



# **Planning and Strategy Committee of the Whole**

**12 June 2019**

**UNDER SEPARATE COVER  
ITEM 6.3 – ATTACHMENTS 1 TO 4**



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# QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting  
Attachment

12 JUNE 2019

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ITEM 6.3	DEVELOPMENT APPLICATION 507-2018 - SHOP (ALDI SUPERMARKET) - 9 FERDINAND LANE, JERRABOMBERRA
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ATTACHMENT 1	DA 507-2018 - SECTION 4.15 REPORT - MATTERS FOR CONSIDERATION - SHOP (ALDI SUPERMARKET) - 9 FERDINAND LANE
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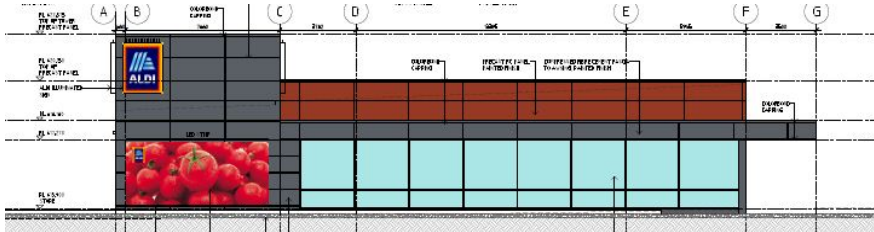
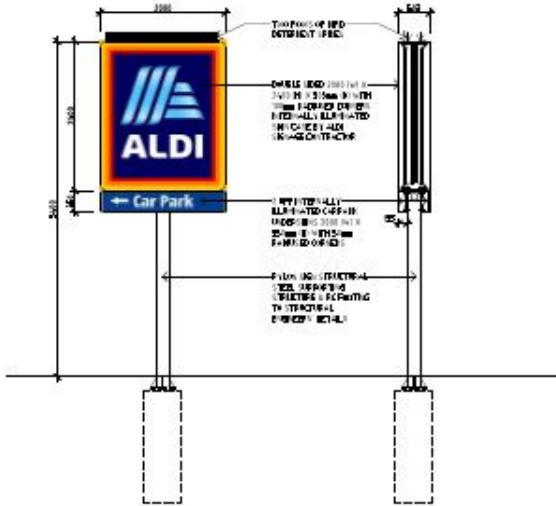
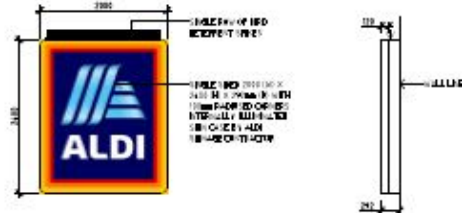

**ATTACHMENT - SECTION 4.15 TABLE – Matters for Consideration**

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 507-2018**.

**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)
<b>State Environmental Planning Policy No 55 - Remediation of Land</b>	
<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. 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. Development works associated with the subdivision have been satisfactory completed. The site is considered acceptable for its proposed use.</p>	Yes
<b>State Environmental Planning Policy No 64 - Advertising and Signage</b>	
<p><b>Part 1 Preliminary</b></p> <p><b>Aims and Objectives</b></p> <p><b>Definitions</b></p> <p>The proposed signage is considered business identification signage.</p> <p>Specifically, the development proposes:</p> <ul style="list-style-type: none"> <li>• Three Aldi wall signs on the northern, southern and western elevations of the building</li> <li>• One Aldi graphic sign (tomatoes) on the western elevation of the building; and</li> <li>• One double sided Aldi pylon sign at the entry to the carpark.</li> </ul> 	Yes

SEPP COMMENTS	COMPLIES (Yes/No)
<p style="text-align: center;"><b>Figure 1: ALDI Wall Signage</b></p>  <p style="text-align: center;"><b>Figure 2: ALDI Wall Signage</b></p>  <p style="text-align: center;">01 ALDI SIGNAGE 01 SCALE: 1: 50</p> <p style="text-align: center;"><b>Figure 3: ALDI Pylon Sign</b></p>  <p style="text-align: center;">02 ALDI SIGNAGE 02 SCALE: 1: 50</p>  <p style="text-align: center;">03 ALDI SIGNAGE 03 SCALE: 1: 50</p> <p style="text-align: center;"><b>Figure 4: ALDI Sign and Graphic Details</b></p> <p><b>Part 2 Signage Generally</b></p>	

SEPP COMMENTS	COMPLIES (Yes/No)
<p><b>Granting of consent to signage</b></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"> <li>(a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and</li> <li>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.</li> </ul> <p>An assessment against schedule 1 is provided below.</p> <p><b>Schedule 1 Assessment Criteria</b></p> <p><b>1. Character of the Area</b></p> <ul style="list-style-type: none"> <li>• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</li> <li>• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul> <p>The proposed business identification signage is consistent with the character of the area. The subject site is a part of a greenfield subdivision/development with a mix of commercial uses. The surrounding development will contain similar signage. The signage proposed for this development is relatively low-scale. Complies.</p> <p><b>2. Special Areas</b></p> <ul style="list-style-type: none"> <li>• 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?</li> </ul> <p>The subject site is a part of a greenfield development west of the existing locality of Jerrabomberra. It is not located adjacent to a heritage item or conservation area. The signage is not significant enough to have an adverse impact on the surrounding landscape. Complies.</p> <p><b>3. Views and Vistas</b></p> <ul style="list-style-type: none"> <li>• Does the proposal obscure or compromise important views?</li> <li>• Does the proposal dominate the skyline and reduce the quality of vistas?</li> <li>• Does the proposal respect the viewing rights of other advertisers?</li> </ul> <p>The proposed signage will not obscure or compromise important views, it does not dominate the skyline and respects the viewing rights of other business with signage. All of the signage, with the exception of the pylon sign, are contained on the building which is within the prescribed height limit under the QLEP 2012. The pylon sign is 5.4m high which is under the building height limit. The pylon sign is 2m wide by 2.4m in length. Complies.</p> <p><b>4. Streetscape, setting or landscape</b></p>	



SEPP COMMENTS	COMPLIES (Yes/No)
<ul style="list-style-type: none"> <li>• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</li> <li>• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> <li>• Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> <li>• Does the proposal screen unsightliness?</li> <li>• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> <li>• Does the proposal require ongoing vegetation management?</li> </ul> <p>The number of signs and the scale and bulk of the proposed signage is appropriate for the streetscape, setting and landscape. Complies.</p> <p><b>5. Site and Building</b></p> <ul style="list-style-type: none"> <li>• 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?</li> <li>• Does the proposal respect important features of the site or building, or both?</li> <li>• Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul> <p>The proposed signage respects the design and layout of the proposed building. It is located appropriately and is compatible with the important features of the building. Complies.</p> <p><b>6. Associated Devices and Logos with Advertisements and Advertising Structures</b></p> <ul style="list-style-type: none"> <li>• 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?</li> </ul> <p>Not applicable, the proposed signage is considered business identification signage and not advertising.</p> <p><b>7. Illumination</b></p> <ul style="list-style-type: none"> <li>• Would illumination result in unacceptable glare?</li> <li>• Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>• Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>• Can the intensity of the illumination be adjusted, if necessary?</li> <li>• Is the illumination subject to a curfew?</li> </ul> <p>The proposed signage will be illuminated. The illumination is projected internally by fluorescent lights behind an acrylic sign. The illumination can be adjusted if required. Due to the location of the signage in relation to the building and the height of the pylon sign, the lighting is not anticipated to have any significant impact on surrounding buildings. The illumination will be in line with Aldi's operational hours from 7:00am to 10:00pm daily. A lighting diagram submitted with the application provides a visual diagram of the extent of the impact of lighting, this</p>	

SEPP COMMENTS	COMPLIES (Yes/No)
<p>is considered acceptable for the site and in regards to any potential impact on surrounding sensitive receivers/land uses. Complies.</p> <p><b>8. Safety</b></p> <ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for any public road?</li> <li>• Would the proposal reduce the safety for pedestrians or bicyclists?</li> <li>• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul> <p>The proposed signage is appropriate for the building and the site. It is generally low-scale and will not result in reducing the safety of pedestrians, cyclists or vehicles. Complies.</p>	

### **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)
<b>Part 1 Preliminary</b>	
<b>Clause 1.2 Aims of Plan</b>	
<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 an Aldi Supermarket at 9 Ferdinand Lane (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
<b>Clause 1.4 Definitions</b>	

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
<p>The proposed development is defined as a <b>shop</b>.</p> <p><b>shop</b> means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.</p> <p><b>Note.</b> Shops are a type of <b>retail premises</b>—see the definition of that term in this Dictionary.</p>	Yes
<b>Part 2 Permitted or Prohibited Development</b>	
<b>Clause 2.1 Land Use Zones</b>	
The subject site is zoned B1 Neighbourhood Centre. A <b>shop</b> is a permissible use within the B1 zone.	Yes
<b>Clause 2.3 Zone Objectives and Land Use Tables</b>	
<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• To provide active land uses at street level.</li> <li>• To ensure that residential development does not compromise the existing and future operations of the Canberra Airport.</li> </ul> <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
<b>Clause 2.7 Demolition requires development consent</b>	
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
<b>Part 4 Principal Development Standards</b>	
<b>Clause 4.3 Height of buildings</b>	
The maximum building height applicable to the subject site is 12m. The proposed development has a maximum height of 8.5m. Complies.	Yes
<b>Clause 4.4 Floor space ratio</b>	
A maximum Floor Space Ratio (FSR) of 1:1 is permitted on the site. The site area is 8,178m <sup>2</sup> and the GFA of the proposed development is 1,739m <sup>2</sup> for an FSR of 0.21:1. Complies.	N/A
<b>Part 5 Miscellaneous Provisions</b>	
<b>Clause 5.10 Heritage Conservation</b>	
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
<b>Clause 5.11 Bush fire hazard reduction</b>	
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
<b>Part 6 Additional Local Provisions</b>	
<b>Clause 6.1 Earthworks</b>	

