

PLANNING REPORT

SERVICE STATION + MOTOR VEHICLE WASH

LOTS 33, 34 & 102 (#92) BLAIR ST, BUNBURY

APPLCIATION TO CITY OF BUNBURY / REGIONAL JDAP

30 SEPTEMBER 2022



Hidding.
URBAN PLANNING

This Planning Report has been prepared by **Hidding Urban Planning** for the proposed
OTR Service Station & Motor Vehicle Wash Development at Lots 33, 34 & 102 (#92)
Blair Street, Bunbury

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- Annexure 1:** Certificates of Title
 - Annexure 2:** Development Plans
 - Annexure 3:** Landscaping Plan
 - Annexure 4:** Traffic Impact Statement
 - Annexure 5:** Stormwater Drainage Plan
 - Annexure 6:** Environmental Noise Assessment
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APPLICATION DETAILS

Table 1: Application Details

Property Location	Lots 33, 34, 102 (#92) Blair Street, Bunbury
Applicant	Hidding Urban Planning
Landowner	OTR 393 Pty Ltd
Local Government	City of Bunbury
Determining Authority	Regional Joint Development Assessment Panel (JDAP)
Greater Bunbury Region Scheme	"Urban"
City of Bunbury LPS8 Zoning	"Service Commercial"
Planning Framework	Greater Bunbury Region Scheme City of Bunbury Local Planning Scheme No. 8 (LPS8) Local Planning Policy 3.0 – Zone Codes Requirements Local Planning Policy 5.3 – Signage & Advertisements Local Planning Policy 48 - Landscaping State Planning Policy 7.0 – Design of the Built Environment
Proposed Use Class	Service Station ("A" use) Motor Vehicle Wash ("D" use)
Existing Use	Vacant Land
Site Area	5202m ²
Estimated Construction Value	\$4 million

1.0 INTRODUCTION

This Planning Report has been prepared by **Hidding Urban Planning** on behalf of PC Infrastructure Pty Ltd as part of an Application for Development Approval for the development and use of Lots 33, 34 & 102 (#92) Blair Street, Bunbury (**Subject Site**) for a proposed OTR “Service Station” and “Motor Vehicle Wash” Development.

This report provides a detailed Town Planning assessment of the proposed development against the relevant State and local Planning framework. The information contained in this report confirms that the proposed “Service Station” and “Motor Vehicle Wash” development is appropriate for the site and reflects the applicable planning framework.

1.1 DEVELOPMENT ASSESSMENT PANEL (DAP) DETERMINATION

As the anticipated construction cost of the project is **\$4 million**, the Applicant has “opted in” to the Development Assessment Panel (**DAP**) process and therefore, this Development Application will be required to be determined by the Regional Joint Development Assessment Panel (**JDAP**).

Accordingly, please find **attached** our completed City of Bunbury Application for Development Approval Form, Greater Bunbury Region Scheme (GBRS) Form 1 and DAP Form 1, all signed and authorised by the landowner.

1.2 PRE-APPLICATION DISCUSSIONS

Discussions with the City of Bunbury, Main Roads WA and Department of Planning, Lands & Heritage occurred during May 2022 concerning the use of the existing crossovers for the proposed development. Concept plans of the proposed development were provided to each government authority to assist the discussions.

2.0 SITE DETAILS

2.1 LEGAL DESCRIPTION OF LAND

This development application refers to Lots 33, 34, 102 (#92) Blair Street Bunbury the details of which are provided in **Table 2** below.

Table 2: Legal Description of Land

Lot	Plan	Vol/Folio	Area	Address	Proprietors
33 & 34	763	2734/125	3369m ²	92 Blair Street, Bunbury	OTR 393 Pty Ltd
709	61413	2734/129	1833m ²	92 Blair Street, Bunbury	OTR 393 Pty Ltd

The Certificates of Title for the existing lots are attached at **Annexure 1**.

The existing lots will be amalgamated into a single lot following development approval.

2.2 SITE DETAILS

The subject site has a total land area of 5202m² and previously comprised a used car facility which has recently been demolished from the site.

The site has a frontage of approximately 62.30m to Blair Street and a rear frontage of 60.58m to Zoe Street.

An Aerial Photograph of the subject site is included at **Figure 1**.



Figure 1: Aerial Photograph (City of Bunbury)

A photograph of the site, adjacent roads and surrounding properties is included below.



