

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 96-2019**.

State Environmental Planning Policies

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

SEPP COMMENTS	COMPLIES (Yes/No)
State Environmental Planning Policy No 55 - Remediation of Land	
<p>Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.</p> <p>This matter was considered under the subdivision application (DA 192-2016). A phase 2 Environmental Site Assessment (Coffey Environments Australia Pty Ltd (Ref: ENAUBRAD01138AA) and dated 23 November 2011) was submitted which identified several areas of environmental concern and recommended that a Remedial Action Plan (RAP) be prepared for the land and remediation carried out.</p> <p>The development consent required additional works including preparation of a Remedial Action Plan and subsequent validation activities (validation report) of the site prior to the commencement of any development works on the site.</p> <p>No conditions will be required for this application in regards to contamination and remediation of land, as all relevant works have been completed in accordance with the requirements of DA 192-2016 upon release of the subdivision certificate. The site is considered appropriate for this type of development.</p>	Yes
State Environmental Planning Policy No 33 – Hazardous and Offensive Development	
<p>Under SEPP 33 a ‘potentially hazardous industry’ or ‘potentially offensive industry’ have the following definitions:</p> <p>Potentially hazardous industry means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:</p> <p>(a) to human health, life or property, or</p> <p>(b) to the biophysical environment, and includes a hazardous industry and a hazardous storage establishment.</p> <p>Potentially offensive industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.</p> <p>A service station is considered a potentially hazardous industry. Clause 13 of SEPP 33 states</p>	Yes

SEPP COMMENTS	COMPLIES (Yes/No)
<p>what matters for consideration consent authorities should account for when assessing a development for a potentially hazardous or offensive industry, this includes:</p> <p>a) <i>Current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development</i></p> <p>The Hazardous and Offensive Development Application Guidelines published by the NSW Government Department of Planning and Environment have been considered in the assessment of the development. The development proposes the use/storage of class 3 PG (packaging group) II liquids as defined under this guideline. Fuelling points have been designated at a minimum of 7m from property boundaries based on storage and transportation movements are under screening thresholds (Please refer to the attached preliminary assessment for further detail).</p> <p>LPG automotive retail outlets fall within SEPP 33 but procedures for dealing with them are not covered in these guidelines. The required PHA should demonstrate to the consent authority compliance with the Department of Planning publication Hazardous Industry Locational Guidelines No 1 —Liquefied Petroleum Gas Automotive Retail Outlets. The preliminary hazard assessment referred to against subclause b) states that no LPG is proposed to be stored or utilised at the proposed premises. As a result no further consideration is required.</p> <p>b) <i>Whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply</i></p> <p>Not required.</p> <p>c) <i>In the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant</i></p> <p>A preliminary SEPP 33 screening assessment was prepared by Advitech (dated 1 February 2019) and submitted with the application. The assessment states that the proposed service station is found to be non-hazardous for surrounding residential and commercial uses as defined under SEPP 33 protocol and that a subsequent preliminary hazard assessment is not required.</p> <p>d) <i>Any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application)</i></p> <p>The site is deemed acceptable for the development and is not anticipated to have any unintended consequences on sensitive land uses.</p> <p>e) <i>Any likely future use of the land surrounding the development.</i></p> <p>The future use of surrounding land is anticipated to be utilised for commercial purposes and is not considered a substantial risk.</p>	
State Environmental Planning Policy No 64 - Advertising and Signage	
Part 1 Preliminary	Yes

SEPP COMMENTS

COMPLIES
(Yes/No)

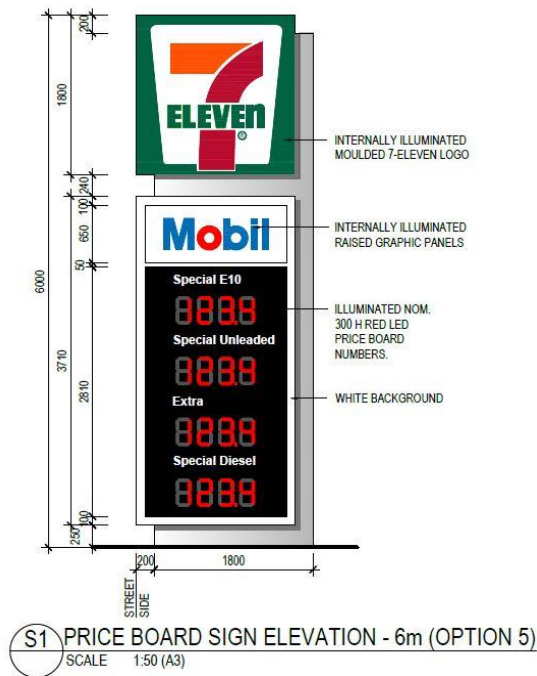
Aims and Objectives

Definitions

The proposed signage is considered business identification signage.