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
Earthworks were completed as a part of the subdivision development application which created the allotment to which this proposal relates.	Yes
<b>Clause 6.2 Riparian Lands and Watercourses</b>	
The subject site is not located on or within the vicinity of riparian lands and watercourses.	Yes
<b>Clause 6.3 Airspace Operations</b>	
The proposed development has a maximum height of 8.5m and will not penetrate the OLS.	Yes
<b>Clause 6.4 Development in Areas Subject to Aircraft Noise</b>	
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
<b>Clause 6.6 Essential Services</b>	
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.	
<b>Development Engineers Comments</b>	
<b>Water</b>	
A 40mm water service is to be provided to the subject lot as part of the Poplars Subdivision works. This in accordance with the South Jerrabomberra D11 specification for minimum commercial water service requirements. The submitted plans for the Aldi Development do not include details of proposed water servicing (other than approximate location based on Poplars subdivision plans). The size of the service should be determined by an appropriately qualified hydraulic consultant to verify the development's requirement prior to installation of a main water meter (Modified condition 80.14). Given the size of the development site, an additional fire hydrant may need to be installed in the north-western section of the site in accordance with AS2419. It is noted that this would require a private 100mm water service to be installed for the development. This requirement or otherwise should be determined by the Building Team.	
<b>Sewer</b>	
A 150mm sewer tie is to be provided to the subject lot as part of the Poplars Subdivision works. The submitted plans for the Aldi Development do not include details of proposed sewer tie other than replicating the approximate arrangement by plan view from the Poplars approved hydraulic servicing plan.	
<b>Stormwater</b>	
The applicant has provided a stormwater management report that addresses both the management of stormwater quantity and the management of stormwater quality (in accordance with Council's Design Specifications D5 and D7 for Jerrabomberra respectively). The plan specifies that DRAINS has been used with the Rational Method in accordance with ARR1987 to ascertain the pre and post development flow rates for the 5 year and 100 year ARI events. This model has also been used to determine the required detention tank volume.	
It is noted that the detention tank has a two stage discharge system. The primary stage is a 375mm opening in an internal weir restricted to 203mm by a 5mm thick orifice plate covered with a trash screen. The second stage is the internal weir itself. When the weir overtops, the orifice plate is bypassed and tank can drain through the 375mm stormwater tie connecting the site to the street stormwater system.	
	Yes

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
<p>Should the detention tank surcharge in a storm event, the lowest level inlet to the internal stormwater system is the inlet pit and strip drain (GD-2) across the end of the loading bay. It is likely that this would be the first area to surcharge because of the low level of the inlet combined with the tailwater level in Council's main for the 100 year ARI stormevent. In close proximity to this surcharge location is inlet pit J-2 which is not connected to the internal pipe network but rather an emergency pump and a short rising main which discharges to a proposed swale on the eastern side of the development (within the lot boundaries) which will convey flows to the road reserve where it will be conveyed to the street via a kerb outlet. The inlet level of pit J-2 is similar to the TWL of the detention tank in a 100 year storm event. For the pump-out system located in pit J-2 to assist with drainage, the loading dock must be inundated with approximately 500mm depth of water.</p> <p>UPDATE 3/4/19: To reduce the likelihood of this occurring, it was suggested to the consultant that a non-return valve could be used to prevent tailwater from Council's main making its way to the loading bay (which was otherwise likely as the tailwater level is higher than the strip drain in the loading bay and as the loading bay drainage bypasses the detention system). This approach was adopted and should result in a decrease of depth of inundation of the loading bay in severe storm events. As a result the system surcharge location will move to the strip drain GD-1 across the eastern access driveway and should flow to the street from that point.</p> <p>The majority of inlet pits internal to the site incorporate Enviropod inlet filter baskets to pre-treat the runoff prior to it reaching the detention tank. Within the detention tank's primary inlet is a series of Psorb Stormfilter cartridges to provide final filtration of the runoff prior to discharge. MUSIC was used to model the stormwater quality system and a printout of the model results is included in the management report to support the applicant's assertion that the proposed system meets their pollutant retention targets. These targets are largely in accordance with the requirements of Council's Design Specification D7 for Jerrabomberra. The only target which falls short of D7's requirement is the retention of Total Nitrogen. However, as the retained percentage is still in excess of the requirements for developments in the ACT (45% of annual load) who owns the receiving waters, it is thought acceptable. The civil consultant (H &amp; H Consult) have provided certification of their design against Council's Design Specifications D5 &amp; D7 for South Jerrabomberra</p>	
<b>Clause 6.7 Land Adjoining Hume Industrial Area and Goulburn/Bombala Rail Line</b>	
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.

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<b>Part 1 About This Development Control Plan</b>	
<p><b>1.8 Public Notification Of A Development Application</b> The development application was notified to adjoining owners and advertised. A total of 6 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>	Yes

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>1 out of 6 submissions were in support of the proposed development.</p> <p><b>Issues Raised:</b></p> <ul style="list-style-type: none"> <li>• Landscaping                             <ul style="list-style-type: none"> <li>○ A question was raised as to whether or not the trees within the car park would grow to a size to provide adequate heat protective height.</li> <li>○ The development proposes 19 Claret Ash trees which can grow to a height of 10m and with a canopy spread of 7m. The development also incorporates a number of shrubs. The mixture of the proposed vegetation allows for adequate amenity as well as being respective of maintaining sightlines for natural surveillance within the car parking area.</li> </ul> </li> <li>• Pedestrian Access                             <ul style="list-style-type: none"> <li>○ Issues have been raised regards to pedestrians accessing the site from the eastern boundary.</li> <li>○ The subdivision design and proposed Aldi development incorporates a clear pedestrian path from the southern boundary. The acoustic wall and landscape buffer on the eastern boundary of the site will create a visual and physical barrier to pedestrians gaining access of the site from this location.</li> </ul> </li> <li>• Car Park and Light Spill                             <ul style="list-style-type: none"> <li>○ Issue raised that car park lighting may result in spill to adjoining residential areas.</li> <li>○ Council will impose relevant conditions of consent in regards to compliance with Australian Standards such as AS1158 (Public Lighting Code) and AS2890.1 and AS1158.1 (Parking facilities) to manage light spill on the site and minimise any impacts on adjoining sensitive land uses.</li> </ul> </li> <li>• Proposed Pylon Sign                             <ul style="list-style-type: none"> <li>○ The height of the pylon sign being out of character with the neighbourhood was raised as an issue.</li> <li>○ The pylon sign is 5 metres in height and is lower than all other pylon signs proposed for the other development adjoining the site. The pylon sign is also within the permissible height limit. It is not anticipated that the pylon sign will have any adverse impacts on the character and amenity of the surrounding locality.</li> </ul> </li> <li>• Site Remediation Works                             <ul style="list-style-type: none"> <li>○ A submission raised concerns about contaminated soil on the site.</li> <li>○ The remediation of the site is required to be completed by the owner of the land. Any works will need to be finalised prior to the release of the subdivision certificate with site validation certification provided. The enquiry was also passed on the Council's Development Compliance Officer for investigation to ensure compliance with condition of consent associated with the subdivision Development Application (DA 192-2018).</li> </ul> </li> <li>• Noise                             <ul style="list-style-type: none"> <li>○ An issue was raised in regards to 24 hour operation hours for the site.</li> </ul> </li> </ul>	

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<ul style="list-style-type: none"> <li>○ The business hours for the site are within 6am to 10pm. Council will condition the development to have consistent delivery hours with the accepted operational hours.</li> </ul>	
<b>Part 2 All Zones</b>	
<p><b>2.2 Car Parking</b></p> <p>A total of 126 car parking spaces have been provided for the development. In accordance with the requirements of Table 1, Section 2.2 of Part 2 of the QDCP 2012. The development (a shop) requires – 1 space per 60m<sup>2</sup> of GFA. The GFA of the development is 1739m<sup>2</sup>. Therefore the development required 29 parking spaces. The proposal exceeds the requirement under the QDCP 2012.</p> <p>In regards to the provision of car parking for service vehicles, Table 2, Section 2.2 of Part 2 of the QDCP 2012 required one space per 400m<sup>2</sup> of up to 2,000m<sup>2</sup> of GFA. 4 spaces are required. Due to the development far exceeding car parking requirements, service vehicle spaces are also considered sufficient.</p> <p>As per Table 3 Section 2.2 of Part 2 of the QDCP 2012, a total of 3 disabled parking spaces are required, calculated at the highest amount required. 4 spaces have been provided. Complies.</p> <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. Compliance with the relevant Australian Standards for car parking design will form a condition of development consent. Access for trucks is also considered acceptable. The development complies with this section of the QDCP 2012.</p>	Yes
<p><b>2.3 Environmental Management</b>                  A Section J report will be required at Construction Certificate stage.</p> <p><b>Waste Management</b></p> <ul style="list-style-type: none"> <li>• The application is supported by a waste management plan. The plan details management in regards to garbage and recyclable material, smoking, litter management and wet waste. An excerpt of the management measures from the waste management plan are provided below:                         <ul style="list-style-type: none"> <li>○ <b>Garbage and Recyclable Waste</b>                                  For paper and cardboard, a compactor unit will be located within the loading dock area adjoining an enclosed storage bin area. All such products will be compacted and stored for collection by an independent contractor for the purposes of recycling. Bins are typically collected for recycling every two weeks subject to the stores level of activity.</li> <li>○ <b>Smoking</b>                                  A designated staff smoking area has been included in the design to the north of the store. A bin will be located within this smoking area to ensure cigarette butts are collected and added to the regular waste collection.</li> <li>○ <b>Litter Management</b></li> </ul> </li> </ul>	Yes

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>○ <i>The external carpark and landscaping areas will be regularly maintained by designated contractors to prevent the collection of litter in these areas.</i></p> <p><b>Wet Waste</b></p> <p>○ <u>Waste Handling</u>  <i>Putrescible waste in small quantities is stored in a two lidded 1.5m3 waste bins. An independent contractor is employed to empty these bins and to recycle material where possible. Bins are generally emptied twice a week subject to retail activity and the volume of material held. Large quantities of fruit and vegetable waste e.g. produce that is not fit for sale, is collected by food reclaim organizations such as OzHarvest.</i></p> <p>○ <u>Waste Storage</u>  <i>Putrescible waste bins will be located within and external bin store enclosure located within the vicinity of the loading dock and within convenient and secure access by staff. Waste storage areas will be provided with a drainage outlet to sewer and a cold water supply. Washing down of bins will not generally occur on the premises. Bins will be removed and washed off site by designated environmental contractors. Where this cannot be provide because of site specific constraints, e.g. unavailability of appropriate contractors, an appropriate area for wash down of bins will be provided on site. The following measures are adopted to comply with Division2, Clause 6 of the Food Safety Standards in respect to waste storage facilities:</i></p> <ul style="list-style-type: none"> <li>- <i>The putrescible waste holding area will be fully screened incorporating a lockable gate and roof where appropriate.</i></li> <li>- <i>The floor of the bin store shall be:</i> <ul style="list-style-type: none"> <li>(a) <i>impervious;</i></li> <li>(b) <i>covered at the intersection of the walls</i></li> <li>(c) <i>graded to a sewer drainage outlet incorporating a bucket trap.</i></li> </ul> </li> <li>- <i>Appropriate design measures will be adopted to avoid storm water entering the sewer drain.</i></li> <li>- <i>Walls will be finished with a smooth, impervious surface, generally painted face blockwork.</i></li> </ul> <p><i>The proposed development accommodates a separate area for waste storage and recycling. This area is managed through a screened bin storage area for collecting any waste produced on the site. ALDI Stores are designed to provide space for waste storage and recycling, which is achieved in line with the Federal and NSW Government waste reduction targets and the Waste Minimisation and Management Act 1995. ALDI aims to minimize waste and promotes reduction in the use on non-recyclable materials, through the provision of products sent directly from the Distribution Centre at Prestons (except for baked goods which are delivered directly by the manufacturer) which are packaged in the Distribution Centre onto pallets and unloaded at the store. There is minimal stocking of shelves as the majority of items are displayed directly on pallets or within their shipping cases, which minimizes waste. Additionally ALDI encourage waste minimization through store practices such as providing bags to customers to purchase and reuse.</i></p> <p><i>No hazardous or offensive waste will be produced at the premises. Waste produced will be conventional packaging and other grocery, shop and office</i></p>	



SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p><i>materials, the greater proportion of which will be recycled. Waste will be stored on the premises until removal takes place, which will be by independent contractors.</i></p> <p><i>ALDI makes it a priority to build stores that best serve both the local community and the environment as a whole. ALDI is acknowledged as a leader in environmental conservation and preservation of resources due to the focus it places on maximizing efficiency and minimizing environmental impact in its day to day operations. ALDI does not give away plastic bags and encourages the use of environmentally friendly bags; its coin-deposit trolley management system avoids the spread of trolleys into waterways, parks and streets; stores recycle waste where possible and ALDI works closely with its suppliers to ensure a minimum amount of plastic and cardboard packaging is used.</i></p> <p><b>Assessing Officers Comments:</b>                      The provisions for the management of waste at the premises are generally sufficient. Council's Waste Officer has not objected to the proposed development. However, the Waste Officer has marked a few items that can be incorporated into the waste management practices of the premises. These include:</p> <ul style="list-style-type: none"> <li>▪ Adequate space within the proposed cool rooms to store usable food waste for food rescue programs.</li> <li>▪ Public bins located in the car park with appropriate signage.</li> <li>▪ Signage for bins used by staff.</li> </ul> <p>These items are considered generally met by the proposed development further guidance where necessary will be provided within the conditions of consent. Construction waste will need to be detailed in terms of its disposal in a construction and waste management plan, which will be a condition of consent to be submitted prior to the release of a construction certificate.</p> <p><b>Noise</b>                      An acoustic report prepared by Marshall Day Acoustics (Dated: 12 October 2018) was submitted with the application to support the development.</p> <p>The report prepared by Marshall Day Acoustics takes into consideration potential noise impacts from:</p> <ul style="list-style-type: none"> <li>○ Mechanical services emissions</li> <li>○ Noise from truck movements, deliveries and garbage compactor operations</li> <li>○ Generated traffic noise both on-site and on surrounding public roads</li> </ul> <p>The report concludes that the noise emissions from the premises will achieve the appropriate criteria outlined by NSW Government policy, guidelines and industry standards provided the recommendations of the report are implemented.</p> <p>The noise management measures within the Marshall Day Acoustics report include the following:</p> <ul style="list-style-type: none"> <li>▪ ALDI's standard delivery vehicle policy which requires delivery trucks turn off reversing beepers and truck mounted refrigeration units whilst on site</li> </ul>	

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<ul style="list-style-type: none"> <li>▪ Taking care to minimise impact noise within the truck trailer while unloading</li> <li>▪ Keeping communication between staff and delivery drivers to a conversation vocal level, i.e. no raised voices</li> <li>▪ Refrigeration plant should not be cycled on and off throughout the night-time period. Instead, variable speed fans should be fitted so that units cycle up and down as required</li> <li>▪ Restricting the use of the compactor to the Daytime and Evening periods only</li> </ul> <p>The report prepared by Marshall Day Acoustics concludes that sensitive receivers will not be impacted over acceptable noise levels during night-time by truck deliveries. However, a previous acoustic assessment was undertaken by SLR (dated: 22 February 2016) for the subdivision development (DA 192-2016) which contained the recommendations for the implementation of the acoustic wall, as well as mitigation measures for future development.</p> <p>The report concludes that the acoustic wall is not sufficient to mitigate sleep disturbance during night time hours on nearby sensitive receivers, as a result of noise generated from truck movements. Additional mitigation measures are listed within the report and include limiting truck deliveries to daytime and evening hours only. This is stipulated as between 7:00am and 10:00pm for Monday to Saturday and 8:00am to 10:00pm for Sundays and public holidays.</p> <p>It is Council's position that deliveries are limited to operational hours of the premises and are not permitted within the requested timeframe of 10:00pm to 6:00am for a total of two movements/deliveries. This is due to the recommendations of the report prepared by SLR and its assessment of the acoustic wall and the implementation of the report's recommendations by the developer during construction of the acoustic wall.</p> <p>The subsequent acoustic report to support ALDI contradicts the previous acoustic assessment and its recommendations for mitigation measures are largely uncontrollable/unenforceable by Council (i.e. no raised voices). The acoustic report prepared by Marshall Day Acoustics does not adequately account for the modelling used for the acoustic wall, which formed a part of the report prepared by SLR. A statement is provided on page 11 of the report prepared by Marshall Day Acoustics which makes the omission that the report was prepared without specifications for the acoustic wall.</p> <p>In addition to the findings and recommendations of both acoustic reports prepared by SLR and Marshall Day Acoustics. Additional factors in determining Councils position in regards to delivery hours includes, the acoustic wall being shorter in length then recommended by the SLR report due to the location of where the development site finishes, and the location of the delivery dock directly adjacent the adjoining dwelling houses (sensitive receivers) to the east.</p>	
<p><b>2.4 Contaminated Land Management</b></p> <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.</p> <p>Remediation works relating to development application 192-2016 for the subdivision of the site must be completed prior to the release of a subdivision certificate. This</p>	Yes

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>development application (DA 507-2018) cannot be determined prior to release of the subdivision certificate and registration with the New South Wales Land Titles Office. Therefore Council is considered satisfied that the land to which this application relates is satisfactory for its proposed use in regards to contamination and subsequent remediation works. No conditions will be required for this application in regards to contamination and remediation.</p>	
<p><b>2.5 Flood Management</b>                      The subject site is not within a flood prone area.</p>	N/A
<p><b>2.6 Landscaping</b>                      A landscape plan was prepared by a Category 1 Landscape Consultant (Site Image) on Council's register of Landscape Consultants and submitted with the application. The landscaping plan identifies adequate planting and landscaped area which will contribute to the amenity of the site and streetscape. The proposal incorporates:</p> <ul style="list-style-type: none"> <li>• 19 Claret Ash trees (Fraxinus Oxycarpa 'Raywood'),</li> <li>• 190 'small leaf photinia' shrubs and;</li> <li>• 'Creeping Juniper and 'African Lily' groundcovers/grasses.</li> </ul> <p>The proposed landscaping creates a visual buffer between the internal road and he proposed car park. It does not detrimentally affect site lines between entry and access points. It is considered that the landscape design is responsive to CPTED (Crime Prevention Through Environmental Design) principles and will contribute to the overall amenity of the streetscape.</p>	Yes
<p><b>2.7 Soil, Water and Vegetation Management Plan (SWVM Plans)</b>                      Standard conditions relating to site management will be imposed should development consent be granted.</p>	Yes
<p><b>2.8 Guidelines for Bushfire Prone Areas</b>                      The subject site is bushfire prone and the application will be conditioned to comply with any construction requirements if necessary. Additionally, a bushfire report was submitted with the application. The report contains a number of recommendations, these include:</p> <ul style="list-style-type: none"> <li>• Affording occupants of any building adequate protection from exposure to bushfire;</li> <li>• Providing for a defensible space to be located around buildings;</li> <li>• Providing appropriate separation between a hazard and buildings which, in combination with other measures, prevent direct flame contact and/or material ignition;</li> <li>• Ensuring that safe operational access and egress for emergency service personnel and residents is available;</li> <li>• Providing for ongoing management and maintenance of bushfire protection measures, including fuel loads in the APZ; and</li> <li>• Ensuring that utility services are adequate to meet the needs of fire fighters (and others assisting in bush fire fighting).</li> </ul> <p>The development, in its design, appears to comply with the recommendations of the bushfire assessment report submitted with the application. Additionally, 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><b>2.9 Safe Design</b></p>	Yes

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>The proposed development generally satisfies the relevant provisions of this clause. The development will retain adequate passive and natural surveillance to the street. Additionally, entry points to both the car park and building are clearly legible. Internal signage assists with people navigating the site. Additionally, the landscaping is considered satisfactory in regards to the requirements of this section of the QDCP 2012 and general CPTED principles. Please refer to the section 2.8 above for additional comments in regards to landscaping. The development complies with this section.</p>	
<p><b>2.11 Height of Buildings</b>                      Refer to LEP assessment (Clause 4.3).</p>	Yes
<p><b>2.13 Preservation of Trees and Vegetation</b>                      No tree or vegetation removal is proposed or required.</p>	N/A
<p><b>Part 10 Neighbourhood Centre Controls and Principles</b></p>	
<p><b>10.3 Signage</b></p> <p><b>Objectives:</b></p> <p>1) <i>To ensure that signage (including advertising):</i></p> <ul style="list-style-type: none"> <li><i>i. Is compatible with the desired amenity and visual character of an area.</i></li> <li><i>ii. Provides effective communication in suitable locations.</i></li> <li><i>iii. Is of high quality design and finish.</i></li> </ul> <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>	Yes

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<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 low-scale and acceptable for the building, site and locality.</p> <p><b>Controls:</b></p> <p><i>a) Comply with the relevant controls in Part 9 Signage of this DCP for the type of sign proposed.</i></p> <p>Compliance against Part 9 Signage of the South Jerrabomberra DCP is provided below. Additionally, signage was assessed in detail against SEPP 64 'Advertising and Signage' which is provided at the start of this report.</p>	
<p><b>10.4 Safety and Security</b></p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>1) <i>To create an environment in which people feel safe to walk during the day and night.</i></li> <li>2) <i>Enhance public safety by reducing opportunities for crime to occur.</i></li> <li>3) <i>Improve observation of public and private spaces.</i></li> <li>4) <i>Optimise the use of public spaces and facilities by the community.</i></li> <li>5) <i>Promote the design of safe, accessible and well maintained buildings and spaces.</i></li> </ol> <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><b>Controls:</b></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.</p>	Yes
<p><b>10.5 Site Car Parking</b></p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>1) <i>Ensure that onsite parking for all development is provided to meet the anticipated demand of employees, residents and customers.</i></li> </ol> <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><b>Controls:</b></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

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p><b>10.7 Pedestrian Access and Mobility</b></p> <p><b>Objectives:</b></p> <p>1) <i>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>2) <i>To ensure buildings and places are accessible to people with a disability.</i></p> <p>3) <i>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><b>Controls:</b></p> <p>a) <i>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> <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>b) <i>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.</p> <p>c) <i>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>d) <i>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>e) <i>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>Yes</p>

