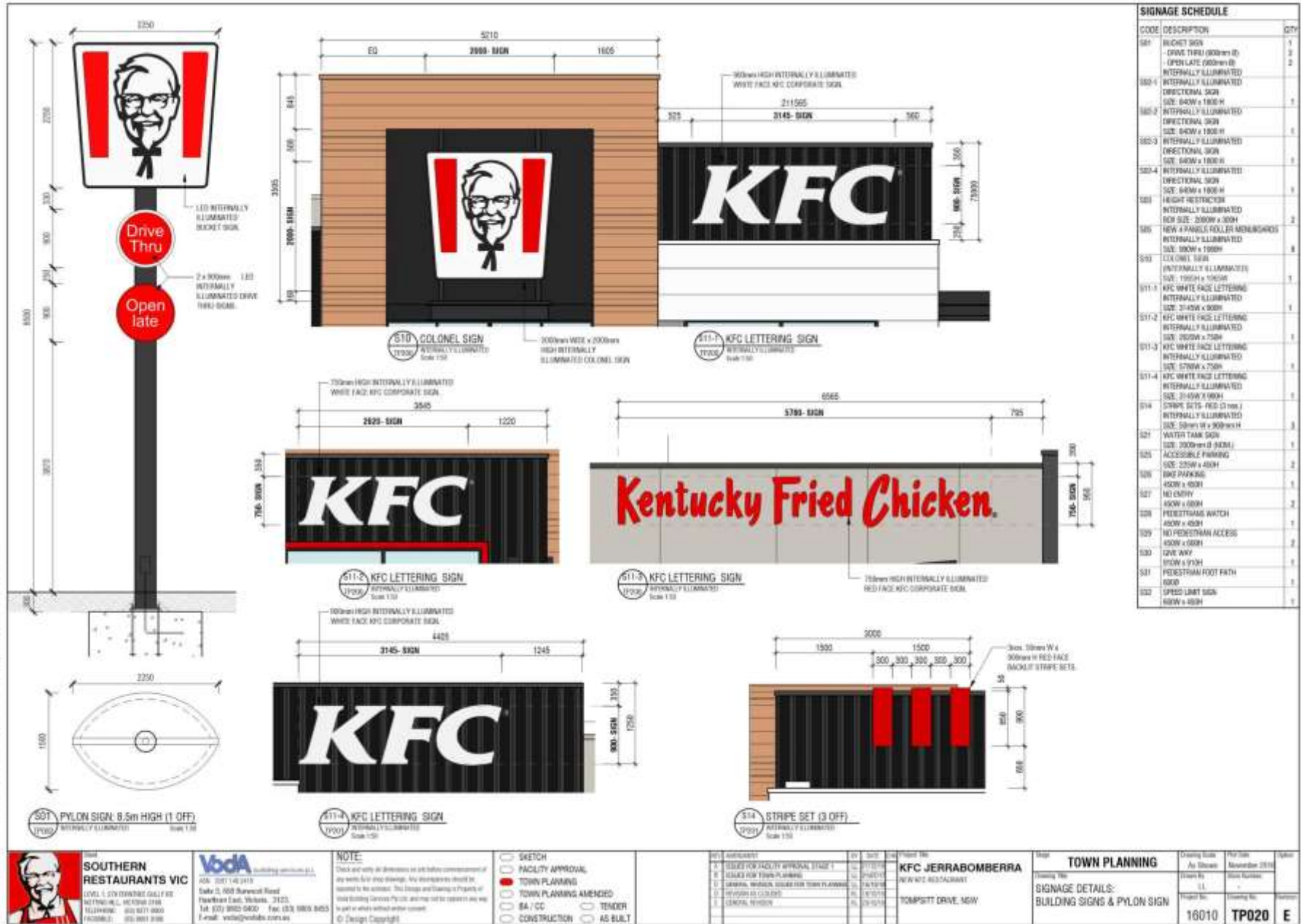
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 Revision: L

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S202, S203, S204 DIRECTIONAL SIGN
 800 x 800 INTERNALLY ILLUMINATED LIGHTBOX
 VERGATED METAL OVER STEEL FRAME TO FACES OF SIGN
 SCALE: 1:20

S203 HEIGHT RESTRICTOR (2 OFF)
 3000mm (HOM) INTERNALLY ILLUMINATED
 SCALE: 1:20

S205 DIGITAL SCREEN MENUBOARD (6 OFF)
 1840 x 1176
 SCALE: 1:20

S21 WATER TANK SIGN (1 OFF)
 2000mm (HOM) WATER TANK/WATER SIGN PAINTED ON WATER TANK WHITE
 SCALE: 1:15

S25 ACCESSIBLE PARKING
 225 x 450
 2300 HIGH POLE (C.O.S.)
 SCALE: 1:20 @ A3

S26 BICYCLE PARKING
 450 x 450
 1500 HIGH POLE (C.O.S.)
 SCALE: 1:20 @ A3

S27 NO ENTRY SIGN
 450 x 450
 2300 HIGH POLE (C.O.S.)
 SCALE: 1:20 @ A3

S28 PEDESTRIANS WATCH
 300 x 450
 1950 HIGH POLE (C.O.S.)
 SCALE: 1:20 @ A3

S29 NO PEDESTRIAN ACCESS
 450 x 600
 1500 HIGH POLE (C.O.S.)
 SCALE: 1:20 @ A3

S30 GIVE WAY SIGN
 910 x 2300
 2300 HIGH POLE (C.O.S.)
 SCALE: 1:20 @ A3

S31 PEDESTRIAN FOOT PATH
 600 x 600
 2300 HIGH POLE (C.O.S.)
 SCALE: 1:20 @ A3

S32 SPEED LIMIT SIGN
 600 x 450
 2300 HIGH POLE (C.O.S.)
 SCALE: 1:20 @ A3

SIGNAGE SCHEDULE		
CODE	DESCRIPTION	QTY
S21	MURKIN SIGN - DRIVE THRU (600mm H) - OPEN LATE (600mm H) INTERNALLY ILLUMINATED	1
S22	INTERNALLY ILLUMINATED DIRECTIONAL SIGN SIZE: 800W x 1000H	2
S23	INTERNALLY ILLUMINATED DIRECTIONAL SIGN SIZE: 800W x 1000H	1
S24	INTERNALLY ILLUMINATED DIRECTIONAL SIGN SIZE: 800W x 1000H	1
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S100	INTERNALLY ILLUMINATED DIRECTIONAL SIGN SIZE: 800W x 1000H	1

NOTE: Check all work at dimensions as indicated on schedule. Any dimensions should be reported to the architect. No design and drawing of work should be done without written consent.

LEGEND: SKETCH, FACILITY APPROVAL, TOWN PLANNING, SA/CC, CONSTRUCTION, AS BUILT, TENDER.

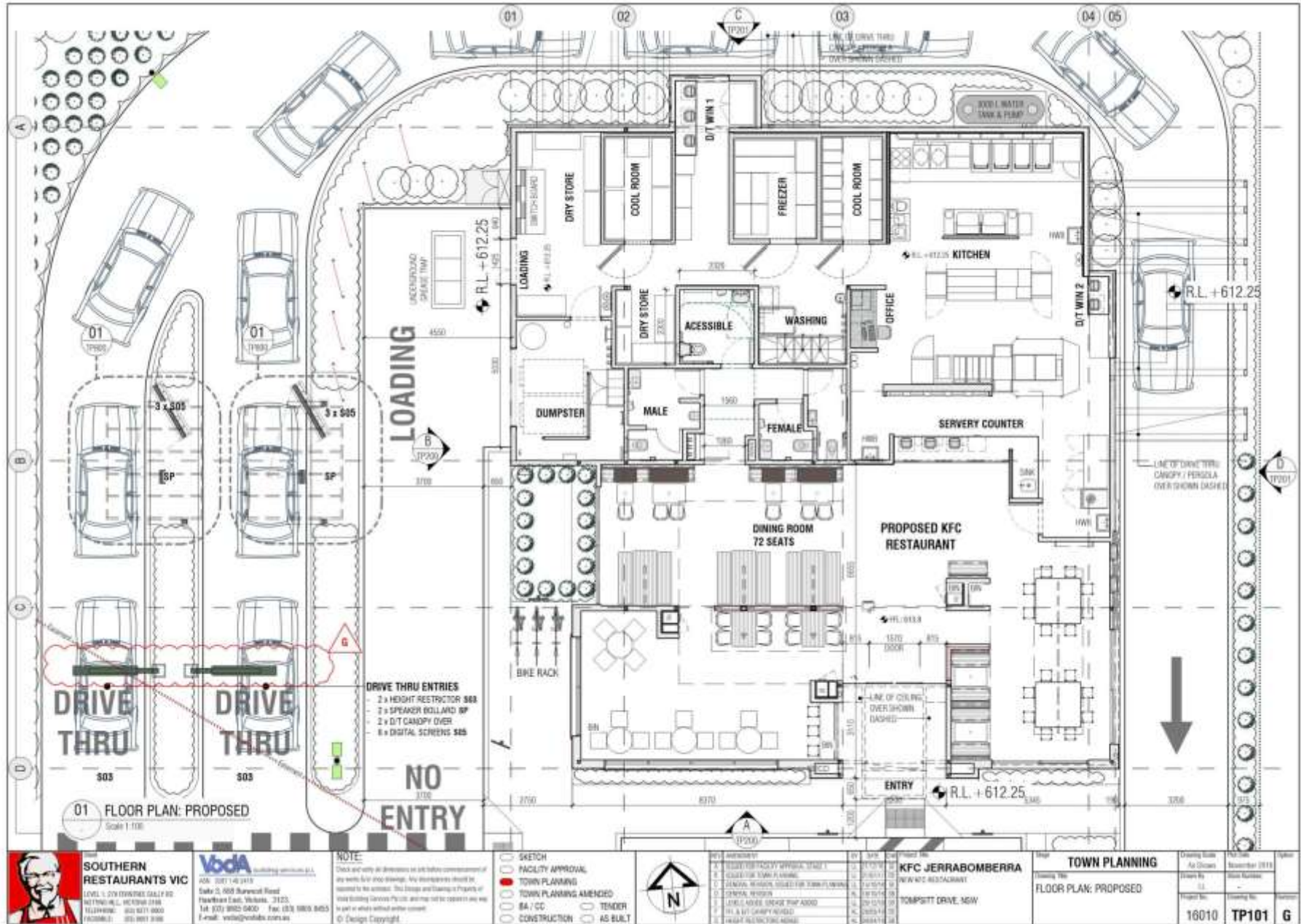
REV	AMENDMENT	DATE	BY	APP'D	DATE	PROJECT TITLE
1	ISSUE FOR TENDER	15/06/2018	...	...	...	KFC JERRABOMBERRA
2	REVISED	15/06/2018	...	...	...	NEW KFC RESTAURANT
3	CORRECTED	15/06/2018	...	...	...	TOMPSITT DRIVE, NEW

Stage	Planning	Construction	Final
Planning	18/01/18	18/01/18	18/01/18
Construction	18/01/18	18/01/18	18/01/18
Final	18/01/18	18/01/18	18/01/18

PROJECT: KFC JERRABOMBERRA, TOMPSITT DRIVE, NEW

TOWN PLANNING: SIGNAGE DETAILS: DIRECTIONAL, MENU BOARDS, HEIGHT RESTRICTOR & TRAFFIC

PROJECT NO: 18010, **PROJECT CODE:** TP021, **PROJECT CLASS:** C



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 Tel: (03) 9402 0600 Fax: (03) 9405 8403
 E-mail: vod@vodas.com.au
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NOTE:
 Check and verify all dimensions on site before commencement of any work for shop drawings. Any discrepancies should be reported to the architect. Shop drawings and drawings in progress of other building services (P/E/C) are not to be relied on as they are part or whole without written consent.