The signage proposed is classified as business identification and way finding signage and includes:

- Two pylon signs (1x6m (originally 7m) & 1x4m) both with fuel pricing, Mobil brand identification and one (6m sign) with additional 7-Eleven brand identification signage.
- Two wall signs (tower light box signs as per Figure 6 (S31) 1.82x1.82m).
- One building/awning fascia detail sign on building.
- Canopy Signage (x4) on canopy over refuelling area, and;
- Directional signage.



SEPP COMMENTS

**COMPLIES
(Yes/No)**

<p>S30 BUILDING/AWNING FASCIA</p> <p>TYPICAL BUILDING / AWNING FASCIA DETAIL - 1:20</p>	<p>S31 TOWER LIGHTBOX</p> <p>TOWER LOGO - 1:20</p>	<p>S33 WINDOW FILM</p> <p>TYPICAL WINDOW FILM DETAIL - 1:20</p>	<p>S34 ENTRY POSTER HOLDER</p> <p>ENTRY POSTER HOLDER - 1:20</p>
<p>S36 SCROLLING SIGN</p> <p>SCROLLING SIGN 1:20</p>	<p>S3 DIRECTIONAL SIGN</p> <p>TYPICAL DIRECTIONAL SIGN - 1:20</p>	<p>S4 CANOPY SIGNAGE</p> <p>TYPICAL FUEL CANOPY FASCIA DETAIL - 1:20</p>	

Part 2 Signage Generally

Granting of consent to signage

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

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

An assessment against schedule 1 is provided below.

Schedule 1 Assessment Criteria

1. Character of the Area

- Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

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.

2. Special Areas

- Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

The subject site is a part of a greenfield development west of the existing locality of

SEPP COMMENTS	COMPLIES (Yes/No)
<p>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>3. Views and Vistas</p> <ul style="list-style-type: none"> • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers? <p>The proposed 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 6m high which is under the building height limit.</p> <p>4. Streetscape, setting or landscape</p> <ul style="list-style-type: none"> • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? • Does the proposal contribute to the visual interest of the streetscape, setting or landscape? • Does the proposal reduce clutter by rationalising and simplifying existing advertising? • Does the proposal screen unsightliness? • Does the proposal protrude above buildings, structures or tree canopies in the area or locality? • Does the proposal require ongoing vegetation management? <p>The number of signs and the scale and bulk of the proposed signage is appropriate for the streetscape, setting and landscape, with the exception that the scrolling advertising sign be removed. Complies.</p> <p>5. Site and Building</p> <ul style="list-style-type: none"> • Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both? <p>The 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>6. Associated Devices and Logos with Advertisements and Advertising Structures</p> <ul style="list-style-type: none"> • Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? <p>Not applicable, the proposed signage is considered business identification signage and not advertising. This is with the exception of the scrolling sign located on the building, which is not approved and is red amended out of the architectural set of</p>	

SEPP COMMENTS	COMPLIES (Yes/No)
<p>plans.</p> <p>7. Illumination</p> <ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? <p>The proposed signage will be illuminated. Due to the location of the signage in relation to the building and the height of the pylon sign and canopy, the lighting is not anticipated to have any significant impact on surrounding buildings. The illumination will be in line with 7-Elevens operational hours, which are 24 hours/7 days a week. The consent will include a condition that outdoor lighting comply with the relevant Australian Standard for the control of the obtrusive effects of outdoor lighting.</p> <p>8. Safety</p> <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? <p>The proposed signage is 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)
Part 1 Preliminary	
Clause 1.2 Aims of Plan	
<p>(a) to rezone certain land at The Poplars to achieve economically, environmentally and socially sustainable urban development that complements and provides a range of facilities for the benefit of the adjoining Jerrabomberra community,</p> <p>(b) to facilitate the orderly growth of the Poplars urban release area in a staged manner that promotes a high level of amenity for workers and the timely provision of physical and social infrastructure through appropriate phasing of the development of land,</p> <p>(c) to identify, protect and manage environmentally and culturally sensitive areas within Poplars, including but not limited to waterways and riparian corridors, habitat</p>	Yes