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<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><b>10.12 Additional Objectives and Controls for Poplars Neighbourhood Centre</b></p> <p><b>Objectives:</b></p> <p><i>1) To ensure that the design, mix and siting of development supports the neighbourhood centre.</i></p> <p><i>2) To ensure that design and siting of the development establishes a high quality, vibrant and attractive place.</i></p> <p><i>3) To ensure that the arrangement of uses takes into account the residential amenity of the adjacent housing.</i></p> <p><i>4) 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><i>5) To ensure personal safety for workers and visitors to the development.</i></p> <p><i>6) 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><b>The Built Form Controls:</b></p> <p><i>a) 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><i>b) 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>Yes</p>

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p><i>c) 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><i>d) 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 setback from the street, however, through doing this adequate natural surveillance of the car park is created. Complies.</p> <p><i>e) 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, despite the building not directly addressing the street. Complies.</p> <p><i>f) Blank walls are discouraged.</i></p> <p>No blank walls are proposed. The proposed building is adequately articulated.</p> <p><i>g) 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 Aldi stores across Australia. Complies.</p> <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><b>Access and Mobility Controls:</b></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><b>Note:</b> 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><b>Landscaping and Edge Treatment Controls:</b></p> <p><i>a) The landscaping of a sufficient width and suitable species shall be provided around the perimeter of the neighbourhood centre including Tompsitt Drive.</i></p> <p>The mix of Claret Ash trees and Small Leaf Photinia 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.</p>	



SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<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 landscaping faces the sound/buffer wall. The landscaping of the site is of an appropriate scale.</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 Tompsitt Drive shall provide a suitable address whilst also retaining visibility for the commercial uses along the frontage.</i></p> <p>The lot does not border Tompsitt Drive. The side of the lot facing the internal road of the development adequately addresses this control. 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. The proposed trees are Claret Ash (mature height of 10m and spread of 7m) with the shrub Small Leaf Photinia (mature height 3m and spread 2m). Ground covers include Creeping Juniper and African Lily.</p> <p><i>Safety and Surveillance Controls:</i></p> <p><i>a) 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><i>b) 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 road and are easily identifiable. Complies.</p> <p><i>c) 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><i>d) 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>	

SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<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, 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)
<b><i>Environmental Planning and Assessment Act Regulation 2000</i></b>	
<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
<b><i>The Likely Impacts of the Development</i></b>	
<p><i>Context and Setting</i> - The 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.</p>	Yes
<p><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.</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

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<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 impact on air quality and microclimatic conditions and will be conditions to prevent air pollution such as dust where required.	Yes
<i>Flora and Fauna</i> - (5 point test from <i>Biodiversity Conservation Act 2016</i> to be completed where relevant) 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.	Yes
<i>Natural Hazards</i> - Flood management has been addressed under the QDCP (Poplars) 2013.	Yes
<i>Technological Hazards</i> - No technological hazards are known to affect the site.	N/A
<i>Safety, Security and Crime Prevention</i> - The proposed development complies with the relevant section of the QDCP (Poplars) 2013 on crime prevention through environmental design.	Yes
<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
<b><i>The Suitability of the Site for the Development</i></b>	

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<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
<b><i>Have any submissions been made in accordance with the Act or the Regulations?</i></b>	
<i>Public Submissions</i> - The application was required to be notified. A total of 6 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 Tomsitt Drive and was only relevant to the subdivision works which are subject to a separate assessment and approval to the Aldi development.	Yes
<b><i>The Public Interest</i></b>	
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
<b><i>Government and Community Interests</i></b>	
It is considered that government and community interests will not be adversely affected by the proposed development.	Yes
<b><i>Section 7.11 and 64 Development Contributions</i></b>	
<p><i>Section 7.11 Contributions are applicable to the development.</i></p> <p><i>Section 64 Contributions are not applicable to the development.</i></p> <p>An invoice containing contribution charges will be issued with the development consent.</p>	Yes

# QUEANBEYAN-PALERANG REGIONAL COUNCIL

## Planning and Strategy Committee of the Whole Meeting Attachment

12 JUNE 2019

- ITEM 6.3                    DEVELOPMENT APPLICATION 507-2018 - SHOP (ALDI  
   SUPERMARKET) - 9 FERDINAND LANE,  
   JERRABOMBERRA
- ATTACHMENT 2        DA 507-2018 - ARCHITECTURAL PLANS - SHOP (ALDI  
   SUPERMARKET) - 9 FERDINAND LANE



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PROPRIETOR  
 ALDI STORES

# ALDI JERRABOMBERRA

3D MONTAGE

ISSUED FOR DA

**BullConsult Pty Ltd**

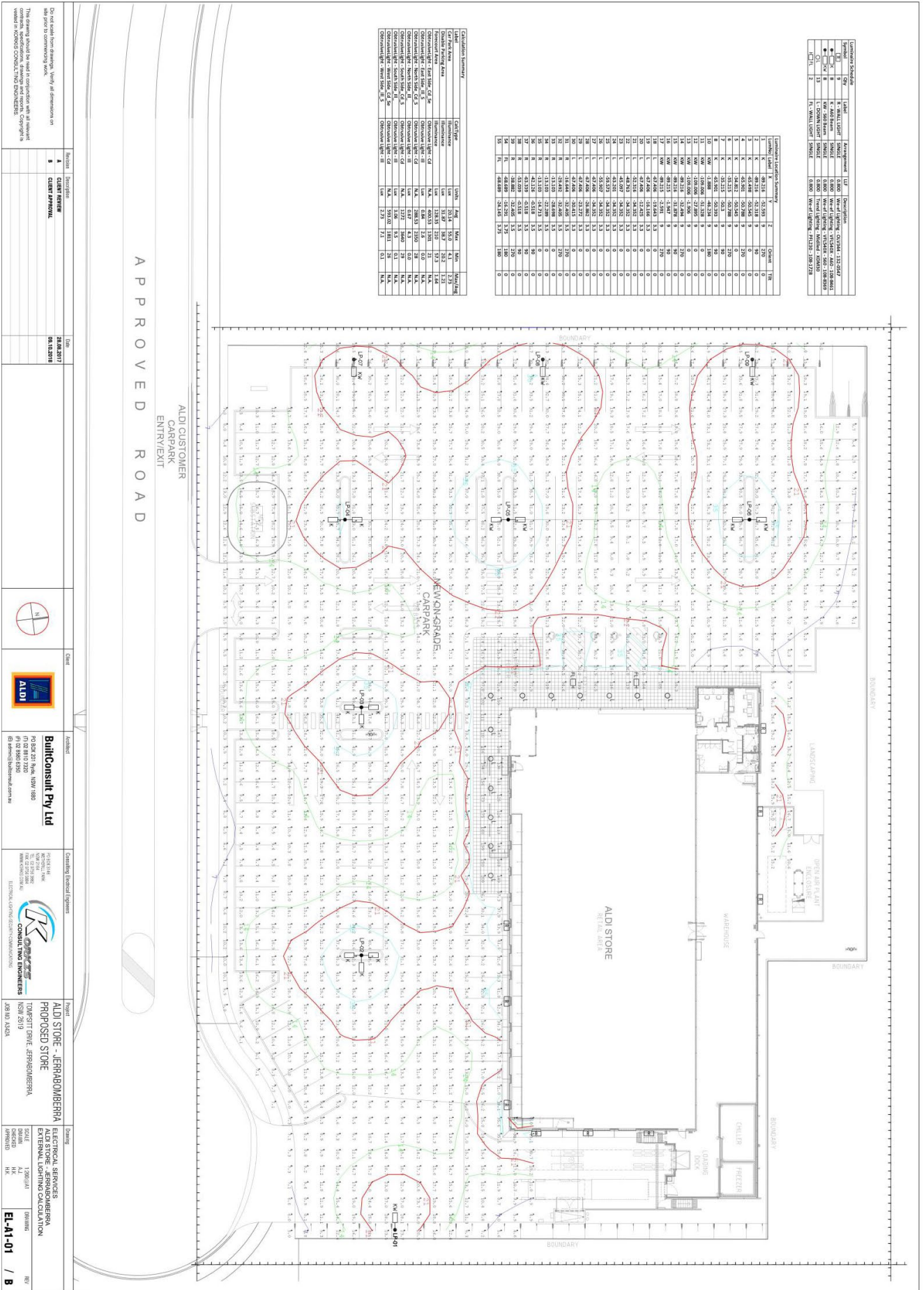
architects | project managers  
 SUITE F8, 1-15 BARR STREET  
 BALMAIN NSW 2041  
 P: 02 8810 7320  
 E: admin@bullconsult.com.au

DATE: 30.08.17 DRAWN: KJ  
 SCALE: NTS @A1

PROJECT NO. DRAWING NO. ISSUE

0918	DA10	D
------	------	---

A1



Layer	Color	Line Style	Symbol	Description
1	Red	Solid		Boundary
2	Blue	Solid		Water
3	Green	Solid		Vegetation
4	Yellow	Solid		Proposed
5	Grey	Solid		Existing
6	Black	Solid		Text
7	Black	Dashed		Hidden

Layer	Color	Line Style	Symbol	Description
1	Red	Solid		Boundary
2	Blue	Solid		Water
3	Green	Solid		Vegetation
4	Yellow	Solid		Proposed
5	Grey	Solid		Existing
6	Black	Solid		Text
7	Black	Dashed		Hidden

Category	Code	Color	Line Style	Symbol	Description
Construction	1	Red	Solid		Boundary
Construction	2	Blue	Solid		Water
Construction	3	Green	Solid		Vegetation
Construction	4	Yellow	Solid		Proposed
Construction	5	Grey	Solid		Existing
Construction	6	Black	Solid		Text
Construction	7	Black	Dashed		Hidden

Item	Description	Date	Client	Address	Consulting Licensed Engineer	Project	Drawing
1	CLIENT REVIEW	28.08.2017	ALDI	BuiltConsult Pty Ltd PO BOX 201 Nola, NSW 1880 PH 08 8562 6280 www.builtconsult.com.au	RK ENGINEERS 17/150 WINDYBROOK DRIVE JERRABOMBERRA NSW 2533 ELECTRICAL ENGINEERING (NSW/ACT/NT)	ALDI STORE - JERRABOMBERRA PROPOSED STORE 700 SOUTH DRIVE, JERRABOMBERRA NSW 2533	ELECTRICAL SERVICES ALDI STORE - JERRABOMBERRA EXTERNAL LIGHTING CALCULATION SCALE 1:200 (A1) DRAWING NO. EL-A1-01 / B