- SKETCH SKETCH
- FACILITY APPROVAL FACILITY APPROVAL
- TOWN PLANNING TOWN PLANNING
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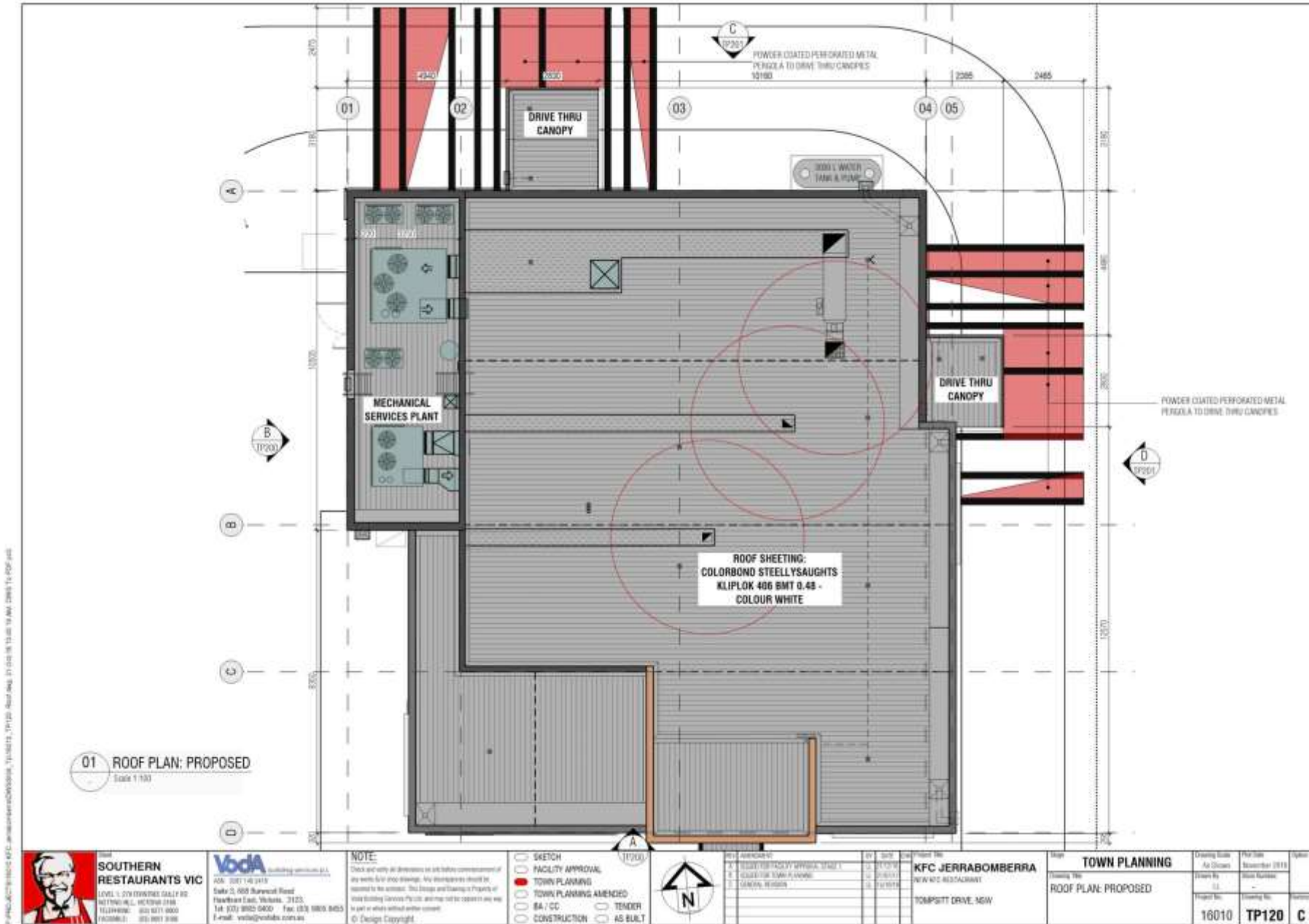


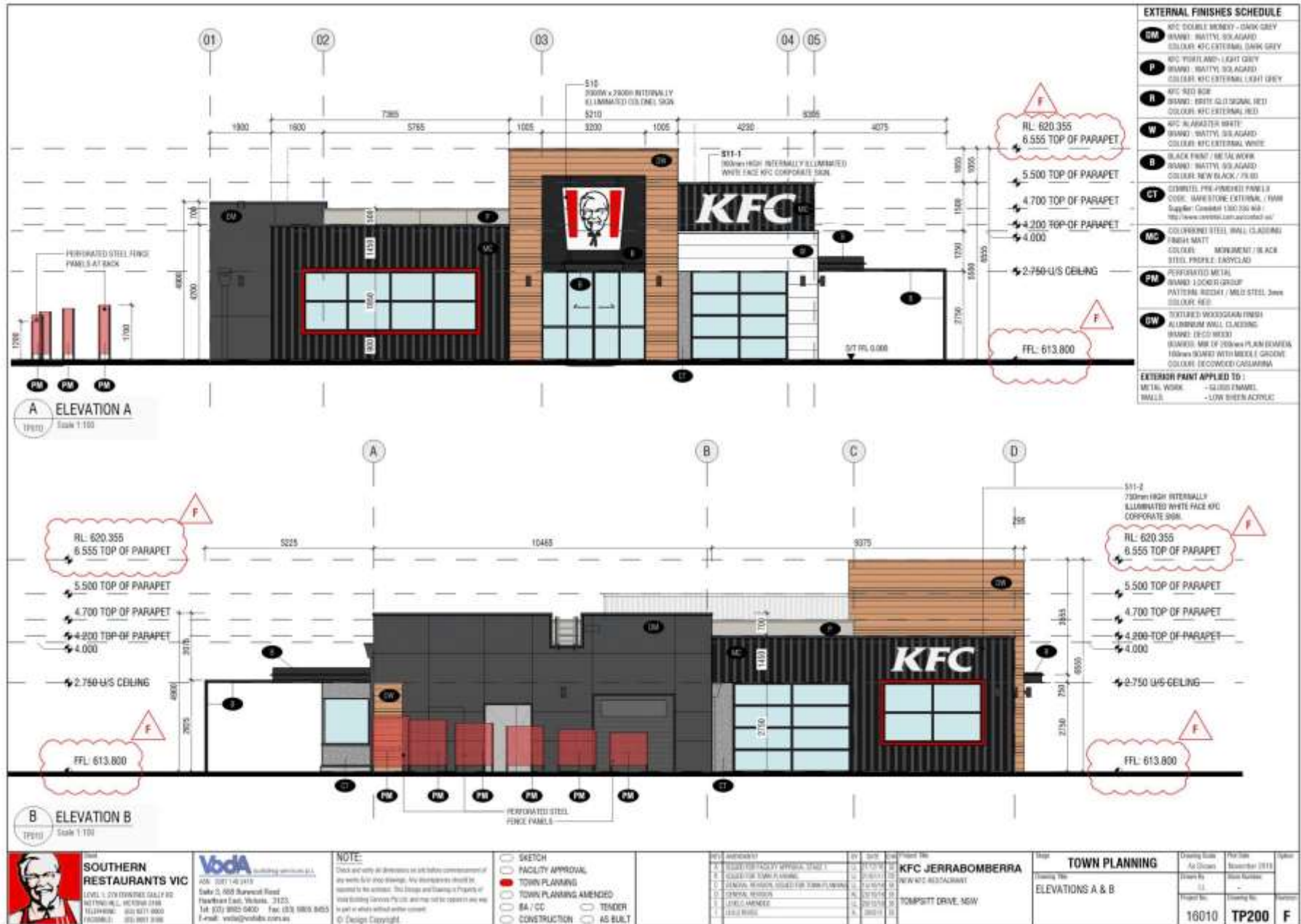
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1	ISSUE FOR TOWN PLANNING	13/12/18	W/1013	
2	ISSUE FOR TOWN PLANNING	13/12/18	W/1013	
3	GENERAL REVISIONS (SEE LIST OF TOWN PLANNING)	13/12/18	W/1013	
4	GENERAL REVISION	13/12/18	W/1013	
5	LINE NUMBER CHANGE (PROP ADDED)	13/12/18	W/1013	
6	DRY STORES (PROP ADDED)	13/12/18	W/1013	
7	HIGH RESTRICTOR (PROP ADDED)	13/12/18	W/1013	