Photo 1: Aerial view of the subject land taken over Blair Street, looking west.

3.0 THE PROPOSAL

The proposal is to develop an OTR Service Station & Motor Vehicle Wash development on the subject land.

Development Plans prepared by ADS Architects are included at **Annexure 2**.

The plans included at Annexure 2 include:

- Site Plan (inclusive of Floor Plan detail)
- Building Elevations
- Signage Elevations

3.1 SUPPORTING PLANS & REPORTS

Consultant reports and other supporting information have been prepared to assist in the assessment of this application.

The reports and documentation which are provided in support of this application are detailed in **Table 3** below and are attached as **Annexures** to this Report.

Table 3: Supporting Plans & Reports

Consultant	Plan/Document	Annexure
ADS Architects	Development Plans & Feature Survey	2
Oxygen	Landscaping Plan	3
DVC	Transport Impact Statement	4
JCCE	Stormwater Drainage Plan	5
Reverberate Consulting	Environmental Noise Assessment	6

3.2 GENERAL DEVELOPMENT DETAILS

3.2.1 Landscaping & Fencing

The proposed landscaping of the site is intended to ensure that the entire development provides an attractive and high quality presentation to external streets and site boundaries.

A total of 19% of the development site (or 986.53m²) will be landscaped.

A formal Landscaping Plan has been prepared by Oxygen in support of this application, and is included at **Annexure 3**.

Boundary fencing is proposed in certain areas, as identified on the site plan, and includes a 3.00m high masonry fence along the southern boundary up until the point where the adjacent building is located. A 3.00m high masonry wall is also proposed along the rear Zoe Street boundary as shown,

and wrapping around along a small portion of the northern boundary to the point where the adjacent building is located.

3.2.2 Access & Movement

The site currently has crossover access to Blair Street which is proposed to be retained and adjusted. The two crossovers will operate as separate, left-in, left-out crossovers.

A new crossover is proposed to Zoe Street at the rear of the site.

A Transport Impact Statement (**Annexure 4**) has been prepared by DVC to address the traffic movements associated with the proposed development. The design has demonstrated that access and traffic movements for both cars and heavy vehicles (i.e. fuel tankers) can be accommodated on the site. The TIS provides swept paths for the key design vehicles and demonstrates acceptable movements across the site.

3.2.3 Car Parking

The site has been provided with the following car parking facilities:

- 15 marked bays (including one (1) accessible parking bay);
- 16 fuel bowser parking bays located under the fuel canopy;
- Four (4) EV charging station bays;
- Four (4) vacuum bays;
- Two (2) parallel parking bays for the dog wash; and
- A drive thru facility that can accommodate 7 cars in the drive thru queue lane.

The Drive Thru is primarily for ordering and collection of coffee and other pre-packaged goods from the convenience store building.

3.2.4 Signage

The proposed development involves a 9.00m high x 2.359m wide pylon sign along the Blair Street frontage of the site for the purpose of displaying fuel pricing and relevant signage for each of the proposed uses.

The proposed development also involves a 6.00m high x 2.359m wide pylon sign along the Zoe Street frontage of the site, also for the purpose of displaying fuel pricing and relevant signage for the uses.

Given the site has frontage to two different roads, a pylon sign is required for each road frontage.

A range of other signage on buildings and the fuel canopy is proposed as shown on the Signage Elevations.

LED signage elements will be used to display text and images relating to goods and services provided on the site. There will be no third-party advertising displayed using the LED elements (or

otherwise). LED elements will display static, but changeable, images, which will have a dwell time of no less than 30 seconds per image and will change over rapidly, i.e. no more than 0.1 second. Luminance of the LED panels will be controlled in accordance with prevailing ambient light to avoid illumination or glare which may distract drivers or other road users, ranging from a maximum of 6,000 Cd/m² (maximum average) on a sunny day, to no more than 300 Cd/m² (maximum average) at night. These standards are in accordance with Main Roads WA (MRWA) advertising policy and are appropriate guidelines to follow.

The LED signage elements will allow the full range of goods and services offered at the site (including fuel sales and promotions, convenience retail including the retail drive-through, coffee and food offers) to be brought to the attention of customers in a contemporary, engaging way, reducing the need to seek approval for a larger number of static signage elements which would present the same information in a manner that might be more likely to contribute to visual clutter and over-proliferation of signage.