**COLOUR SCHEDULE:**

- 1. COLORBOND CAPPING - 'BASALT GREY'
- 2. COLORBOND GUTTER - 'BASALT GREY'
- 3. RAINWATER PIPE - 'BASALT GREY'
- 4. EXTERNAL COLORBOND MINIORB WALL LINING - 'BASALT GREY'
- 5. COLORBOND WALL LINING JOINT - 'BASALT GREY'
- 6. PRECAST RC PANEL PAINTED - 'DRIVE TIME'
- 7. COMPRESSED FIBRE CEMENT FASCIA TO AWNING PAINTED - 'DRIVE TIME'
- 8. PRECAST RC PANEL PAINTED - 'FLUORESCENT FIRE'
- 9. ALUMINUM WINDOW FRAMES - ANODISED 'OLDE PEWTER'
- 10. ALUMINUM SHOPFRONT FRAMES - ANODISED 'OLDE PEWTER'
- 11. SUNSCREEN FRAME - ANODISED 'OLDE PEWTER'
- 12. DOOR & FRAME PAINTED - 'OLDE PEWTER'
- 13. PANEL LIFT DOOR PAINTED - 'OLDE PEWTER'

**MATERIALS SCHEDULE :**

- REINFORCED CONCRETE PANEL
- COLORBOND MINIORB WALL LINING
- ANODISED ALUMINUM SHOPFRONT
- COMPRESSED FIBRE CEMENT FASCIA TO AWNING

**ALDI JERRABOMBERRA** ISSUED FOR DA

**MATERIALS & COLOUR SCHEDULE**

PROPRIETOR  
ALDI STORES

BuiltConsult Pty Ltd  
 architects | project managers  
 SUITE F8, 1-15 BARR STREET  
 BALMAIN NSW 2041  
 P: 02 8810 7320  
 E: admin@builtconsult.com.au

DATE: 24.08.17 DRAWN: KJ  
 SCALE: 1:50 @A1

PROJECT NO: 0918 DRAWING NO: DA09 ISSUE: D

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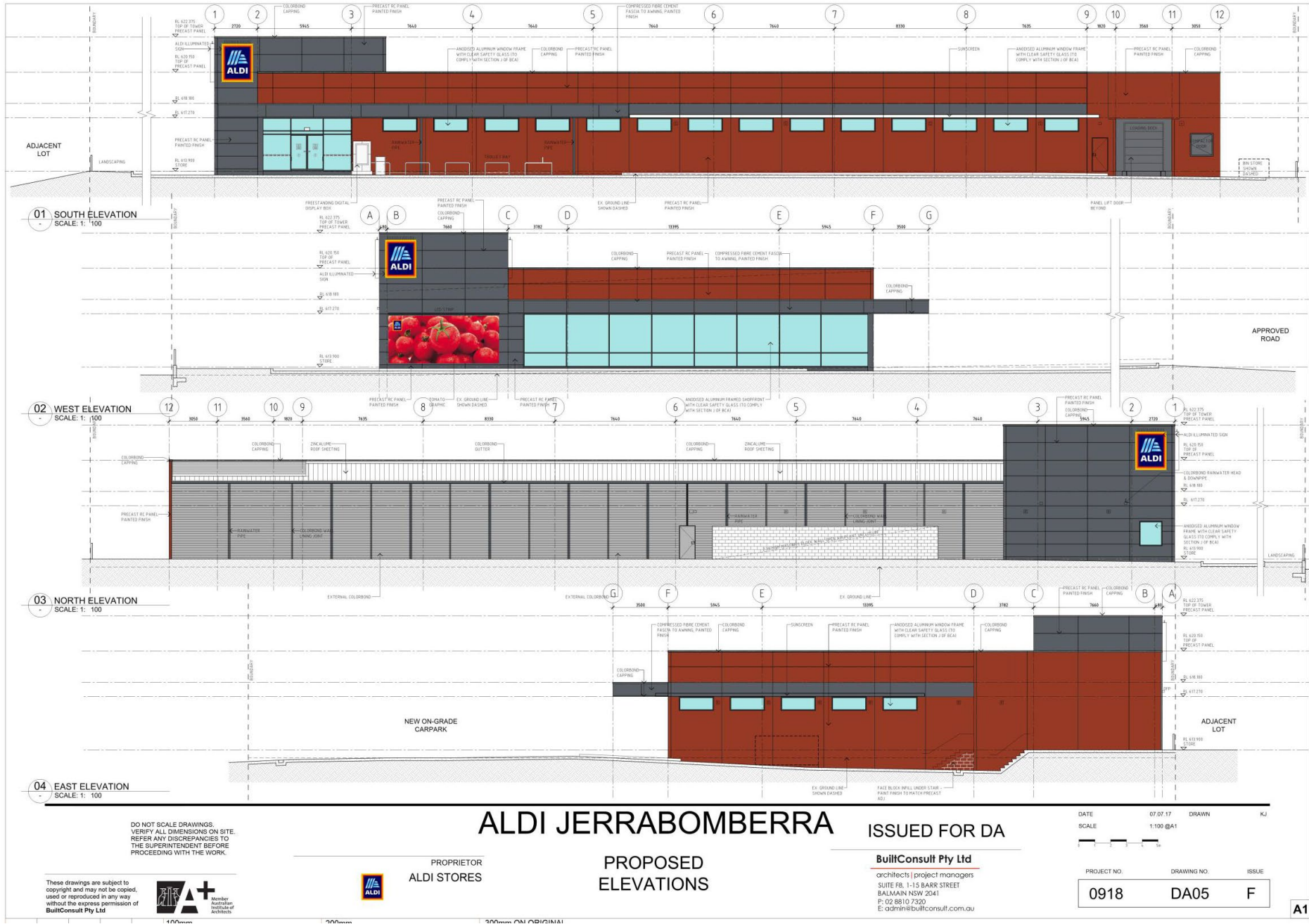
Member Institution of Architects

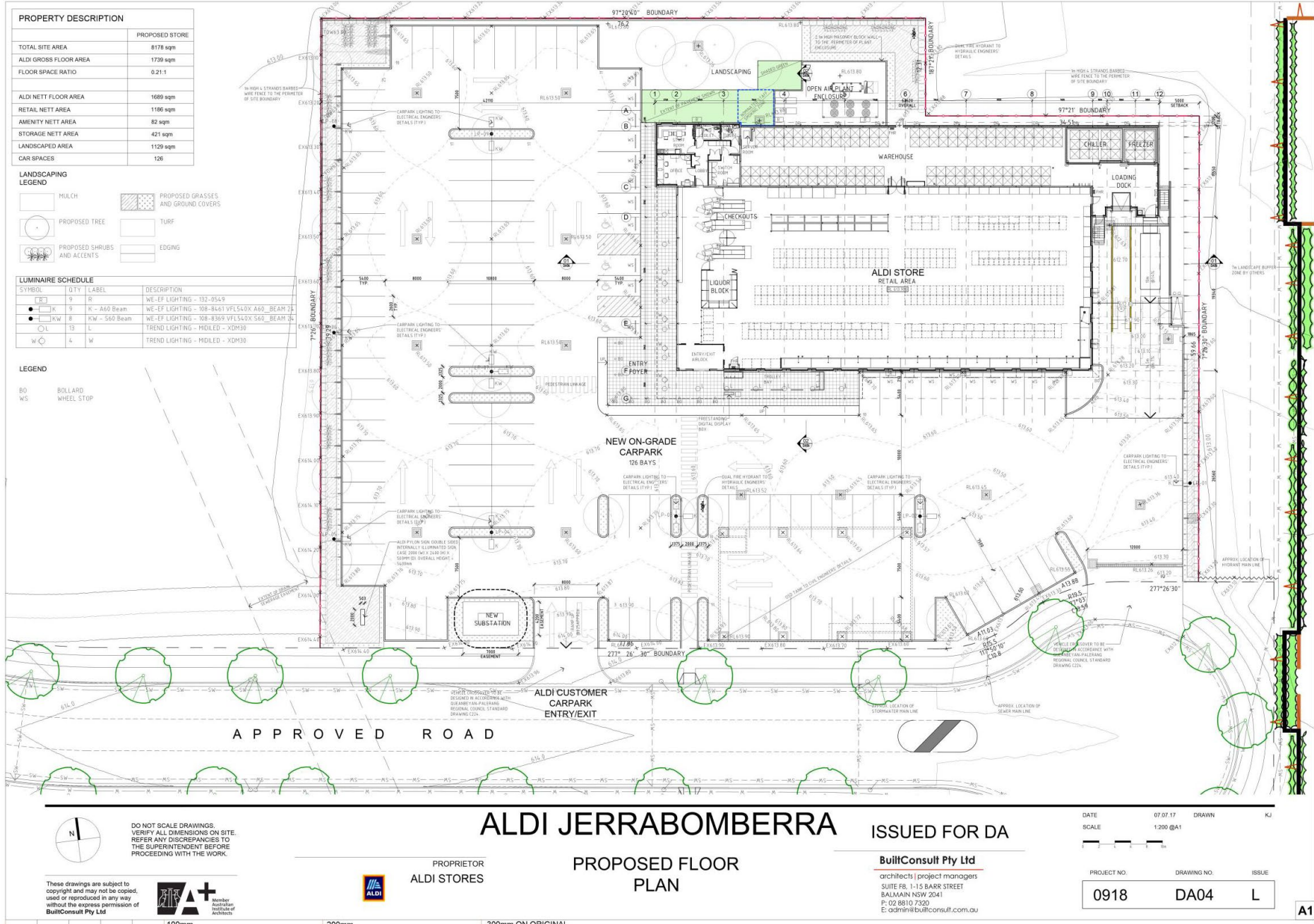
1400mm 900mm 300mm ON ORIGINAL

A1



6.3 Development Application 507-2018 - Shop (ALDI Supermarket) - 9 Ferdinand Lane, Jerrabomberra  
 Attachment 2 - DA 507-2018 - Architectural Plans - Shop (ALDI Supermarket) - 9 Ferdinand Lane (Continued)