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
<p>corridors, native vegetation and associated buffers, and heritage items,</p> <p>(d) to provide appropriate employment and community land use opportunities consistent with the environmental capacity of the land,</p> <p>(e) to provide appropriate controls for future development to minimise any adverse impact on the adjoining Jerrabomberra community.</p> <p>The proposed development for a 7-Eleven at Poplars North is consistent with the aims of the <i>Queanbeyan Local Environmental Plan (Poplars) 2013</i>. 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>	
Clause 1.4 Definitions	
<p>The proposed development is defined as a Service Station, which is defined as a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:</p> <ul style="list-style-type: none"> (a) The ancillary sale by retail of spare parts and accessories for motor vehicles, (b) The cleaning of motor vehicles, (c) installation of accessories, (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration), (e) The ancillary retail selling or hiring of general merchandise or services or both <p>The subject site is within the B1 Neighbourhood Centre Zone and a Service Station is permissible with consent in the zone.</p>	Yes
Part 2 Permitted or Prohibited Development	
Clause 2.1 Land Use Zones	
The subject site is zoned B1 Neighbourhood Centre. A service station is a permissible use within the B1 zone.	Yes
Clause 2.3 Zone Objectives and Land Use Tables	
<ul style="list-style-type: none"> • To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. • To permit small-scale non-residential uses that will provide goods and services to meet the day-to-day needs of people who live and work in the surrounding neighbourhood. • To provide active land uses at street level. • To ensure that residential development does not compromise the existing and future operations of the Canberra Airport. <p>The proposed development is consistent with the zone objectives. Specifically, it will provide economic benefit to the local community through employment opportunities and will provide a service to residents.</p>	Yes
Clause 2.7 Demolition requires development consent	
The site is a greenfield site with no previous development. As a result, no demolition is proposed as a part of this development application.	N/A
Part 4 Principal Development Standards	
Clause 4.3 Height of buildings	

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
The maximum building height applicable to the subject site is 12m. The proposed building has a total height of 5.2m and the canopy has a maximum height of 5.5m. Complies.	Yes
Clause 4.4 Floor space ratio	
A maximum Floor Space Ratio (FSR) of 1:1 is permitted on the site. The site area is 2,495m ² and the GFA of the proposed development is 203m ² for an FSR of 0.08:1. Complies.	Yes
Part 5 Miscellaneous Provisions	
Clause 5.10 Heritage Conservation	
The subject site is not heritage listed, not within the vicinity of a heritage item and is not located within a heritage conservation area. The clause is therefore not applicable.	N/A
Clause 5.11 Bush fire hazard reduction	
The entire site is mapped as being bushfire prone. There are no relevant requirements for bushfire planning to consider at the development application stage. The development will need to comply with any relevant BCA requirements.	Yes
Part 6 Additional Local Provisions	
Clause 6.1 Earthworks	
Earthworks were completed as a part of the subdivision development application which created the allotment to which this proposal relates. Further earthworks will be undertaken to allow for construction of the proposed development. However, this only includes minimal cut and fill under 500mm. Complies.	Yes
Clause 6.2 Riparian Lands and Watercourses	
The subject site is not located on or within the vicinity of riparian lands and watercourses.	Yes
Clause 6.3 Airspace Operations	
The proposed development has a maximum height of 5.5m and will not penetrate the OLS.	Yes
Clause 6.4 Development in Areas Subject to Aircraft Noise	
The subject site is partially within the 20 and 25 ANEF. The development does not propose any new dwellings or noise sensitive development, therefore this requirement is not considered applicable.	N/A
Clause 6.6 Essential Services	
<p>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.</p> <p>Development Engineers Comments</p> <p>Water: The lot will be provided with a 40mm service connection. A hydraulic consultant will be required to determine if this is sufficient. Water meter application will be required once service and meter size are determined. (CONDITION).</p> <p>Sewer: The lot will be provided with a 150mm service connection which should be sufficient for the lot.</p> <p>Stormwater: The lot will be provided with a 300mm service tie. Calculations have been provided in the form of essentially a worksheet "screen dump" which is difficult to follow. The size of the OSD provided and Orifice plate proposed seems in line with Council Staff's expectation and similar adjacent developments. Further, prior to issue of CC the designer will need to provide a written certification of the design as well as prior to occupation the designer will need to</p>	Yes