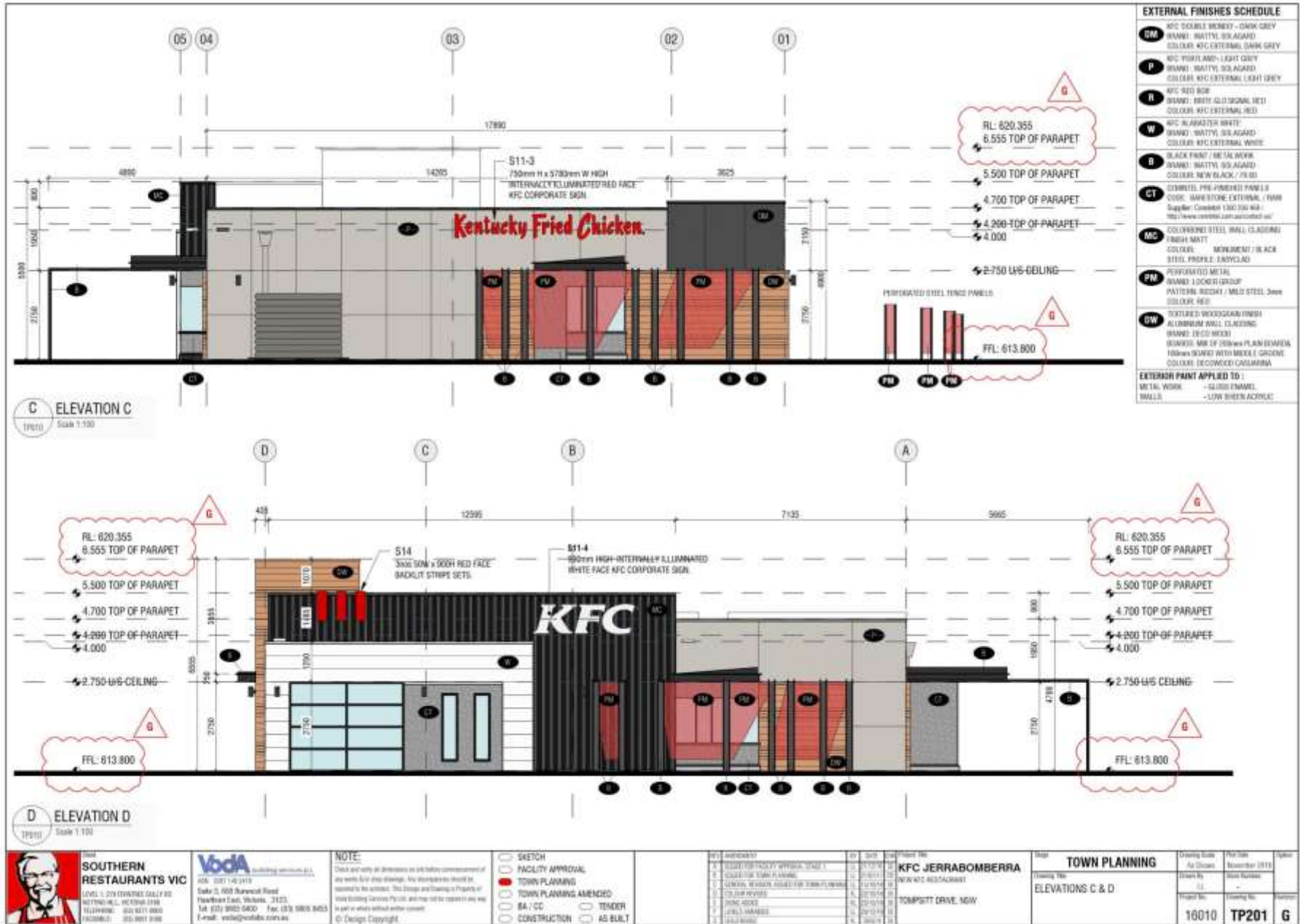
KFC JERRABOMBERRA
 NEW KFC RESTAURANT
 10 FERDINAND DRIVE, NSW

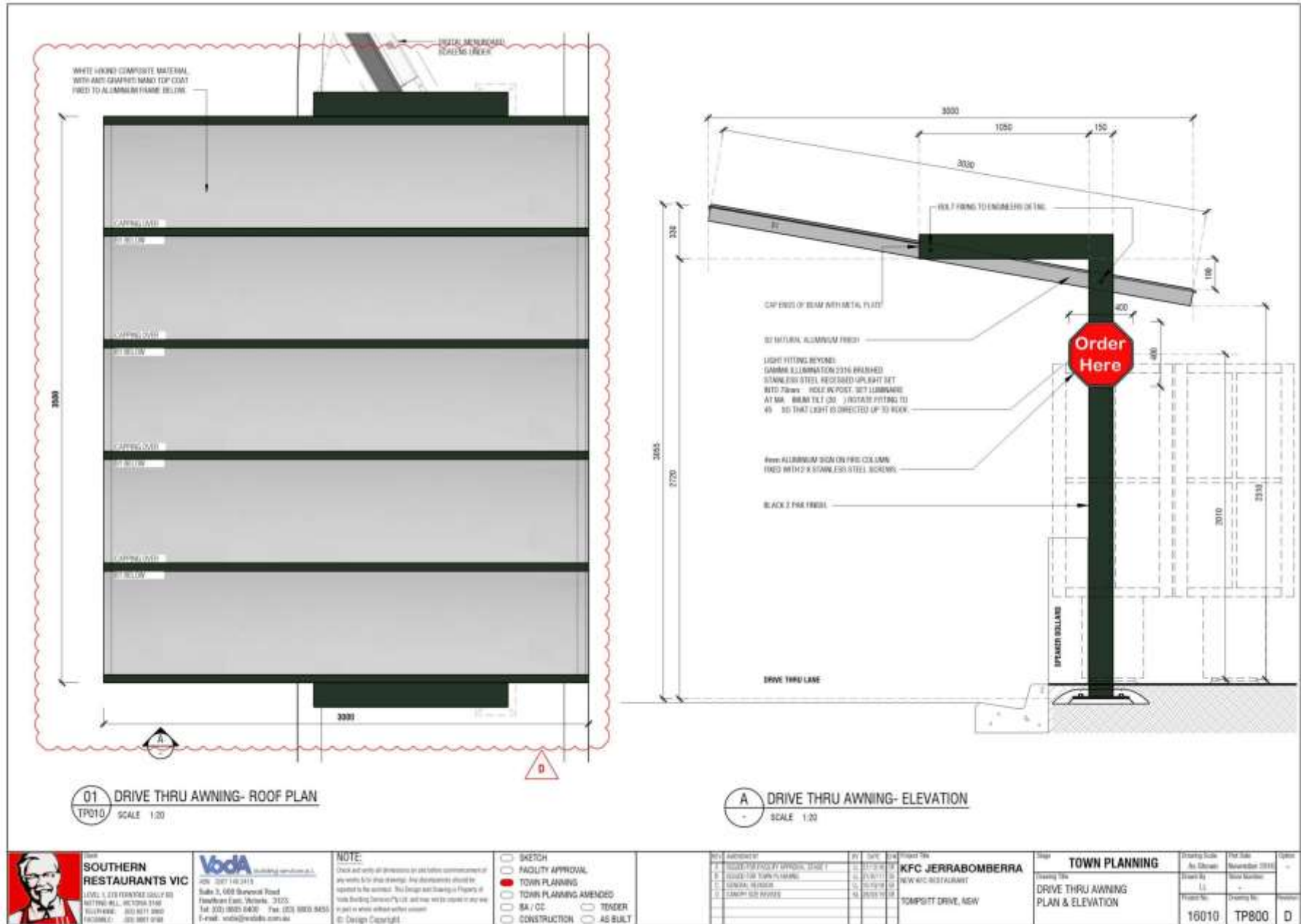
TOWN PLANNING
 Floor Plan: PROPOSED

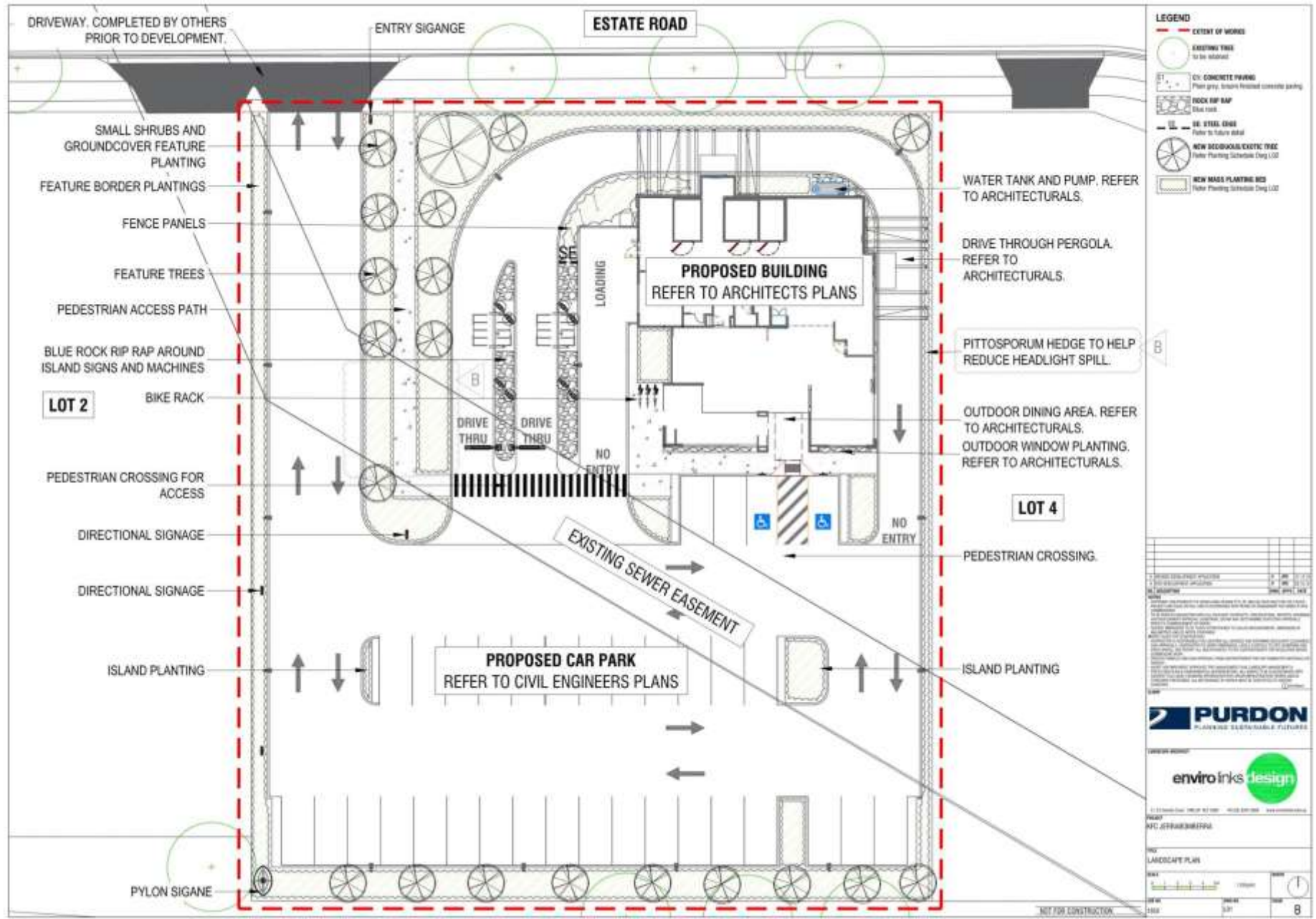
Project No.	Planning No.	Stage	Date
18010	TP101	G	September 2018