# ALDI JERRABOMBERRA

ISSUED FOR DA

## PROPOSED FLOOR PLAN

PROPRIETOR  
ALDI STORES

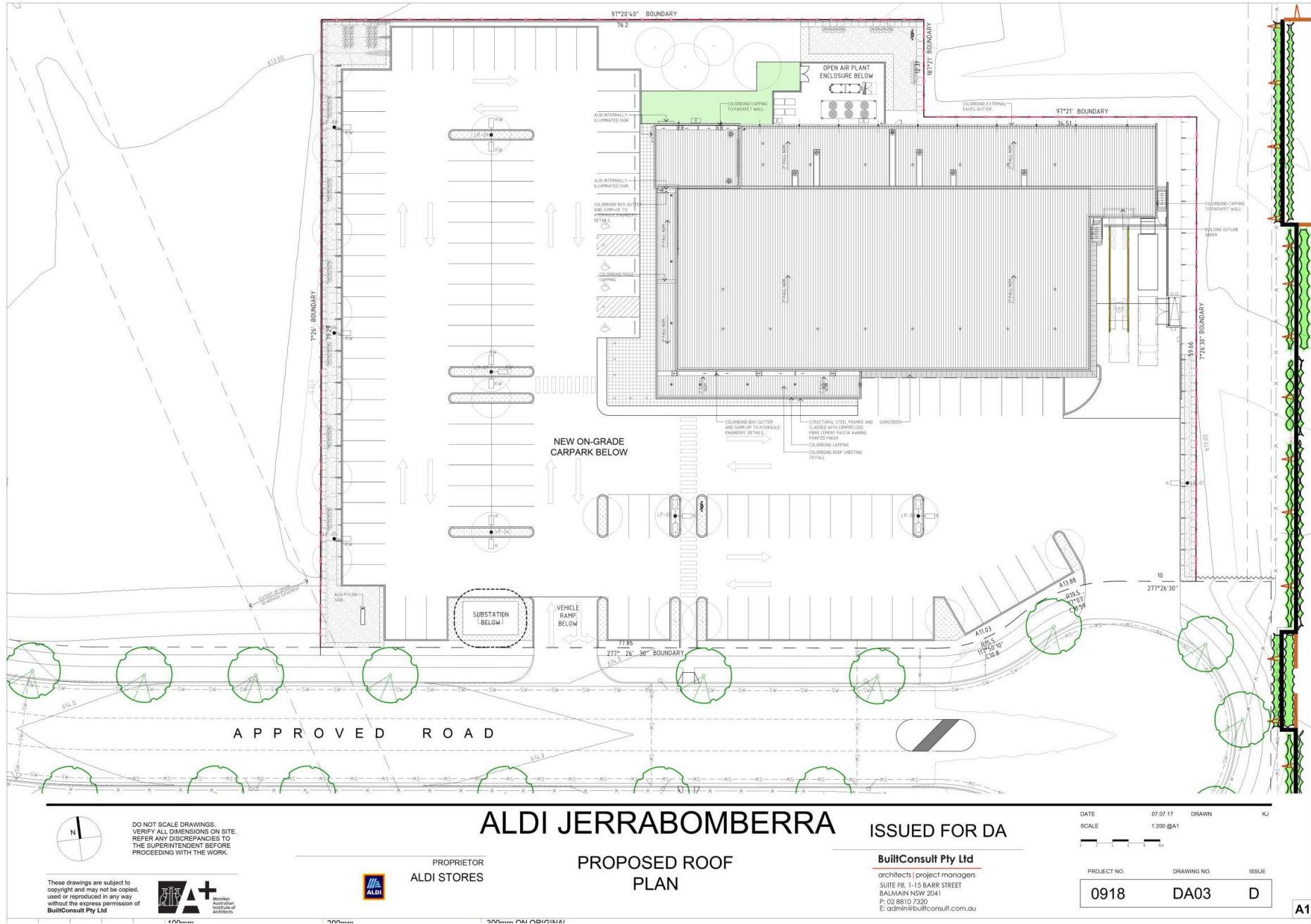
**BuiltConsult Pty Ltd**  
 architects | project managers  
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 BALKARIA NSW 2041  
 P: 02 8810 7320  
 E: admin@builtconsult.com.au

DATE: 07/07/17 DRAWN: KJ  
 SCALE: 1:200 @A1

PROJECT NO: 0918 DRAWING NO: DA04 ISSUE: L

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PROPRIETOR  
 ALDI STORES

# ALDI JERRABOMBERRA

## PROPOSED ROOF PLAN

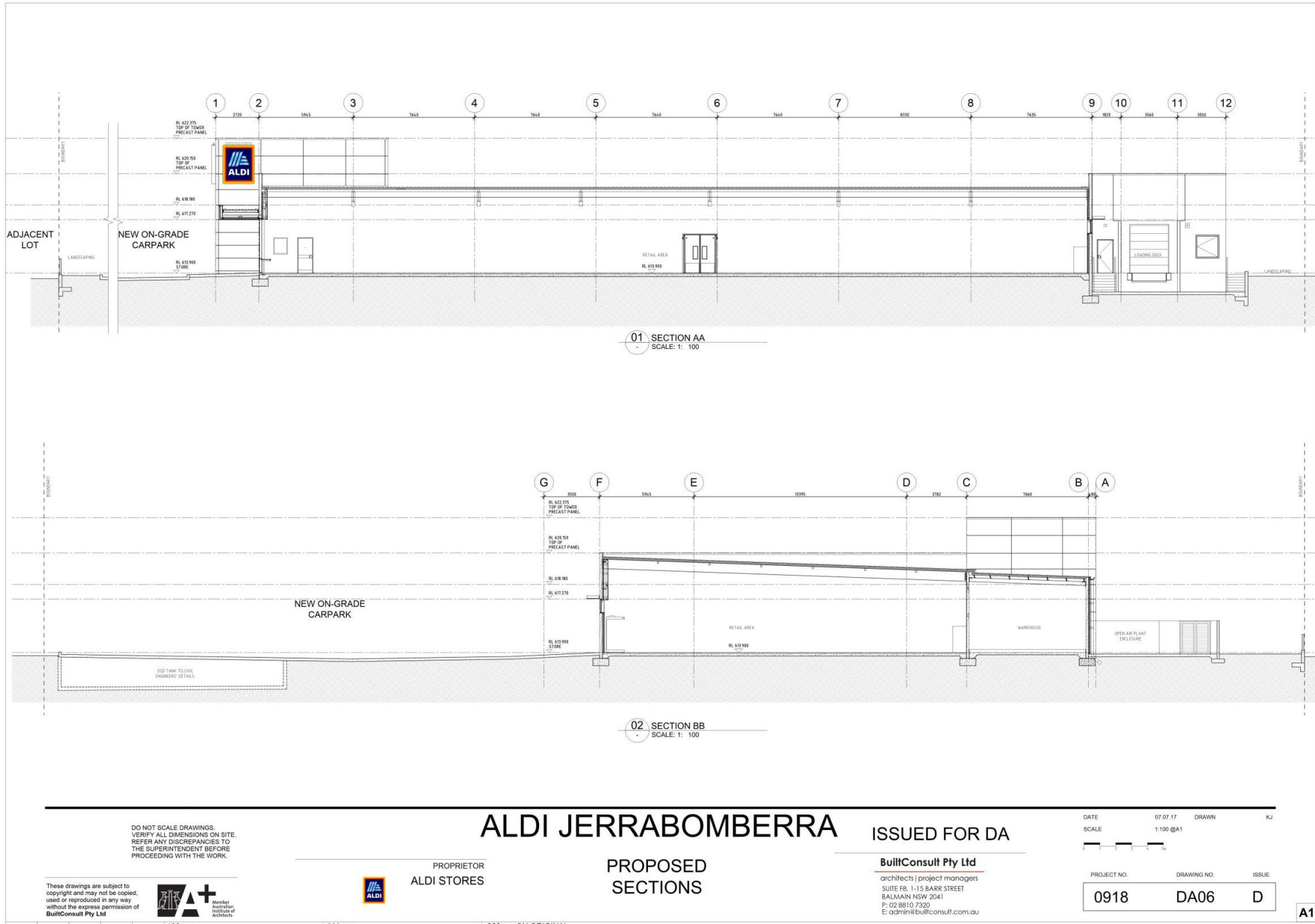
ISSUED FOR DA

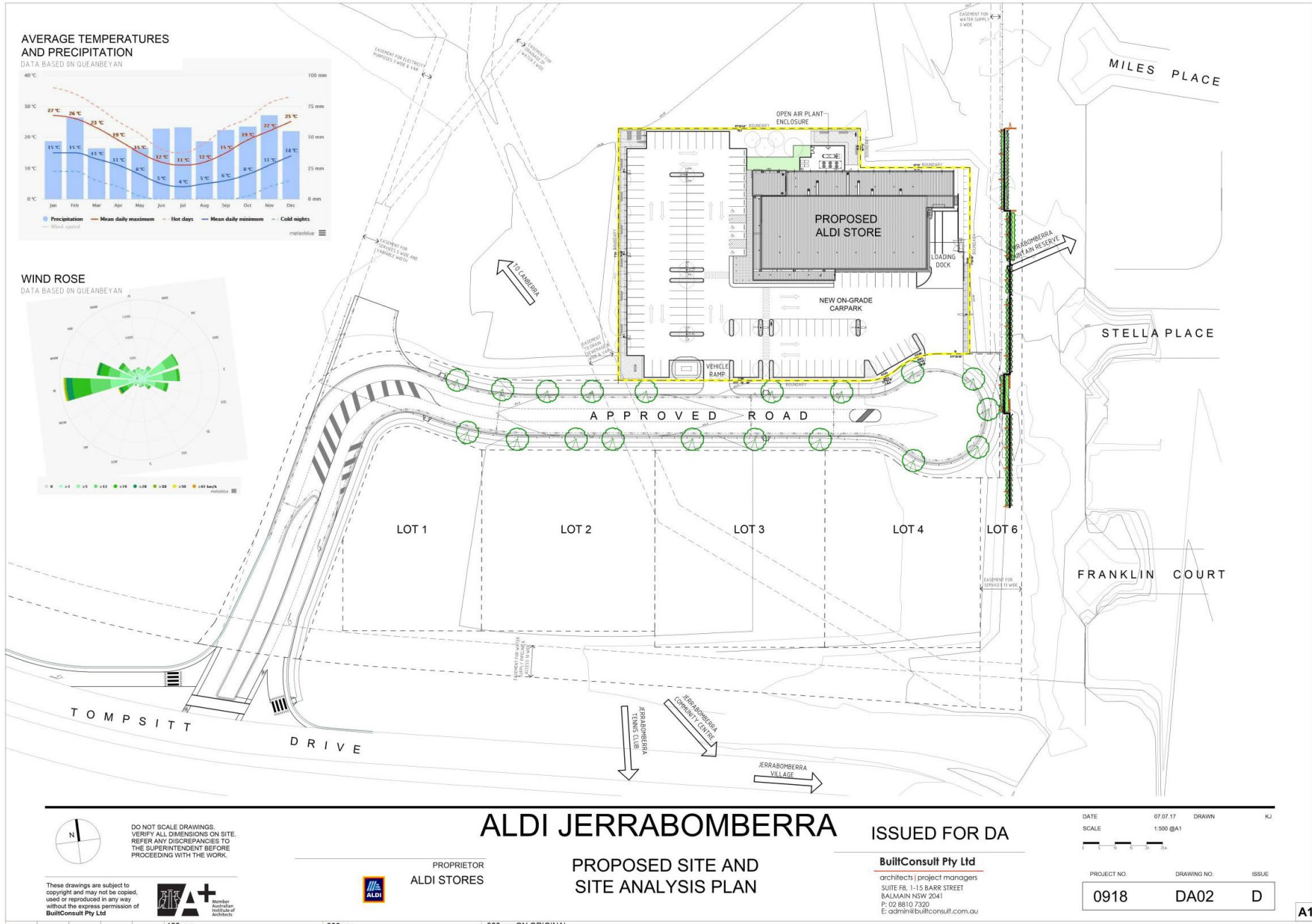
**BullConsult Pty Ltd**  
 architects | project managers  
 SUITE F8, 1-15 BARR STREET  
 BALKARIA NSW 2041  
 P: 02 8810 7300  
 E: admin@bullconsult.com.au