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (POPLARS) 2013 COMMENTS	COMPLIES (Yes/No)
<p>provide a written certification the OSD has been built to specification (CONDITION).</p> <p>Traffic and Parking The traffic effects of the subdivision have been previously examined during the development application for the subdivision, which this lot forms part of (DA 192-2016). Since development applications for the use of the lots have been received and further development earmarked for the southern side of Tomsitt Drive, traffic modelling has been re-analysed for consideration into the proposed 4 way intersection on Tomsitt Drive. All of this development will inevitably reduce the level of service of Tomsitt Drive but is not specific to this application. The Queanbeyan Development Control Plan 2012 outlines that Service Stations are required to have 6 parking spaces per work bay, 5 spaces per 100m² of GFA and 15 spaces per 100m² if a restaurant is present. The proposed does not have a restaurant or work bays, thus only the GFA rate will apply. The Gross Floor Area is measure to be 197m², thus requiring a total of 10 parking spaces, which is provided, with the inclusion of a disabled space.</p> <p>Access The check vehicle for access to the lot is an articulated heavy vehicle used for delivery of fuel products. The provided documentation indicates that fuel deliveries will need to be made by left turn into the site only. This requires the heavy vehicle to travel to the cul-de-sac and undertake a U-turn and return to the service station. It is understood this is because the heavy vehicle is unable to exit the site without heavily crossing on to the opposite side of road if it enters the site via a right turn. The principle issue with this approach is that the heavy vehicle requires a clear cul-de-sac and approach to the cul-de-sac to complete a single point U-turn as it uses all of the cul-de-sac head to complete the manoeuvre. The manner in which this instruction is communicated to the each driver cannot be guaranteed. These circumstances are outside of the sites control but is reliant on for the safe delivery of fuel to the site. Development Engineering requested a second driveway but the applicant advised that in pre-lodgement meeting(s) that Council staff were not particularly supportive of the notion, though Council's written record of pre-lodgement meetings does not indicate the same.</p> <p>Given that the developer of the commercial subdivision is the applicant for this particular application, it would be reasonable to expect that the developer should have had the means to ensure the lot ear marked for the service station with street access sufficiently wide enough to facilitate entry and exit of service vehicles.</p> <p>A second driveway which should improve circulation through the development would be located approximately 50m from the intersection of Henry Place and Tomsitt Drive, which is considered to sufficient. Concerns of light vehicles utilising the exit to bypass traffic, or queuing across the left turn lane could be addressed by making the exit a gated, delivery vehicle only gate, if the applicant wishes to.</p> <p>Thus development engineering does not support the development unless alterations are made to make access work and if necessary a secondary access installed. This may be undertaken as a condition of approval.</p>	
<p>Clause 6.7 Land Adjoining Hume Industrial Area and Goulburn/Bombala Rail Line</p>	
<p>The subject site is lot located within the visual and acoustic buffer and therefore this clause is not considered applicable.</p>	<p>N/A</p>