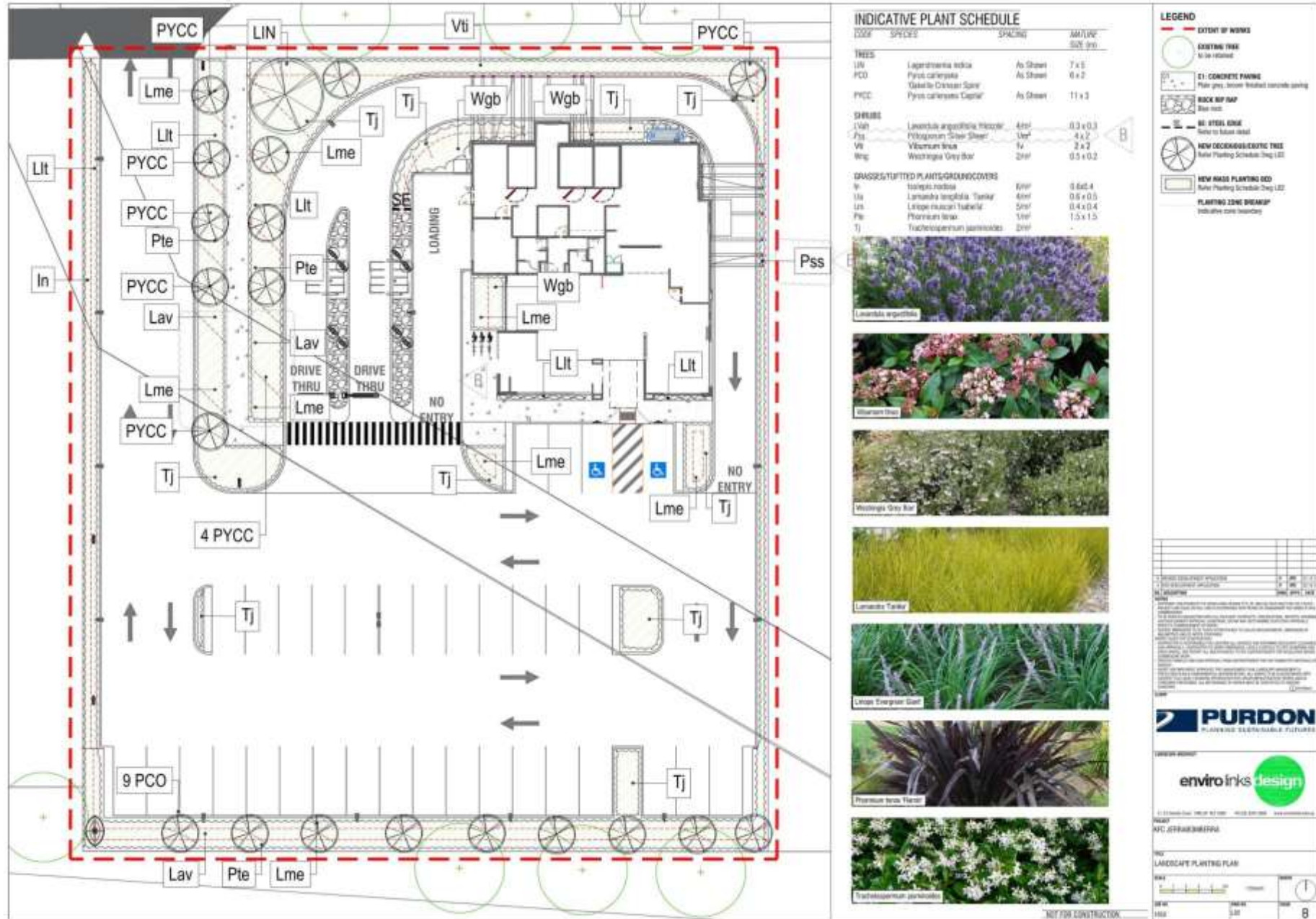












QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

ITEM 10.2 DA 505-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
 INCLUDING REVISED PYLON SIGN DESIGN - 10
 FERDINAND LANE, JERRABOMBERRA

ATTACHMENT 6 DA 505-2018 - SUBMISSIONS - 10 FERDINAND LANE

Compilation of Submissions Received in Relation to KFC at 10 Ferdinand Lane Jerrabomberra (DA 505-2018)

Submission 1

Dear QPRC,

I am writing to express my strong concern over the proposed development of a McDonald's and/or KFC and/or any major global chain on Tomsitt Drive, Jerrabomberra.

I understand that once the Ellerton Drive Extension is complete, there will be increased traffic flow through Jerra onto Tomsitt Drive. However, I do not believe that Tomsitt will be a major enough arterial road to require drive through fast food restaurants. I think it makes much more sense to put these sort of rest-stops/re-fueling points down in Hume, an extra few kilometers. The Caltex in Hume is open 24 hours, making sense for a 24 hour fast-food restaurant to be conveniently placed next door. Jerrabomberra has a strong residential community and a McDonald's/KFC would deteriorate this charming neighborhood.

McDonald's and KFC, whilst supporting local employment, would be detrimental to pre-established local businesses such as Suppeto, Jerra Takeaway, and Jerra Hotel. A global fast food chain will take away significant market share through aggressive pricing.

Furthermore, there is absolutely no reason why (if it does go ahead) McDonald's should be operating 24 hours a day. Jerrabomberra is not a hotspot of activity and all other businesses close by 11pm, including the service station. Having a 24 hour fast food restaurant may encourage loitering, increase noise levels, contribute to a littering problem, and attract the 'wrong type' of people.

Jerra residents (or those transiting through), can simply drive to Queanbeyan to get their fast food fix (a maximum 10 minute drive). Queanbeyan has plenty of fast food outlets at any time of night. I believe people choose to live in Jerra because it doesn't have what Queanbeyan offers. Jerra fully fits the QPRC slogan of 'country-living, city benefits.' We get those city benefits when we take the short commute to Queanbeyan or Canberra. Let's keep Jerra's country charm as not many other suburbs can offer it and still be a 20 minute commute from Canberra.

I feel extremely sad that the day has come where Jerra is potentially evolving to a point where it will become unrecognisable.

Thank you,

Submission 2

Dear QPRC,

I am writing to express my strong concern over the proposed development of a McDonald's and/or KFC on Tomsitt Drive, Jerrabomberra. While I believe the

community would greatly benefit from an additional supermarket, I do not think there is anything positive about opening a global fast-food chain(s).

McDonald's and KFC, whilst supporting local employment, would be detrimental to pre-established local businesses in Jerrabomberra such as Suppeto, Jerra Takeaway and Jerra Hotel as a global fast food chain would take away significant market share through aggressive pricing. Furthermore, there is absolutely no reason why (if it does go ahead) McDonald's and/or KFC should be operating 24 hours a day. Jerrabomberra is not a hotspot of activity and all other businesses close by 11pm, including the service station. Accordingly, having a 24 hour fast food restaurant may encourage loitering, increase noise levels, contribute to a littering problem and attract the 'wrong type' of people.

Jerra residents (or those transiting through), can simply drive to Queanbeyan to get their fast food fix (a maximum 10 minute drive) or on Monaro Hwy in Hume for 24/7 snacks at a service station. I believe people choose to live in Jerra because it doesn't have what Queanbeyan offers. Jerra fully fits the QPRC slogan of 'country-living, city benefits.' We get those city benefits when we take the short commute to Queanbeyan or Canberra. Let's keep Jerra's country charm as not many other suburbs can offer it and still be a 20 minute commute from Canberra.

I feel extremely sad that the day has come where Jerra and its village atmosphere is potentially evolving to a point where it will become unrecognisable. We shouldn't be submitting feedback on fast food expansion, but should be talking about the proposal of a high school, a swimming pool, better public transportation - these are the issues which the community value but feel are not being prioritised.

Thank you,

Submission 3

Dear Council Representative,

The proposed development in Jerrabomberra while presented must be rejected.

NSW strategic planning is currently under a great deal of criticism and it is your responsibility to protect the LONG TERM BEST INTERESTS of the Public of this area.

As each council has developed guidelines to achieve this, so has this council. To protect the already built area and community within, in the manner expected and in CONTEXT and approval of expectation.

I see however breaches when areas already earmarked for development still do not have a functioning supermarket and facilities. I see Queanbeyan crying out for input in jobs and development. I question your justification in responsibility to these already invested people.

he road development bi passing Queanbeyan and directing traffic into the residential area suggests more of a willingness to allow individuals profit rather than enhance this area.

I am unable to view the traffic studies or projections that would seem mandatory in any zoning or approval (I fear these will indicate what local residents have expressed and point to a poor choice of road works, leaving Jerrabomberra unhappy)

Health studies last year found an alarming correlation in children's diabetes incidence correlated with significant occurrence each 500 metres closer to a road way; Particulate cancer causing links to roads is well documented; loss of trees and their canopy protection also manifesting enormous evidence in the need to keep our Trees Vegetation and Green spaces....I question quite severely the full scale clearing of this area and adherence to AS2970.

McDonalds:

offers car size as sedan not the local style and size and points to a clear lack of scoping;

3 story height of building and a sign NOT in and concept keeping with residents current vision...this can only be viewed as a depreciation to them;

Misrepresentation-as resident that heard of a restaurant, cafe area I and others expected it would be perhaps more like Kingston and Marnuka quality...instead they find a "Heat Sink " of an environmental eye sore. Sound walls and no Significant trees suggested to hide them on either side ;

space for tree growth will be a resident cost via rates as this will be needed.;

With diabetes and obesity marked as a Budget drain on all NSW and Australian residents the addition of yet another fast food outlet brings this area into the likely end as Hume, just down the road. An unjustified and extremely questionable administration decision in duplication.