DATE 07.07.17 DRAWN KJ  
 SCALE 1:200 @A1

PROJECT NO.	DRAWING NO.	ISSUE
0918	DA03	D

A1





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**Number Institute of Architects**

# ALDI JERRABOMBERRA

ISSUED FOR DA

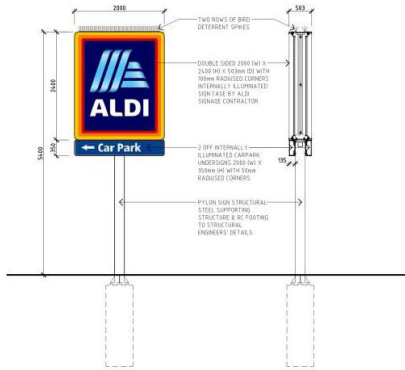
PROPRIETOR  
**ALDI STORES**

## PROPOSED SITE AND SITE ANALYSIS PLAN

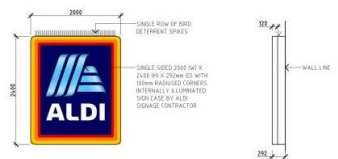
**BuiltConsult Pty Ltd**  
 architects | project managers  
 SUITE F8, 1-15 BARR STREET  
 BALMAIN NSW 2041  
 P: 02 8810 7320  
 E: admin@builtconsult.com.au

DATE	07.07.17	DRAWN	KJ
SCALE	1:500 @A1		
PROJECT NO.	0918	DRAWING NO.	DA02
		ISSUE	D

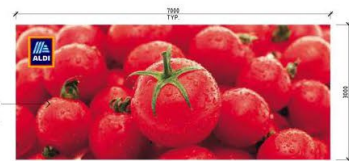
A1



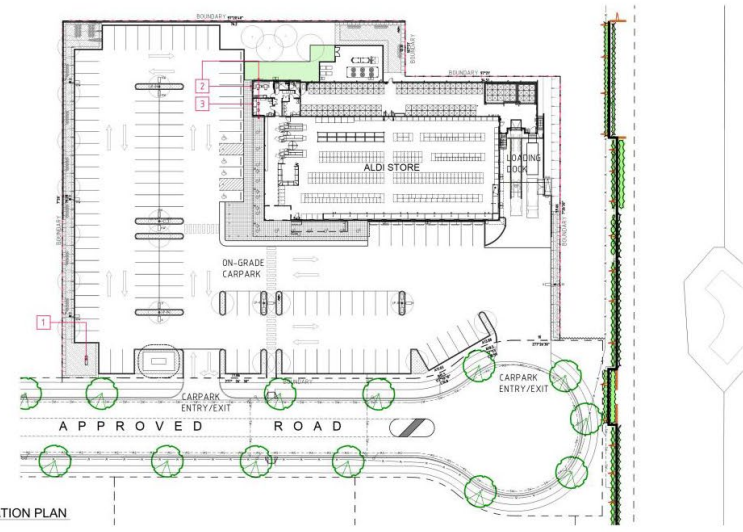
01 ALDI SIGNAGE 01  
 SCALE: 1: 50



02 ALDI SIGNAGE 02  
 SCALE: 1: 50



03 ALDI SIGNAGE 03  
 SCALE: 1: 50



A SIGNAGE LOCATION PLAN  
 SCALE: 1: 500

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# ALDI JERRABOMBERRA

ISSUED FOR DA

DATE: 27.06.17  
 SCALE: VARIES @A1  
 DRAWN: KJ

PROPRIETOR  
 ALDI STORES

## SIGNAGE PLAN AND DETAILS

BullConsult Pty Ltd  
 architects | project managers  
 SUITE F8, 1-15 BARR STREET  
 BALMAIN NSW 2041  
 P: 02 8810 7320  
 E: admin@bullconsult.com.au

PROJECT NO.	DRAWING NO.	ISSUE
0918	DA08	D

A1

# ALDI Jerrabomberra

## Development Application

### DRAWINGS

DWG NO.	DRAWING TITLE	SCALE
000	COVER SHEET	
101	LANDSCAPE PLAN	1:200
501	LANDSCAPE DETAILS	AS SHOWN

PLANT SCHEDULE							
ALDI Jerrabomberra							
Symbol	Botanical Name	Common Name	Mature Height (m.)	Mature Spread (m.)	Spacings	Pot Size	Qty.
<b>Trees</b>							
FoR	<i>Fraxinus oxycarpa</i> 'Raywood'	Claret Ash	10	7	As Shown	75L	19
<b>Shrubs &amp; Accents</b>							
PgR	<i>Photinia glabra</i> 'Rubens'	Small Leaf Photinia	3	2	As Shown	300mm	190
<b>Groundcovers / Grasses</b>							
Jh	<i>Juniperus horizontalis</i> 'Glauca'	Creeping Juniper	0.5	1	5.00/m2	150mm	1057
Ao	<i>Agapanthus orientalis</i>	African Lily	1	1.5	5.00/m2	150mm	1326

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The contractor shall check and verify all work on site (including work by others) before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not scale this drawing. Any required dimensions not shown shall be referred to the Landscape Architect for confirmation.

Issue	Revision Description	Drawn	Check	Date
C	Architectural Coordination	JM	NM	19.09.2018
B	Architectural Coordination	JW	NM	15.09.2017
A	For Comment	JM	NM	22.09.2017

LEGEND

Key Plan:



SITE IMAGE



Landscape Architects  
 Level 1, 3-5 Beulah Street  
 Canberra ACT 2600  
 Australia  
 Tel: 01 21 6332 2600  
 Fax: 01 21 6889 2617  
 www.siteimage.com.au

Client:  
ALDI STORES

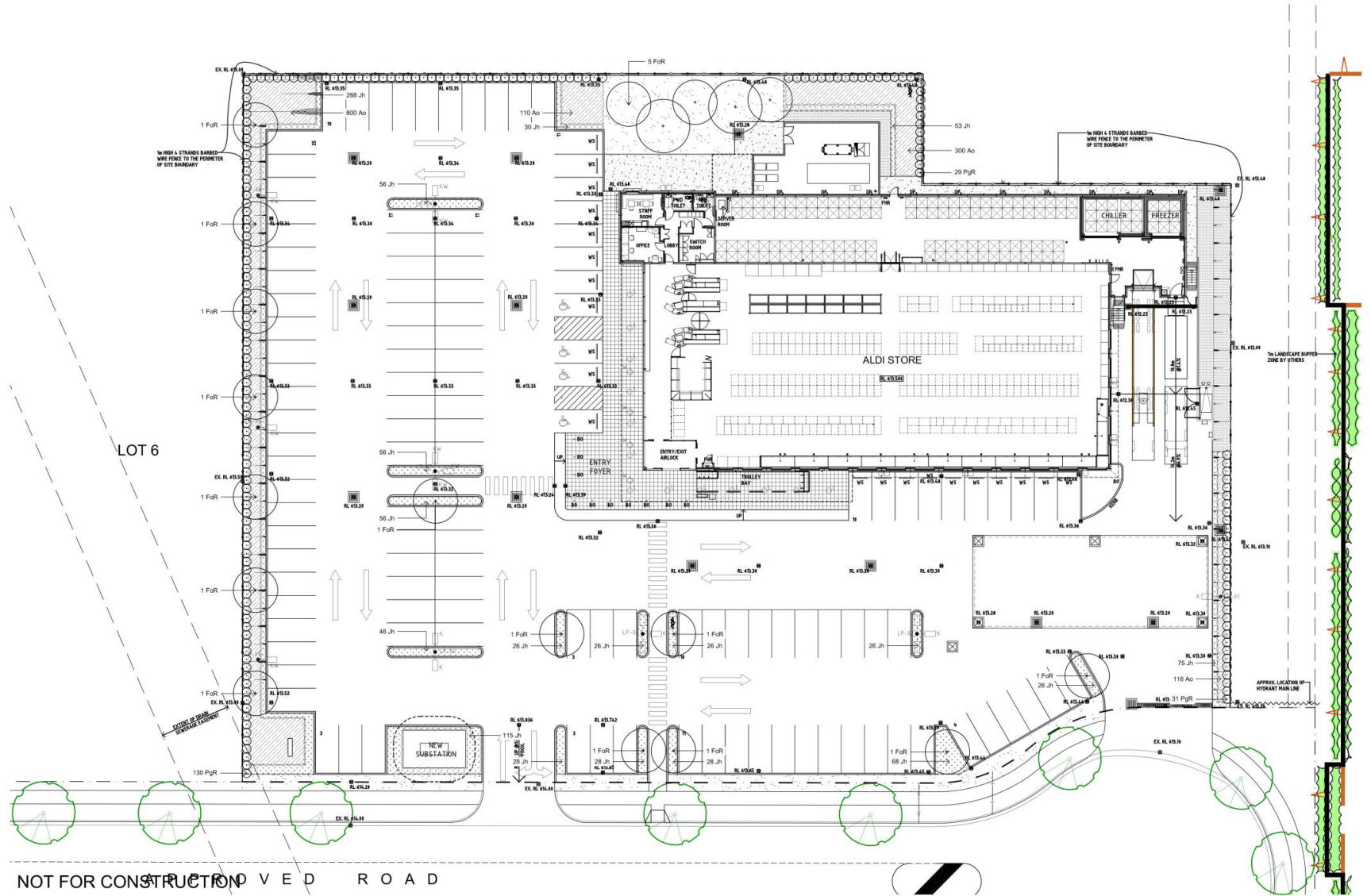
Project:  
ALDI Jerrabomberra

Drawing Name:  
Cover Sheet

DEVELOPMENT APPLICATION

Scale:  
Job Number: SS17-3604  
Drawing Number: 000  
Issue: C

A1



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D	Architectural Coordination	JM	NM	19.09.2018
E	Architectural Coordination	JM	NM	21.09.2017
B	Architectural Coordination	JM	NM	15.09.2017
A	For Comment	JM	NM	22.09.2017
Issue	Revision/Description	Drawn	Check	Date

LEGEND	
	Site Boundary
	Proposed Tree
	Proposed Shrubs and Accents
	Proposed Grasses and Groundcovers
	Turf
	Edging
	Mulch

Key Plan:

SITE IMAGE  
 Level 1, 3-5 Bunker Street  
 Canberra ACT 2600  
 Australia  
 Tel: 011 21 6322 2600  
 Fax: 011 21 6362 2617  
 www.siteimage.com.au