Development Control Plan

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

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012 & SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
Part 1 About This Development Control Plan	
<p>1.8 Public Notification Of A Development Application The development application was notified to adjoining owners and advertised. No submissions were received.</p>	Yes
Part 2 All Zones	
<p>2.2 Car Parking</p> <p>Service stations are required to provide the following car parking rate</p> <ul style="list-style-type: none"> 6 spaces per work bay 5 spaces per 100m² of GFA (if restaurant is present, then greater of: 15 spaces per 100m² of GFA, or 1 space per 3 seats. <p>The proposed development does not contain any work bays. The proposed building has a floor area of 203m². Therefore it is considered the development is required to provide a minimum of 10 car parking spaces. A total of 13 parking spaces have been provided on site. The development complies with this clause. Please refer to the Development Engineer's comments for further discussion of parking and manoeuvring.</p> <p>Manoeuvrability for service vehicles exiting the premises has been marked as an issue as the truck servicing the site will be required to cut across a turning lane in the opposite direction. It is considered appropriate that a secondary access be implemented on Henry Place on the basis of allowing better service vehicle manoeuvring and to allow a clear means of exit for cars utilising the service station to refuel. The recommendation to Council will incorporate that this issue is dealt with prior to the CEO approving the development application with amended architectural and civil plans submitted to Councils satisfaction. Please refer to the Development Engineer's comments for further discussion of parking and manoeuvring</p>	Yes
<p>2.3 Environmental Management A Section J report will be required at Construction Certificate stage.</p> <p>Noise & Waste Collection The proposed development was supported by a noise assessment report. The development will need to comply with the recommendations of this report. Additionally, the following hours will be conditioned:</p> <p>Operational/Trading Hours 24 Hours (7 days a week) Delivery Hours 7:00am to 10:00pm (Monday to Saturday) 8:00am to 10:00pm (Sundays/Public Holidays) Waste Collection 7:00am to 10:00pm (Monday to Saturday) 8:00am to 10:00pm (Sundays/Public Holidays)</p> <p>The operational/trading hours are consistent with the proposed hours by the applicant, which is for 24 hours a day 7 days a week. The delivery and waste collection hours extend the proposed standard timeframe by the applicant by one-two hours depending on day. However, the proposed additional delivery period of 10pm to 5am for a limited number of deliveries is not supported at this stage. Council may amend delivery hours to extend in the night time period with further</p>	Yes

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012 & SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>noise assessment following operation/occupation of the site after a 3 month time period when an additional acoustic assessment will be required and on submission of a modification application under Section 4.55 of the EP&A Act.</p> <p>The development will be conditioned to provide a waste management plan for operation prior to occupation of the premises.</p>	
<p>2.4 Contaminated Land Management Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.</p> <p>Please refer to assessment against SEPP 55 for further information.</p>	Yes
<p>2.5 Flood Management The subject site is not within a flood prone area.</p>	N/A
<p>2.6 Landscaping The development application was accompanied by a Landscape Plan prepared by a Category One Landscape Consultant on Council's Register of Landscape Consultants. The proposed landscaping incorporates three medium tree species, ground covers, grasses and shrubs. The landscaping is not anticipated to have a negative impact on passive and natural surveillance to and from the street. The landscaping will contribute to embellishing the site and streetscape</p>	Yes
<p>2.7 Soil, Water and Vegetation Management Plan (SWVM Plans) Standard conditions relating to site management will be imposed should development consent be granted.</p>	Yes
<p>2.8 Guidelines for Bushfire Prone Areas The subject site is bushfire prone. The development is for commercial purposes.</p>	N/A
<p>2.9 Safe Design The proposed development allows for adequate passive and natural surveillance to and from the building and into the internal driveway and car parking area. Landscaping is adequate as to not provide areas on entrapment for intruders to hide. The entry and exit points to the building are clearly defined. The proposed development meets the requirements of this section.</p>	Yes
<p>2.11 Height of Buildings Refer to LEP assessment (Clause 4.3).</p>	Yes
<p>2.13 Preservation of Trees and Vegetation No tree or vegetation removal is proposed or required.</p>	N/A
<p>Part 10 Neighbourhood Centre Controls and Principles</p>	
<p>10.3 Signage</p> <p>Objectives:</p> <p>1) <i>To ensure that signage (including advertising):</i></p> <ul style="list-style-type: none"> <i>i. Is compatible with the desired amenity and visual character of an area.</i> <i>ii. Provides effective communication in suitable locations.</i> <i>iii. Is of high quality design and finish.</i> 	Yes

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

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012 & SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>Specifically, the development has clear entry and exit points and will have adequate lighting during night operating hours.</p> <p>Controls:</p> <p>a) <i>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>	
<p>10.5 Site Car Parking</p> <p>Objectives:</p> <p>1) <i>Ensure that onsite parking for all development is provided to meet the anticipated demand of employees, residents and customers.</i></p> <p>The proposed development is consistent with this control, as it provides car parking in line with the requirements of Part 2 of the QDCP 2012.</p> <p>Controls:</p> <p>a) <i>Comply with the relevant controls in Clause 2.2 of the Queanbeyan Development Control Plan 2012.</i></p> <p>Please refer to the assessment against clause 2.2 of the Queanbeyan Development Control Plan 2012 in the above section.</p>	Yes
<p>10.7 Pedestrian Access and Mobility</p> <p>Objectives:</p> <p>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>Controls:</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>	Yes