24/7 a definite NO NO on all transport in and out it is a clear negative noise impact to a residential area that acoustically will bounce throught the area.

KFC:

Duplicates this and seems to be submitted in a manner that relies on McDonalds agreement to provide access to its vague and under detailed application.

ALDI:

somewhat milder in height but again bringing 127cars? with trees that are somewhat Bonsia style in ability to grow to any heat protective height and significance...this needs rectifying in ALL council surveillance of these development in line with its 20/20 and future climate demands and expectations.

AGAIN I question your justification and responsibility to the public in Queanbeyan city?

I believe a promise of a High School and sports centre appetising...but no real detail or funds to build it leave this as simply that an "unsubstantiated dream" and not really dependent on this development IF there was a will to do so.

These and any future proposals will need considerable tree growth lining the entire roads on both sides of the access to this area; It will need lights in the future and the safety of crossing in and out of it will be extremely dangerous, especially now the road is directed through Jerrabomberra with peaks of early morning and 5-8pm peaks will cross with projected use peaks (McDonalds application).

I submit that there is more benefit to all if this area is designed as a truly leisure and recreational area with up market restaurant and cafes with tree shade and offices that fit in context amiable to this. Introduction of another market site (similar to the Entertainment quarter in Moore Park Sydney).

NO 9metre signs of McDonald a strict height restriction and green outdoors setting.

ALL of this is able to be directed by COUNCIL to be in Context and expectation with the public.

YOU CAN DO BETTER !

Submission 4

My name is (name removed), and I am a resident and rate payer (address removed). I have no donations or gifts to councillors or council staff to declare, and have no relevant business or investment interests.

I note varying approaches to signage across DAs 446, 505 and 507 of 2018, all of which claim to be within development guidelines.

The prospect of a myriad of tall corporate signs varying in height from 5.0m to 9.0m across The Poplars development concerns me, as this would significantly detract from the gateway approach to our "country living" suburb.

I request council review the signage proposed within the current batch of DAs collectively, and consider appropriate planning controls around these and future developments in The Poplars.

In particular, I object to the approval of DA 507-2018 on the basis that the proposed 5.0m high sign is out of visual character from the local area, pre- or post-development of the neighbourhood centre.

Thank you for your consideration.

Best regards,

Submission 5

Hello,

I have just reviewed the current development applications for the McDonalds and KFC restaurants and Aldi supermarket proposed for Tompsitt Dr, Jerrabomberra (as published on the Jerra residents Association webpage).

As a resident of nearby Googong, I just wanted to voice my support for the developments as they are planned. I look forward to seeing the progress in the region.

Submission 6

hello.

I wish to comment on the proposal to build Aldi and KFC at Jerrabomberra. The Jerrabomberra Residents Association informed me of this proposal - I cannot find reference to it on your website anywhere. I strongly oppose the development of KFC at Jerrabomberra. Fast food outlets only bring smell, rubbish and extra traffic. Jerrabomberra already has far too much traffic funneling down minimal access roads, we do not need such unnecessary extra congestion. This is supposed to be a residential suburb, not an inner-city dive or an industrial hub - exactly what is a "business park" for, anyway? Give us a public high school, not a bunch of rubbishy franchises.

Submission 7

I cant find information on website regarding how to comment on DA for McDonalds and KFC proposed but I strongly object to these applications:

- . I do not agree the gateway into Jerrabomberra should have fast food outlets such as these - it is not compatible with the look and feel of the suburb – it is not a cookie cutter development and proudly remains devoid of this type of eyesore – a 9m sign – no thanks.

- . I agree with the sentiments outlined in the JRA letter to Council.

- . I am concerned for other businesses in Jerrabomberra (food) which already struggle.

- . By all means put these franchises on the Monaro highway in Hume but not in this suburb which is serviced adequately with options for residents.

- . Please Please -no.

Would you be kind enough to let me know if there is a more formal way to respond.

Submission 8

To who this concerns this my concerns over the new development in Jerrabomberra

I have concerns with a KFC opening up in Jerrabomberra. In my opinion we do not need another fast food outlet in Jerra one is more than enough.

1- we have 2 kfc with in driving range being Queanbeyan or Fyshwick. Both being less that 30 mins

2- I clearly remember we had two kfc in Queanbeyan at one stage and the food court one was shut down due to slow business. Will the Jerra one have enough business or will we build it and it shut down or take Queanbeyan out of business

3- It will bring in wanted attention to the area with people hanging around near the store

4- Litter will become more relevant in the area and can effect the wild life . Making Jerra look untidy.

5-The smell can be smelt for miles away and it isn't a attractive smell

6- We are trying to model healthy eating to our primary school, and community having two fast food places close to each other will mean more people will get take out for the convinase with it being places at Jerra entry

7 Our local business will suffer.

8 We have had fast food places in Jerra (chicken something or rather, where the real state place is now in Jerrabomberra)before and they have never lasted more than 6 months We don't need them in Jerra having a more healthy or beneficial service will help Jerra to grown and become a town where people want to move. As I can tell you once I can move out I'll be out of Jerra as I don't want this in my town

Development Application (DA) KFC Tomsitt Drive Jerrabomberra

The proposed Poplars site for the DA is zoned B1 Neighbourhood Centre. An objective of a B1 Centre is "To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood". The Queanbeyan Local Environment Plan (LEP) (Poplars) 2013 aims to "rezone certain land at the Poplars to achieve economically, environmentally and socially sustainable urban development that complements and provides a range of facilities for the benefit of the adjoining Jerrabomberra community".

A number of Australian towns, including Byron Bay, Minyama, Katoomba, Yamba, Port Macquarie and Tecoma, have opposed fast food outlets on the basis that they destroy the character of the town, with negative impacts in terms of public health, litter, vandalism, traffic, visual impact, and resident amenity. The Tecoma outlet was opposed by 88.2% of residents surveyed, and unanimously rejected by the council (ref 1).

These concerns are not isolated to country towns. In 2017 the ACT Planning Authority (ACTPLA) rejected a DA by KFC to build a new restaurant next to a skate park, and close to UC Senior Secondary College in Belconnen. The skaters themselves opposed the development on the grounds of litter, antisocial behaviour and traffic (ref 2). The ACTPLA decision was overturned by the Appeals Tribunal, but ACTPLA is taking the rare action of an appeal in the Supreme Court, due to the strength of the opposition (ref 3).

The large pylon signs (8.5 and 9 m) of the outlets will have an adverse visual impact on local residents, and have attracted protests elsewhere (ref 4).

Many health organisations, including the Heart Foundation (ref 5), have expressed concern over the proximity of fast food outlets to schools. The proposed outlets will be located about 1 kilometre from Jerrabomberra Public School. It would be appropriate to consult the school regarding the DAs.

The proposed 24/7 operation of the McDonald's is unsuitable for a 'dormitory' suburb which has no other premises open overnight, and is at odds with the Council slogan "Country living, city benefits". The problems of 24/7 operation are illustrated by the Lake Macquarie outlet. A resident living opposite the drive-through said "living in the area had already become "stressful" for nearby residents who were subjected to non-stop traffic, antisocial behaviour, bad language and dangerous driving of people who visited the store" (ref 6).

The location and timing of the KFC and McDonald's DAs suggest that a major incentive is the coastal and heavy vehicle traffic diverted from the main street of Queanbeyan via the EDE onto Tomsitt Drive. This is also suggested by the large pylon signs on the boundary facing Tomsitt Drive, the drive-throughs, and the 24-hour operation of the McDonald's. The KFC

building entrance will face Tomsitt Drive, not the access road (the McDonald's will face in the opposite direction!).

Serving passing traffic on Tomsitt Drive from the entire Southern ACT including Hume industrial estate, Kings Highway, Googong and other Queanbeyan suburbs is not consistent with the aims and objectives of the B1 Zone and Poplars LEP, *to serve the local (Jerrabomberra) community*. In fact, serving through-traffic from such a wide area will be detrimental to Jerrabomberra. The KFC DA merely states "... it is considered that Tomsitt Drive has the capacity to accommodate the increased traffic volumes". The DAs do not comment on the likelihood of heavy vehicles attempting to access the outlets. Jerrabomberra residents do not want a 'truck stop' on their doorstep. The appropriate location for the outlets is away from residences.

Tomsitt Drive is the main commuter road for Jerrabomberra, with an 80 kph speed limit. The new traffic lights for access to the Neighbour Centre will interrupt commuter traffic in both directions on Tomsitt Drive, impacting almost all (~10,000) Jerrabomberra residents. The traffic lights will be less than 1 km from the Lanyon-Tomsitt Drive traffic lights under construction. Commuters will have to pass through 5 sets of traffic lights in less than 4 km to reach the northbound lanes of the Monaro highway in the ACT, where most work. Peak operation times of the food outlets will coincide with peak commuter times.

The new traffic lights on Tomsitt Drive have implications for the wider road network. Convergence of traffic from Jerrabomberra, Googong, the Queanbeyan bypass and South Jerrabomberra onto a single access road, Tomsitt Drive, has been repeatedly raised as a concern. The failure to secure a direct road to the ACT means that South Jerrabomberra residents will face a long circuitous commute via Tomsitt Drive. Despite the traffic modelling, it is difficult to envisage that Tomsitt Drive, the large roundabout in Jerrabomberra, and the 2-lane section of Edwin Land Parkway will meet peak traffic demands when the Queanbeyan bypass is opened.

I could not find any reference to these DAs on the QPRC website, and am grateful to the Jerrabomberra Residents Association for providing the relevant documents.

Yours sincerely

27 November 2018

REFERENCES

1. McDonald's claims victory for fast food in slow burning battle of Tecoma. *The Guardian (Australian edition)* 7 April 2014.
2. Kentucky's Fried position: Skaters speak out about proposed KFC site. *The Canberra Times* 26 May 2018.

3. ACTPLA appeals decision over plan for KFC next to Belconnen skate park. *The Canberra Times* 29 June 2018.
4. Jolimont residents demand McDonald's take away golden arches. *Perth Now* 26 March 2018.
5. The Heart Foundation wants fast food no-go zones near schools. *Perth Now* 16 April 2017.
6. Lake Macquarie City Council overturns Swansea McDonald's approval to trade 24-hours a day. *Newcastle Herald* 26 March 2018.