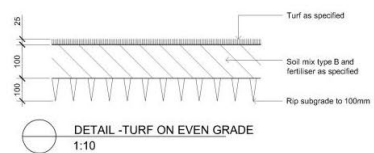
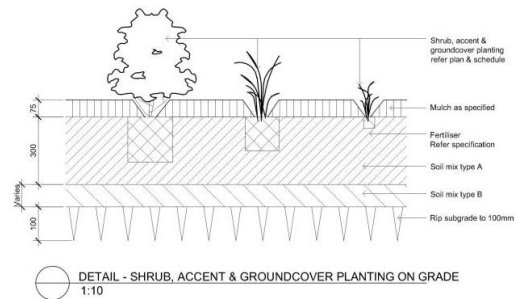
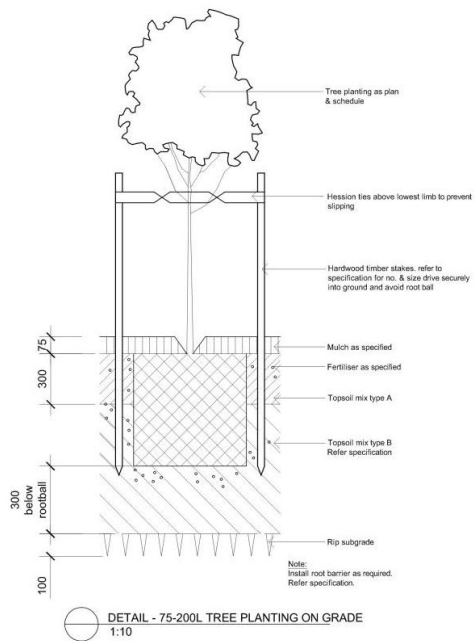
Client: ALDI STORES  
 Project: ALDI Jerrabomberra

Drawing Name: Landscape Plan

DEVELOPMENT APPLICATION

Scale: 1:200 @ A1  
 Drawing Number: SS17-3604  
 Issue: 101 D





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Issue	Revision Description	Drawn	Check	Date
B	Architectural Coordination	JM	MM	19.09.2018
A	For Comment	JM	MM	22.09.2017

LEGEND

Key Plan:



SITE IMAGE



Landscape Architects  
 Level 1, 3-5 Bealer Street  
 Canberra ACT 2600  
 Australia  
 Tel: 01 21 632 2600  
 Fax: 01 21 688 2677  
 www.siteimage.com.au

Client:  
 ALDI STORES

Project:  
 ALDI Jerrabomberra

Drawing Name:  
 Landscape Details

DEVELOPMENT APPLICATION

Scale:  
 Job Number: SS17-3604  
 Drawing Number: 501  
 Issue: B

A1



# QUEANBEYAN-PALERANG REGIONAL COUNCIL

## Planning and Strategy Committee of the Whole Meeting Attachment

12 JUNE 2019

ITEM 6.3                    DEVELOPMENT APPLICATION 507-2018 - SHOP (ALDI  
   SUPERMARKET) - 9 FERDINAND LANE,  
   JERRABOMBERRA

ATTACHMENT 3    DA 507-2018 - SUBMISSIONS - SHOP - 9 FERDINAND LANE

**Compilation of submissions in regards to the proposed Aldi development at Poplars.**

- **Submission 1**

Hello,

I have just reviewed the current development applications for the McDonalds and KFC restaurants and Aldi supermarket proposed for Tomsitt 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 2**

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 3**

My name is (name removed), and I am a resident and rate payer at (address removed) in Jerrabomberra. I have no donations or gifts to councilors 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.

- **Submission 4**

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.

The road development by 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 through 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 Bonsai 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!



## *Jerrabomberra Residents Association Inc.*

PO Box 132  
Jerrabomberra NSW 2619

[www.jra.asn.au](http://www.jra.asn.au)

Email: [council@qprc.nsw.gov.au](mailto:council@qprc.nsw.gov.au)

### **Construction and use of Aldi DA 507-2018 65 Tomsitt Drive Jerrabomberra**

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

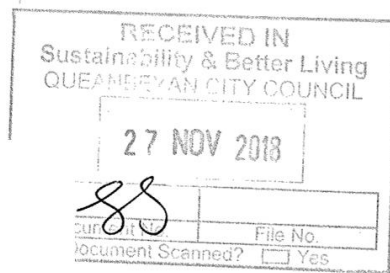
The JRA welcomes Aldi's decision to join our community. We agree that this will provide our community with greater shopping choice on our doorstep. We hope that Aldi develop a policy of employing local residents of post code 2619 for this store.

We appreciate the detail to which the applicant has made to monitor noise impacts to adjacent residents, however we are concerned that there are no mitigation measures detailed to ensure that there is no rear access thorough fare traffic from the adjacent residents to the rear of the Aldi building where the noise wall ends. It is highly likely that there will be foot/bicycle traffic between the two shopping precincts however this needs to be managed properly or discouraged so as to minimise the impact on existing residents.

One of the many unique qualities of Jerrabomberra is that many of the homes are elevated allowing residents' uninterrupted views towards the Canberra Basin and the Brindabellas. We are concerned 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 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



Name and address removed

**RE: Development Application No 507-2018**

**Description of Development: Shop – Supermarket and associated car parking and signage (Aldi).**

Thank you for your letter dated 9 November 2018 advising of a development application for Tomsitt Drive Jerrabomberra. I have inspected the Development Application that is currently on exhibition and have concerns regarding it. My main concern is the contamination of the land and I'm bringing this to the attention of the QPRC.

In the Statement of Environmental Effects prepared by Milestone (AUST) P/L it states:

5.1.2 State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55) states that Council cannot consent to development on the land unless:

- . "it has considered whether the land is contaminated;
- . if contaminated, it is satisfied that the land in its contaminated state, or after remediation, is suitable for the proposed purpose; and
- . If remediation is required, it is satisfied that remediation will be undertaken before the land is used for the proposed purpose."

"Site remediation has been considered by Council on this site previously and is required by Condition 3 of Development Consent 192/2016 approved by Council on 28 June 2017. Remediation work to the site will be completed prior to construction of the ALDI Store development in accordance with DA-192/2016."

The site was used for agricultural activities and included a sheep dip, sheep yards and shearing shed. These "hot spots" would have been easy to identify.

The soil from these sites was not removed from the site but bulldozed into the gully and dam and the site was then levelled off resulting in the contamination now being spread over a larger area.

The site was obviously used for agricultural activities and is contaminated by inorganic pesticides made up of arsenical and mercurial compounds. Due to the contaminated soil being bulldozed into the gully & dam sampling will be difficult to determine the level of contamination.

**Conclusion:**

Given that the contaminated soil wasn't removed from the site there should now be a detailed environmental investigation undertaken of the site and in accordance with DA 192/2016 remediation should be undertaken before the land can be used.

Should you require further details I can be contacted at the above address.

Yours faithfully

Name and address removed



# QUEANBEYAN-PALERANG REGIONAL COUNCIL

## Planning and Strategy Committee of the Whole Meeting Attachment

12 JUNE 2019

- ITEM 6.3            DEVELOPMENT APPLICATION 507-2018 - SHOP (ALDI  
   SUPERMARKET) - 9 FERDINAND LANE,  
   JERRABOMBERRA
- ATTACHMENT 4    DA 507-2018 - DRAFT CONDITIONS - SHOP (ALDI  
   SUPERMARKET) - 9 FERDINAND LANE

## **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE (BUILDING)**

1. **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**

2. **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)**

3. **COMPLIANCE WITH ACOUSTIC REPORT**  
**All recommendations and specifications detailed in the acoustic report, ref: Rp 001 20170853 prepared by Marshall Day Acoustics for the proposed Aldi supermarket site on Ferdinand Lane, Jerrabomberra NSW 2619 must be implemented and adhered to.**

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. **(57.01)**

4. **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)**

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. **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)**

7. **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)**

8. 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)**

## **SITE MANAGEMENT DURING DEMOLITION AND CONSTRUCTION**

9. 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)**

10. 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)**

11. 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)**

12. 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)**

13. 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)**

14. 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:**

<b>Weekdays:</b>	<b>7.00am to 6.00pm</b>
<b>Saturdays:</b>	<b>8.00am to 4.00pm</b>
<b>Sundays and Public Holidays:</b>	<b>NIL</b>

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

15. WORKS SITES TO BE FENCED

**A hoarding/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)**

## **GENERAL CONDITIONS**

16. 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)**

17. OPERATING, TRADING & DELIVERY HOURS OF PREMISES  
**The operational, trading and delivery hours for the premises are prescribed as follow:**

**Operational Hours:**

- 6am to 10pm (7 days a week)

**Trading Hours:**

- 8am to 8pm (7 days a week)

**Delivery Hours:**

- 6am to 10pm on Monday to Saturday; and
- 7am to 8pm on Sundays/public Holidays.

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

## **BUILDING**

18. 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)**

19. ALL WORKS TO BE CONFINED TO THE SITE  
**All demolition, 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) **Comply with the requirements of AS 2601-2001 – The demolition of structures.**
  - (c) **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.**
  - (d) **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)**

20. **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**

21. **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)**

22. **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**

23. **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)**

24. **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**

25. 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**

26. 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**

27. 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

### 28. 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

### 29. DELIVERY HOURS

**The store must not receive deliveries outside of the following hours:**

- **6am to 10pm on Monday to Saturday; and**
- **7am to 8pm on Sundays/public Holidays.**

REASON: To prevent intrusive noise within nearby residential premises and to align with similar food premises delivery time restrictions within the localised area. **(76.01)**

### 30. COMPLY WITH SHOPPING TROLLEY MANAGEMENT PLAN

**The development is to comply with the Shopping Trolley Management Plan for the premises (prepared by Milestone Pty Ltd) and dated May 2019 that was submitted with the application.**

REASON: To directly manage issues surrounding the abandonment of trolleys within the surrounding areas. **(76.01)**

### 31. 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<sub>eq</sub> 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)**

32. SIGNAGE FOR WASTE STORAGE AREA

**Appropriate signage must be provided in the waste storage area advising staff 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.**

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

33. THREE MONTH ACOUSTIC REPORT – COMPLIANCE

**Within three months of the date an occupation certificate (including interim) 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 Acoustic Report prepared by Marshall Day Acoustics 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) Identifies all reasonable and feasible measures that could be implemented on the site to reduce noise impacts, 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)**

## PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

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. 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)**

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 109M of the *Environmental Planning and Assessment Act 1979*. **(78.02)**

37. 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.

## 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.**

REASON: To ensure car park areas are useable. **(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. 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. 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)**

43. WASTE MANAGEMENT PLAN

**The development shall at all times comply with the requirements of the waste management plan submitted in support of the proposed development.**

REASON: to ensure waste generated from the activities on the site is satisfactorily managed to minimise health and amenity impacts.

## **PLUMBING AND DRAINAGE**

44. STORMWATER DISPOSAL REQUIREMENTS

**All stormwater from the site must be trapped and piped to the street gutter/stormwater pit via an on-site detention system 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)**

45. 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 inclusive of firefighting requirements and shall be determined by a suitably qualified hydraulic consultant at no cost to Council.**

**The meter shall be installed in an easily accessible position in the common property 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)**

46. 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)**

47. 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)**

48. 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)**

49. 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)**

50. 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)**