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012 & SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p><i>b) The design of facilities (including car parking requirements) for disabled persons shall comply with the relevant Australian Standard (AS 1428 Pt 1 and 2 or as amended) and the Disability Discrimination Act 1992 (as amended).</i></p> <p>The design of the proposal and its facilities is capable of complying with the relevant Australian standards and disability discrimination act.</p> <p><i>c) The development shall provide at least one main pedestrian entrance with convenient barrier free access to the ground floor and/or street level.</i></p> <p>The proposed development complies with this control.</p> <p><i>d) The development shall provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access.</i></p> <p>The proposed development complies with this control.</p> <p><i>e) The development shall provide visually distinctive accessible internal access linking to building entry points and the public domain.</i></p> <p>Marked pedestrian linkages are proposed throughout the carpark, creating visually distinctive links between the car park, road and entry points to the proposed building. Complies.</p> <p><i>f) Pedestrian access ways, entry paths and lobbies shall use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip resistant materials, tactile surfaces and contrasting colours.</i></p> <p>This requirements will form a part of the conditions of the development consent.</p> <p><i>g) Any new development providing basement car parks shall make provision for access for persons with a disability.</i></p> <p>No basement parking is proposed. Not applicable.</p>	
<p>10.12 Additional Objectives and Controls for Poplars Neighbourhood Centre</p> <p>Objectives:</p> <p>1) <i>To ensure that the design, mix and siting of development supports the neighbourhood centre.</i></p> <p>2) <i>To ensure that design and siting of the development establishes a high quality, vibrant and attractive place.</i></p> <p>3) <i>To ensure that the arrangement of uses takes into account the residential amenity of the adjacent housing.</i></p> <p>4) <i>To ensure that the arrangement of uses takes into account and minimises any adverse impacts on the ecological values of the adjoining environmental conservation land.</i></p> <p>5) <i>To ensure personal safety for workers and visitors to the development.</i></p>	Yes

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012 & SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<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>The Built Form Controls:</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><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. A pattern utilising different materials has been incorporated at the rear of the proposed building to provide visual interest. This was marked as an issue at pre-lodgement stage where multiple blank walls were present.</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 has provided ample articulation on the building's façade to provide a break up of blank walls.</p> <p><i>h) Articulated and varied architectural forms and facades are encouraged.</i></p>	

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012 & SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<p>The design of the façade is articulated sufficiently, it incorporates a range of materials, colours and windows and doors. Complies.</p> <p>Access and Mobility Controls:</p> <p><i>a) Pedestrian links are to be open and the pedestrian network within the Neighbourhood Centre is to facilitate movement between the centre and any new bus stop that might be provided, central public spaces, retail facilities and the car parking areas.</i></p> <p>Note: Additional controls for access and parking are set out in part 5.</p> <p>Car parking areas of the proposed development are linked and integrated into the surrounding pedestrian network</p> <p>Landscaping and Edge Treatment Controls:</p> <p><i>a) The landscaping of a sufficient width and suitable species shall be provided around the perimeter of the neighbourhood centre including Tomsitt Drive.</i></p> <p>The mix of Crepe Myrtle, Ornamental Pear and Chinese Elm trees and Photinia shrubs with grass ground cover provides adequate landscaping for the type of development. A buffer is provided around the perimeter of the site.</p> <p><i>b) The landscape buffer along the eastern edge of the centre shall be designed to provide a suitable buffer to minimise any impact on the amenity of the adjacent residential area.</i></p> <p>The site is not located adjacent the landscape buffer for the subdivision. 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. However, it does not adjoin the north of the site.</p> <p><i>d) Landscape edge to Tomsitt Drive shall provide a suitable address whilst also retaining visibility for the commercial uses along the frontage.</i></p> <p>The lot borders Tomsitt Drive. The side of the lot facing Tomsitt Drive of the development adequately addresses this control (Please refer to Landscape Plan & comments above). 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 (refer to comments against control a) of this section).</p> <p>Safety and Surveillance Controls:</p> <p><i>a) Buildings should be designed to overlook public domain areas and provide casual surveillance.</i></p>	