SUBMISSION by (Name Removed), (Address Removed)

DEVELOPMENT APPLICATION NO 505-2018

**DEVELOPMENT APPLICATION LODGED BY Purdon Planning Pty
Limited for the operation of a takeaway food and drink premises at 31
Tomsitt Drive, Jerrabomberra**

I understand the proposed takeaway food and drink premises is 'KFC'.
Accordingly I will refer to the proposed premises as 'KFC' in this submission.

I object to the development application (DA) in its current form, on the
following grounds:

1. Pedestrian traffic and child road safety

Jerrabomberra has a large population of older children and young teenagers.
KFC undertakes marketing activities to specifically target these groups of
young customers.

It is certain that older children and young teenagers will walk to the KFC from
their residences in Jerrabomberra, or from the existing shopping village on
Limestone Drive. This means they will walk along Tomsitt Drive and attempt
to access KFC directly via that route.

***I have strong concerns around how pedestrians, in particular children,
will access the KFC from their residences and the existing shopping
village safely on foot.***

It is clear that vehicle access to the KFC will be accommodated; however the
DA does *not* address how pedestrians will access the KFC from Tomsitt
Drive, without a vehicle. The DA does not make clear how pedestrian traffic
will be facilitated in a safe manner through the use of footpaths, pedestrian
crossings etc.

Children will walk to the KFC from their homes regardless of whether there
are adequate and safe pedestrian walkways. Children do not have the
maturity to assess road risk to the same extent as adults. There will be a large
volume of vehicle traffic around the KFC to navigate, and therefore a higher
relative risk to pedestrians.

I submit that the DA does not safely accommodate pedestrian safety when
accessing KFC without a vehicle, and therefore should not be approved in its
current form.

2. Flow of pedestrians generally

The flow of pedestrian traffic from the existing shopping village on Limestone
Drive to the KFC will be a large factor in the extent to which rubbish disposal

and crime/anti-social behaviour will affect the residents of Miles Place and surrounding streets.

To protect the amenity of residents, the likely flow of pedestrians should avoid Miles Place and surrounding residential areas when pedestrians walk between KFC and Limestone Drive.

At present, there is no clear pathway that would carry the flow of pedestrian traffic from the shopping village on Limestone Drive and other areas.

I submit that as the DA does not address how it is intended that pedestrians will access the KFC on foot from Limestone Drive or indeed any other part of Jerrabomberra, it should not be approved in its current form.

3. Rubbish disposal

It is well known that fast food outlets generate large amounts of rubbish that litter the road ways and water ways. This is particularly the case with drive-through takeaway stores that are open 24 hours per day.

In this case, it is reasonable to expect that at least the adjoining roads (e.g. Tompsitt Drive, Lanyon Drive, Edwin Land Parkway) as well as residential streets in Jerrabomberra, will be negatively affected by the increased litter.

There is concern that the effects of increased litter will be felt by the adjoining streets, e.g. Franklin Court, Stella Place and Miles Place in particular. These streets back on to a common strip of what I understand is Crown land. This runs along the Eastern boundary of the Poplars. It seems highly possible that customers of the KFC will walk down that Crown land strip to travel to or from KFC, and litter along their way.

There is already an issue with rubbish littering the local community. This will amplify that problem, increasing pollution and detracting from the natural harmony of the environment.

The DA addresses how rubbish will be dealt with on the immediate surrounding location, but it does not address how rubbish will be dealt with in the further reaching areas.

I submit that the DA does not adequately address the impact of rubbish on the Crown strip of land and further reaching areas, and therefore the DA should not be approved in its current form.



Jerrabomberra Residents Association Inc.

PO Box 132
Jerrabomberra NSW 2819

Email: council@qprc.nsw.gov.au

Construction and use of Take Away Food and Drink Premises – KFC 65 Tomsitt Drive Jerrabomberra DA 505-2018

The Jerrabomberra Residents Association (JRA) has considered the Development Application that is currently on exhibition for the above premises.

Jerrabomberra since its conception in the early 1990s has been built as a Village. It is the view of the JRA that this proposed DA does not fit in with the village style feel of Jerrabomberra. What is proposed would be suited to a main arterial road, not Tomsitt Drive. People opt to live in Jerrabomberra due to the semi-rural feel of the area. The JRA believes that this proposed development does not take into account the residential amenity of adjacent housing.

Jerrabomberra proudly has an insignificant litter problem, which can be attributed to factors such as a more highly educated population, appealing streetscape and most importantly, minimal disposable packaging used by existing businesses. We believe that the proposed fast food establishment will see increased litter, including fast food wrappers, cups, plastic lids and straws being blown around our suburb. The Werribee River Association has been recording where they find most take away food rubbish as part of a study called "Circles of litter". They found most litter was between 1.2 and 2.5 kilometres from a fast food restaurant.

(<http://www.abc.net.au/news/2017-06-01/circles-of-rubbish-ring-fast-food-restaurants-says-riverkeeper/8578876>)

Jerrabomberra is situated in an environmental corridor and the DA borders environmentally significant lands. We do not want the native wildlife to be consuming food and litter that isn't part of their natural diet.

The unpleasant odour of the fatty and oily food being prepared at the outlet will permeate the surrounding area and will be constant and unavoidable. This will degrade the quality of life of close-by existing residents (and devalue their properties). There are no plans to mitigate against the smell generated by this proposal and its impact on existing residents.

There is no designated crossing or safe way to cross Tomsitt Drive or Edwin Land Parkway from The Park to get to the proposed KFC. This is a particularly important consideration for local school children who attend the Jerrabomberra Public School off Jerrabomberra Parkway.

The proposed 8.5 metre pylon sign (S01) in the KFC corporate style and colours will not fit in with the village look and feel of Jerrabomberra and will be illuminated during evening hours which could impact on local residents' comfort and sleep. Furthermore there is an unknown impact of the native birdlife of the area that is critical to be assessed prior to further consideration of this development application. Recent studies in USA have concluded that the brightness of signage, particularly at night, has detrimental effects on birdlife behaviours.

It is the view of the JRA that the sign proposed isn't required and forms an eye-sore on the local landscape. The unique quality of Jerrabomberra is that many of the homes are elevated allowing residents' uninterrupted views towards the Canberra Basin and the Brindabellas. The proposed large sign will blot our existing vista. Its location on Tomsitt Drive goes against the State Environmental Planning Policy 64 (SEP64) where signage is compatible with the desired amenity and visual character of the area.

It is the JRA's view that all the signage for this site needs to be subtle and the words "Kentucky Fried Chicken" (S111-3) are obtrusive and tacky. It is our position that the pylon sign (S01) and S111-3 sign not be approved and the applicant revisit their proposal for a more subtle presence in line with the planning guidelines.

We are also concerned that the carpark lighting will impact on existing residents. We request that the carpark lighting design is such that it is contained within the development area. We would like to see the lighting switched off once the store closes.

Jerrabomberra is unique in so much as we now have three retail precincts for a population of approximately 10,000. Even with the additional development of South Jerrabomberra we would expect an additional 1500 people to join our community. Our local food businesses are owned by Jerrabomberra residents and profits are kept in the local community. We are concerned that a National Franchisee (with their large financial backing) will have a significant impact on our local businesses and economy. Furthermore, we are concerned that having existing fast food establishments within a five-minute drive from Jerrabomberra - located in Queanbeyan - is total oversupply of this type of fast food thus eroding the viability of those establishments.

Australia is currently in the grip of an obesity and diabetes epidemic. The answer lies in prevention – in not giving planning permits to fast food outlets that sell unhealthy food. Federal and state government public health prevention policy should not sit in isolation from planning policy. The latter should inform the former. QPRC in their Sports Facilities' Strategic Plan highlight the need for healthy lifestyles "preventable non-communicable diseases, such as mental illness, obesity, cardiovascular diseases, type 2 diabetes and cancer, remain major factors not only affecting health and well-being, but also driving up the cost of health care and reducing the productivity of the workforce." The establishment of a KFC store will contribute to these issues in the local community.

We have no donations or gifts to councillors or council staff to declare, and have no relevant business or investment interests.

Jerrabomberra Residents Association

27 November 2018

Queanbeyan-Palerang Regional Council
PO Box 90
Queanbeyan
New South Wales, 2620

Re: Tomsitt Drive Development

To Whom It May Concern

My wife and I are deeply concerned regarding the development application submitted by KFC and McDonalds on the vacant land off Tomsitt Drive. Our main objection is in relation to a 9 metre neon sign and 24 hour operating times. However, we also have the following concerns:

- We read the QPRC newsletters. I do not recall seeing plans for fast-food restaurants being proposed for Jerrabomberra. Furthermore, I searched old newsletters on the QPRC website going back to January 2017, and there is no reference to these proposals;
- Three of QPRC's priorities in the 'Community Strategic Plan' (CSP) are maintaining roads to allow safe and easy travel; protecting the natural environment; and land use that responds to local needs;
 - It is unclear how traffic will be safe or easy. If a person is travelling towards Lanyon Drive how do they cut safely across Tomsitt Drive? Secondly, how do vehicles exit the site? Presumably some genius has plans to install traffic lights to stop all traffic entering Jerrabomberra, thus slowing a main arterial road. This does not meet one of your own CSP 'priorities';
 - Litter will become an increasing issue. On your website you spruik the 'Don't be a Tossler! Campaign' which openly admits to a litter problem in the Queanbeyan area. You must realise this proposal is the direct antithesis of your campaign. This fails another CSP priority;
- There are already many fast-food outlets in Queanbeyan, Tuggeranong, Fyshwick and Woden. In Jerrabomberra there are several options in the existing shopping centre and a new café near the school. How would a small village suburb like Jerrabomberra benefit when there are existing options already available;
- We understand the McDonalds proposal is to operate 24 hours a day, 7 days a week. What kind of cretin would be so desperate for a 'Happy Meal' they would be cruising through Jerrabomberra beyond normal daytime hours? There's also the issue of noise and the smell;
- The last thing a quiet village like Jerrabomberra needs is a vile neon sign standing 9 metres in the air as a beacon to attract undesirables;
- Currently when you drive to Jerrabomberra the first impression is of a quiet semi-rural village with fields populated with cows and kangaroos. In time that first impression will be replaced by the neon sign and the repugnant sight of poor people pushing American hamburgers into their sweaty faces;
- Presumably once the precedent has been set to allow a business to hawk food and beverages 24 hours a day then other local businesses will also be allowed similar operating hours;

- Children leaving Jerrabomberra Public School will gravitate towards these restaurants and could possibly make it a lunchtime food choice rather than opting for a healthier option. There is currently no safe way for a child to make that journey on foot;
- According to information online there are 869 McDonalds (so-called) restaurants and 640 KFC's in Australia. In an era of increasing obesity (particularly amongst children) and disease (such as diabetes) there is no justification for exacerbating this issue by adding more fast-food restaurants. You only have to look at an American to see the effect junk food has on a person.

Yours sincerely

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

26 JUNE 2019

- | | |
|--------------|---|
| ITEM 10.2 | DA 505-2018 - TAKEAWAY FOOD AND DRINK PREMISES -
INCLUDING REVISED PYLON SIGN DESIGN - 10
FERDINAND LANE, JERRABOMBERRA |
| ATTACHMENT 7 | DA505-2018 - DRAFT CONDITIONS OF CONSENT - 10
FERDINAND LANE |

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE (BUILDING)

1. **SUBMIT AN APPLICATION FOR TRADE WASTE (C5)**
Prior to the issue of the Construction Certificate (Building) a Trade Waste Application (C5) to install a waste treatment device or devices must be submitted to, and approved by, Council. The waste treatment devices proposed must be able to cater for discharges from the following sources:
 - (a) **Kitchen**
 - (b) **Café**

The application must include the following details;

- (a) **Details and location of all processes, tanks, pits and apparatus associated with the generation of trade waste and,**
- (b) **Specifications of the treatment system including capacity/dimensions, material of construction and lining of the proposed pre-treatment facilities and,**
- (c) **Details of pipes and floor drainage conveying the waste and,**
- (d) **A detailed sewage drainage plan.**

REASON: To ensure compliance with Section 68 of the *Local Government Act 1993*, Council's Policy for Discharge of Liquid Trade Waste into Council's Sewer 2004/05 and to protect Council's Sewerage System.
(56.11)

***Note:** For further information regarding Trade Waste treatment and discharge please contact Council's Trade Waste Officer.*

- 2.

SUBMIT A CONSTRUCTION MANAGEMENT PLAN

Prior to release of any Construction Certificate (Building) a Construction Management Plan for the management of soil, water, vegetation, waste, noise, vibration, dust, hazards and risk for the construction works must be submitted to, and endorsed by, Council. The plan must:

- (a) describe the proposed construction works and construction program and,**
- (b) set standards and performance criteria to be met by the construction works and,**
- (c) describe the procedures to be implemented to ensure that the works comply with the standards and performance criteria and,**
- (d) identify procedures to receive, register, report and respond to complaints and,**
- (e) nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plan.**

REASON: To ensure that satisfactory measures are in place to provide for environmental management of the construction works. **(56.16)**

PRIOR TO COMMENCEMENT

3. BUILDING CONTRIBUTIONS TO BE PAID

Prior to the lodgement of the Notice to Commence Building Work and Appointment of a Principal Certifying Authority the contributions specified in Schedule 1 of this consent must be paid to Council under the provisions of Section 7.11 of the *Environmental Planning and Assessment Act 1979*, Section 64 of the *Local Government Act 1993* and Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000*.

REASON: To provide for the funding of augmentation and provision of services and community facilities. **(57.02)**

4. CONSTRUCTION CERTIFICATE (BUILDING) TO BE ISSUED

The erection of a building in accordance with the development consent must not be commenced until a Construction Certificate has been issued by Council or an Accredited Certifier.

REASON: To satisfy the requirements of Section 81A of the *Environmental Planning and Assessment Act 1979*. **(57.03)**

5. **SUBMIT NOTICE OF COMMENCEMENT OF BUILDING WORK**
A Principal Certifying Authority for the building work must be appointed and the Principal Certifying Authority must, no later than two days before the building works commences, notify Council of his or her appointment.

REASON: To satisfy the requirements of Section 81A of the Environmental Planning and Assessment Act 1979. **(57.04)**

6. **ERECT A SIGN FOR ANY DEVELOPMENT WORKS**
A sign must be erected and maintained in a prominent position on any site on which building, subdivision or demolition work is being carried out;
- (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.**
 - (b) Showing the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours.**
 - (c) Stating that unauthorised entry to the work site is prohibited.**

REASON: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000. **(57.08)**

7. **PROVIDE WORKERS TOILET FACILITIES**
Adequate toilet facilities for workers must be provided at or in the vicinity of the work site.

REASON: To provide suitable and hygienic toilet facilities for use by people visiting or working on the site. **(57.09)**

8. **SUBMIT AN APPLICATION FOR TRADE WASTE (C4)**
Prior to the commencement of any building work on the approved land use a Trade Waste Application (C4) for disposal into sewer must be submitted to, and approved by, Council.

REASON: To ensure compliance with Section 68 of the Local Government Act 1993, Council's Policy for Discharge of Liquid Trade Waste into Council's Sewer 2004/05 and to protect Council's Sewerage System. **(57.10)**

9. **SUBMIT A TRAFFIC MANAGEMENT PLAN**
Prior to work commencing a Traffic Management Plan for the construction works must be submitted to, and approved by, Council under the provisions of Section 138 of the *Roads Act 1993*.

REASON: To ensure that adequate arrangements are made for traffic and pedestrian safety during the construction works. **(57.13)**

SITE MANAGEMENT DURING DEMOLITION AND CONSTRUCTION

10. **PROVIDE WASTE STORAGE RECEPTACLE**
A waste receptacle must be placed on the site for the storage of waste materials.

REASON: To prevent pollution of surrounding areas. **(58.02)**

11. **INSTALL EROSION AND SEDIMENT CONTROLS**
Erosion and sediment controls must be installed on the site and maintained during the construction period.

REASON: To prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land. **(58.03)**

12. **HOURS OF OPERATION FOR WORKS**
All works associated with the demolition and/or construction of this development must be carried out between the following hours:

Weekdays:	7.00am to 6.00pm
Saturdays:	8.00am to 4.00pm
Sundays and Public	NIL
Holidays:	

REASON: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality. **(58.04)**

13. WORK ON ADJOINING LAND IS LIMITED

The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for:

- (a) Installation of a temporary, stabilised construction access across the verge.**
- (b) Installation of services.**
- (c) Construction of an approved permanent verge crossing.**

REASON: To minimise interference with the verge and its accessibility by pedestrians. **(58.05)**

14. REPAIR DAMAGED PUBLIC PROPERTY

All damage caused to public property during the establishment of the development must be repaired or reinstated prior to the issue of any Occupation Certificate.

REASON: To ensure that all public property in the vicinity of the development is maintained in its pre-development condition. **(58.06)**

15. WORKS SITES TO BE FENCED

A hoarding or fence must be erected between the development site and public places before commencement of any other work.

REASON: To ensure that an effective barrier is provided to preserve the safety of people and property in public places. **(58.07)**

16. TEMPORARY VEHICLE ACCESS

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

REASON: To minimise transfer of soil from the site onto the road pavement. **(58.08)**

GENERAL CONDITIONS

17. IN ACCORDANCE WITH THE APPROVED PLANS
The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans bearing the Council approval stamp, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by notations made in red ink by Council or conditions of approval.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

REASON: To ensure the development is completed in accordance with the approved plans and the development consent. **(59.02)**

18. OPERATIONAL, TRADING & DELIVERY HOURS ASSOCIATED WITH THIS APPROVAL

Function	Hours Permitted
Operational Hours	7:00am to 11:00pm (7 days a week)
Trading Hours	10:00am to 11:00pm (7 days a week)
Delivery Hours	7:00am to 10:00pm (Monday to Saturday) 8:00am to 10:00pm (Sundays/Public Holidays)
Waste Collection	7:00am to 10:00pm (Monday to Saturday) 8:00am to 10:00pm (Sundays/Public Holidays)

REASON: To ensure impacts from noise on surrounding land uses is kept to a minimum **(59.01)**

BUILDING

19. COMPLY WITH THE BUILDING CODE OF AUSTRALIA
All building work must be carried out in accordance with the requirements of the Building Code of Australia.

REASON: This is a prescribed condition under the provisions of clause 98 of the Environmental Planning and Assessment Regulation 2000. **(60.02)**

20. ALL WORKS TO BE CONFINED TO THE SITE
All excavation, backfilling, construction and other activities associated with the development must:-
- (a) **Be carried out entirely within the allotment boundaries unless otherwise approved by Council.**
 - (b) **If within one metre of the verge, the site must be protected by a hoarding which must be erected prior to the commencement of the demolition works.**
 - (c) **Be kept clear of stormwater, sewer manholes and service easements on the site.**

REASON: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired. **(60.05)**

21. SUBMIT SURVEY PLAN SHOWING BOUNDARY SETBACKS
The building must be set out by a Registered Surveyor in accordance with the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries must be prepared upon completion of the base course brickwork and then be submitted to the Principal Certifying Authority.

REASON: To ensure building has been sited in accordance with the approved plans. **(60.08)**

FIRE SAFETY MEASURES

22. SUBMIT FINAL FIRE SAFETY CERTIFICATE
At the completion of works, a Final Fire Safety Certificate detailing each essential fire safety measure provided in the building must be issued by the owner and must be submitted to Council. Copies the certificate must also be given to the Fire Commissioner and be prominently displayed in the building.

REASON: To ensure compliance with the *Environmental Planning and Assessment Regulation 2000*. **(61.02)**

23.

SUBMIT ANNUAL FIRE SAFETY STATEMENT

Each year, the owner of the building must submit to Council an Annual Fire Safety Statement for the building. The Annual Fire Safety Statement must address each Essential Fire Safety Measure in the building.

REASON: To ensure compliance with the *Environmental Planning and Assessment Regulation 2000*. **(61.03)**

CARPARKING AND ACCESS

24. CAR PARKING TO COMPLY WITH AS2890

All car parks must comply with AS2890 – 2004 Parking Facilities.

REASON: To provide adequate off-street car parking. **(66.04)**

25. ALL SURFACES TO BE CONCRETE OR BITUMEN SEALED

All parking spaces, loading bays, driveways and turning aisles must be concrete or bitumen sealed, with all parking spaces line marked.