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012 & SOUTH JERRABOMBERRA DEVELOPMENT CONTROL PLAN COMMENTS	COMPLIES (Yes/No)
<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 or are easily identifiable from pedestrian links. 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> <p><i>e) 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, and small to medium size trees and shrubs. The spacing between trees and placement of shrubs will not impact natural surveillance and site lines through the car park and towards the proposed building. Complies.</p>	

Additional Planning Considerations

The following additional planning matters apply to the development:

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

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Access, Transport and Traffic</i> - The proposed development's impact in relation to access, transport and traffic is considered to be acceptable. The matters relating to parking and access have been previously addressed under Part 2 of the QDCP 2012.	Yes
<i>Public Domain</i> - The proposed development will not adversely impact on public recreational opportunities, pedestrian links or access to public space.	Yes
<i>Utilities</i> - The site is serviced with water, sewer, electricity and telecommunication services.	Yes
<i>Heritage</i> - The proposed development will have a minimal impact in relation to heritage. The site is not heritage listed, is not adjacent to a heritage item and is not located within a Heritage Conservation Area.	Yes
<i>Other Land Resources</i> - The proposed development will not affect the future use or conservation of valuable land resources such as: productive agricultural land; mineral and extractive resources; and water supply catchments.	Yes
<i>Water</i> - The proposed development will have minimal impact on the conservation of water resources and the water cycle.	Yes
<i>Soils</i> - The proposed development will have minimal adverse impact on soil conservation. The soils are suitable for the development.	Yes
<i>Air and Microclimate</i> - The proposed development will have minimal 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
	Yes

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<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.	
<i>Site Design and Internal Design</i> - The site design and internal design of the development has been assessed under the QDCP 2012 and South Jerrabomberra Development Control Plan. The proposed design is considered to be satisfactory.	Yes
<i>Construction</i> - The construction stage of the proposed development will have the potential to impact on adjoining properties and the environment for a short period of time. Any approval will be conditioned to ensure construction activities do not unreasonably impact on the adjoining properties and their occupants and the environment by way of noise, erosion and the like. These conditions are standard Council conditions of development consent.	Yes
<i>Cumulative Impacts</i> - Cumulative impacts relate to the small impacts of developments in an area that when considered in unison can result in detrimental impact on the natural or built environment. It is considered unlikely that the proposed development will result in adverse cumulative impact.	Yes
<i>The Suitability of the Site for the Development</i>	
<i>Does the proposal fit in the locality?</i> - The proposal is considered to be compatible with its site and general locality.	Yes
<i>Are the site attributes conducive to development?</i> – Site attributes such as configuration, size and slope, are considered to be generally conducive to the proposed development.	Yes
<i>Have any submissions been made in accordance with the Act or the Regulations?</i>	
<i>Public Submissions</i> - The application was required to be notified. No submissions were received during the notification 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.	Yes
<i>The Public Interest</i>	
It is considered that the public interest will not be adversely affected by the proposed development. Standard conditions will be imposed to ensure minimal impacts to surrounding properties.	Yes
<i>Government and Community Interests</i>	
It is considered that government and community interests will not be adversely affected by the proposed development.	Yes
<i>Section 7.11 and 64 Development Contributions</i>	
Section 7.11 contributions are applicable to the development. The subject site is located within the North Poplars contribution zone for non-residential development. The contribution rate is \$150,311.46 per hectare (note: this rate was calculated during adoption of the contribution plan and does not reflect subsequent CPI increases). Table 3 - Non Residential Contribution Rates per Hectare <ul style="list-style-type: none"> • North Poplars = \$150,311.46/ha • Subject site area of 3,319m² = 0.3319ha • 0.3319 x \$150,311.46 = \$49,888.37 	Yes

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<p>*this figure has not been indexed and will be subject to previous and future CPI increases</p> <p>Section 64 contribution charges are also applicable to the proposed development. 2.6 Water ETs and 4.4 Sewer ETs are applicable to the development.</p> <p>Total Water Charge = \$23,884.97 Total Sewer Charge = \$6,502.43</p> <p>An invoice detailing Section 7.11 and Section 64 charges will be provided with the issued development consent.</p>	