REASON: To ensure car parking spaces are functional prior to use of the premises. **(66.06)**

SAFER BY DESIGN

26. LIGHTING IN CAR PARKS AND PUBLIC SPACES

Lighting throughout the car parking area, in public spaces and illuminated signage must comply with AS 2890.1:2004 – Parking Facilities – Off-Street Car Parking, AS 1158 - Lighting for Roads and Public Spaces, and AS 2482:2019 – Control of the Obtrusive Effects of Outdoor Lighting.

REASON: To ensure the provision of adequate lighting within the development. **(71.02)**

ADVERTISING AND BUSINESS/BUILDING IDENTIFICATION SIGNAGE

27. REMOVE DAMAGED OR OBSOLETE SIGNS

The sign(s) allowed by this consent must be removed if the signage becomes obsolete or is in a state of disrepair.

REASON: To ensure that obsolete signs and signs in poor condition are not left on buildings. **(72.04)**

LANDSCAPING

28. LANDSCAPING WORKS COMPLETED BY AN ACCREDITED CONTRACTOR

All landscaping must be completed by a Council accredited Category 1 landscape contractor in accordance with approved landscape plan bearing the Council approval stamp.

REASON: To help ensure a high standard of landscape works. **(73.02)**

29. LANDSCAPING WITHIN EASEMENT

Landscaping within the easement is to be restricted to small shrubs and vegetation, <0.5m high.

REASON: To ensure that public services are not damaged or otherwise impacted on by the development. **(73.01)**

FOOD

30. CONSTRUCTION AND FITOUT REQUIREMENTS

Food preparation, sale and storage areas must be constructed and fitted out to comply with the requirements of the:

- (a) *Food Act 2003*;**
- (b) *Food Regulations 2015*;**
- (c) *Australia New Zealand Food Standards Code*; and**
- (d) *AS1668.2 – The use of ventilation and air conditioning in buildings – Part 2: Ventilation design for indoor air contaminant control***

REASON: To ensure safe and hygienic food preparation/storage and compliance with *Food Act 2003* and *Regulations 2015*, *Food Standards Code* and relevant Australian Standards. **(75.02)**

ENVIRONMENTAL

31. SIGNAGE FOR WASTE STORAGE AREA

Appropriate signage must be provided in the waste storage area advising of the kinds of waste that can be disposed of in the bins.

The sign must be;

- (a) Clearly visible, and**
- (b) Made of durable and weather-proof material.**

In addition, appropriate signage must be placed on the external wall/door of the waste storage area to identify it.

The waste storage area is to be secure and not accessible to the public.

REASON: To provide information to residents of the building and reduce the level of contamination found in the waste bins. **(76.02)**

32. THREE MONTH ACOUSTIC REPORT – COMPLIANCE

All recommendations and specifications detailed in the acoustic report titled Noise Management Plan (No. 0306 R01) prepared by Paradigm 42 Pty Ltd must be implemented and adhered to.

Within three months of the date that any occupation certificate is issued, an acoustic report prepared by a suitably qualified, experienced and independent person must be submitted to Council.

The report must:

- (a) Assess how compliance with the recommendations of the Noise Management Plan (No. 0306 R01) prepared by Paradigm 42 Pty Ltd has been achieved, and**
- (b) Include an assessment of the level of noise generated from all noise sources and cumulative noise sources on the site, and**
- (c) Identify all reasonable and feasible measures that could be implemented on the site to reduce any additional noise impacts identified as a result of the assessment, and**
- (d) Assess the likely effectiveness of these measures.**

Any measures recommended in the acoustic report to reduce noise impacts must be implemented.

REASON: To ensure noise levels generated from activities on the site are not excessive and do not impact on surrounding sensitive receptors. To ensure compliance with the recommendations of the acoustic report submitted prior to the issue of the development consent. **(76.05)**

33. PLANT AND EQUIPMENT NOISE

The noise level emanating from plant and equipment installed on the premises must not exceed a level of 5dB(A) above background level when measured for a LA_{eq} 15 minute period during the day, evening or night.

REASON: To reduce the noise nuisance to residents and adjacent neighbours, also to comply with the *Protection of the Environment Operations Act 1997* and Regulations. **(76.04)**

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

34. SUBMIT FOOD BUSINESS REGISTRATION FORM

The proprietor of the food business must complete a Council “Food Registration Form” and submit it to Council prior to sale of food commencing.

REASON: To ensure correct information to be gathered on the Food Premises so as to maintain the list of food business that Council is required to maintain as per section 106 of *the Food Act 2003*. **(78.20)**

35. DESIGNER’S CERTIFICATION OF STORMWATER MANAGEMENT

Prior to the issue of any occupation certificate, certification of the as-built stormwater management system, in accordance with the requirements of Council’s Design Specifications D5 and D7, is to be provided to Council by the system designer.

REASON: To ensure that the as-built stormwater management system meets the requirements of Council’s design specifications. **(78.01)**

36. INSTALLATION OF LIGHT BARRIER PRIOR TO OCCUPATION

A suitably designed and constructed light barrier must be installed along the eastern boundary of the lot of an adequate height to prevent light pollution from cars that will be utilising the drive through service during night time hours.

The barrier may double as an acoustic barrier as long as it is able to maintain both the acoustic reduction and light prevention qualities.

REASON: To prevent light pollution from the drive through service impacting local residents. **(78.01)**

37. OBTAIN OCCUPATION CERTIFICATE BEFORE OCCUPATION
Occupation or use of whole or part of the building must not commence unless an Occupation Certificate has been issued in relation to the building or part.

REASON: To satisfy the provisions of Section 109M of the *Environmental Planning and Assessment Act 1979*. **(78.02)**

ON-GOING MANAGEMENT OF THE DEVELOPMENT

38. MAINTENANCE OF STORMWATER MANAGEMENT SYSTEM
The on-site stormwater quantity (on-site detention) and quality management system is to be maintained such that the system operation is able to meet the requirements of Council's Design Specifications D5 and D7 in an ongoing capacity.

REASON: To ensure the continual effectiveness of the on-site stormwater management system. **(79.01)**

39. MAINTAIN CAR PARKING AREAS AND DRIVEWAY SEALS
All sealed car parking areas, loading bays, manoeuvring areas and driveways must be maintained in a trafficable condition. Ongoing management of vegetation within parking areas is also required.

REASON: To ensure car park areas are useable and clear sight lines are maintained. **(79.02)**

40. KEEP CAR PARKING AREAS FREE FOR PARKING
The operator of the development must ensure that all vehicles associated with the development are parked within the site in the approved car parking area as line marked.

REASON: To ensure that the car parking provided on site is used for the development. **(79.03)**

41. CAR PARKING SPACES TO BE KEPT FREE AT ALL TIMES
All car parking spaces, loading and unloading areas, vehicle manoeuvring and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times.

REASON: To ensure such areas are available for occupants and visitors of the site. **(79.05)**

42. **VEHICLE AND GOODS STORAGE CONFINED TO THE SITE**
All loading and unloading activities in connection with the development must be carried out wholly within the site and all goods and vehicles associated with the development must be accommodated wholly within the site.

REASON: To ensure free flow of vehicular and pedestrian traffic on the road and the verge. **(79.04)**

43. **COMPLY WITH WASTE MANAGEMENT PLAN**
The development is to comply with the submitted Waste Management Plan dated 4 April 2019.

REASON: To ensure the impacts of waste generated by the development are managed accordingly. **(79.01)**

44. **SUBMISSION OF LITTER MANAGEMENT PLAN**
Prior to the issue of any occupation certificate the applicant shall submit to Council a litter management plan detailing how the store will undertake a litter clean up around the carpark and fringes of the building and property boundary. The plan shall include a regular schedule for litter pickup and a maintenance schedule for litter bins placed in the carpark. Following commencement of operations this litter management plan shall be adhered to.

REASON: To ensure that the carpark and building surrounds are kept free from litter whether generated onsite or from surrounding sites.

PLUMBING AND DRAINAGE

45. **STORMWATER DISPOSAL REQUIREMENTS**
All stormwater from the site must be trapped and piped to the existing stormwater system via an on-site detention system, in accordance with the approved plans, to limit the discharge from the site to the pre-development rate for the 20% and 1% Annual Exceedance Probability storm event.

REASON: To provide satisfactory stormwater disposal. **(80.08)**

46. PROVIDE WATER SERVICE AND WATER METER

A new main water meter and water service shall be installed by Council at no cost to the Council. The size of the meter and service shall be determined by a suitably qualified hydraulic consultant at no cost to Council.

The main meter shall be installed in an easily accessible position at the front of the site, or other accessible position approved by Council.

REASON: To ensure that the development is appropriately water metered. **(80.14)**

47. PLUMBING AND DRAINAGE INSTALLATION REGULATIONS

Plumbing and drainage work must be carried out in accordance with the requirements of the *Local Government (General) Regulation 2005*, the *Plumbing and Drainage Act 2011* and Regulations under that Act and with the Plumbing Code of Australia. Such work must be carried out by a person licensed by the NSW Department of Fair Trading.

REASON: This is a mandatory condition under the provisions of the *Local Government (General) Regulation 2005*. **(80.02)**

48. INSPECTION OF PLUMBING AND DRAINAGE

Plumbing and Drainage must be inspected by Council at the relevant stages of construction in accordance with Council's inspection schedule.

REASON: To ensure compliance with the inspection requirements of *Plumbing and Drainage Regulation 2012* and Council's inspection schedule. **(80.03)**

49. FLOOR LEVEL TO BE 150mm ABOVE YARD GULLY

The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of the yard gully and surface water must be prevented from entering the yard gully.

REASON: To ensure any sewage surcharges occur outside the building and to prevent surface water from entering the sewerage system. **(80.05)**

50. HEATED WATER NOT TO EXCEED 50 DEGREES C
All new heated water installations, must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.

REASON: To prevent accidental scalding. **(80.07)**

51. INSULATE HEATED AND COLD WATER SERVICE PIPES
Heated and cold water service pipes installed in the following areas of the building must be insulated in accordance with the requirements of AS 3500: Plumbing and Drainage:
- (a) unheated roof spaces**
 - (b) locations near windows, ventilators and external doors where cold draughts are likely to occur**
 - (c) locations in contact with cold surfaces such as metal roof and external metal cladding materials.**

REASON: To prevent the water service being damaged by water freezing within the pipes due to local climatic conditions. **(80.12)**