In relation to the Pylon Signs, these are double-sided signs that will display the same information on both faces. The bottom half (approximately) of the sign will display (in white changeable LED numerals) the current price of 5 grades of fuel. The LED signage panels above will display content of the kind referred to above, with dwell time, changeover time and luminance as described above.

3.2.5 Stormwater Management

This application is supported by a Stormwater Drainage Plan prepared by JCCE and is included at **Annexure 5**.

3.3 PROPOSED SERVICE STATION DETAILS

3.3.1 Building & Design

The design of the Service Station development is typically commercial in appearance and will adopt the corporate branding normally associated with a OTR Convenience Store / Service Station.

The proposed convenience store building will be set back 12.774m from the Blair Street boundary and 4.23m from the northern (side) boundary.

The convenience store building is proposed at a height of 4.95m extending to 7.05m at the eastern end closest to Blair Street, giving the building a larger presence to the street. Extensive glazing is proposed along the main (southern) facade of the building, and feature brickwork and cladding panelling is also proposed as shown in the Elevations. A range of signage (some of which are illuminated) is proposed on the building. The building also has a large awning extending out over the footpath area in front of it and an outdoor seating area that has a timber-look beam feature over it.

The convenience store building will incorporate an internal sales area of 283m² GLA, which will include a point-of-sale and offer for sale of goods generally expected of an OTR facility, for the convenience of customers. The Service Station use will also include an eight-bowser fuel canopy with the capability to service 16 light vehicles simultaneously. A drive-thru facility is also proposed around the rear and side of the convenience store building and involves separate order and pick-up locations.

The fuel canopy will also have the OTR branding and livery. The fuel canopy has a total height of 7.24m and features a butterfly design that is an OTR signature design feature. The fuel canopy has a 4.50m clearance. The columns of the fuel canopy will be treated with a timber-look cladding, as shown in the Elevations. The fuel canopy is set back 20.00m from the Blair Street boundary.

The Service Station will also offer four (4) Electric Vehicle (EV) charging stations along the southern side boundary of the site, with a cantilevered shade structure over the top.

3.3.2 Hours of Operation & Staff

The proposed Service Station is intended to be operated 24 hours a day, 7 days a week consistent with many service station and convenience store developments across Western Australia.

The proposed Service Station will normally have up to 3 staff on site at peak times; 1-2 at non-peak times; and 1 overnight. During the overnight hours, a single staff member will attend to all fuel and other internal sales.

3.3.3 Fuel Types, Dispensing & Fuel Delivery

The proposed Service Station will offer five (5) different fuel types (E10, ULP, ULP95, ULP98, Diesel) under the fuel canopy. The dispensing arrangements are through standard bowsers drawing from 2 x 90,000L underground storage tanks.

All fuel storage and delivery activities will be undertaken in a manner which complies with Australian Standard 1940 – *The Storage and Handling of Combustible Liquids*.

The largest service vehicle which is expected to use the site is a 19m fuel tanker for fuel deliveries. Fuel delivery will occur at a rate of two to three deliveries per week, as required.

The fuel will be stored in underground horizontal cylindrical tanks positioned in proximity to the fill point.

DVC has undertaken a fuel tanker turn path assessment using Main Roads WA guidelines and the TIS includes the turn paths for a 19m fuel tanker. The fuel tanker will enter and exit the site from Blair Street.

3.3.4 Environmental Considerations

The risk of contamination and pollution of the local environment is considered minimal. Service Stations uses are highly regulated, and designers use industry best practices to minimise any fuel

or other contaminant access to stormwater drains. Design, operational and management measures will include:

- The use of double-contained fuel storage tank systems with a leak monitoring space;
- Fuel tanks will be established in stable compacted soils;
- On-site retention and treatment of all stormwater using a SPEL Puraceptor Stormwater Treatment and Hydrocarbon Capture system;
- Stage 1 Vapour Recovery Systems compliant with the *Protection of the Environment Operation (Clean Air) Regulation* 2002 (NSW Guidance Document);
- Fuel spill kit compliant with the latest Australian Standards and Federal National Occupational Health and Safety Council (NOHSC Codes) or Practice that pertains to the handling, storage, clean-up and disposal of Dangerous Goods and Hazardous Substances: NOHSC: 2007(1994), 1005(1994), & 1015(2001) and AS/NZS 3816:1998, AS1940-2004, AS3780-1994, & AS2507-1998;
- Fuel distribution and leak detection infrastructure compliant with all the relevant Australian Standards, Regulations and Industry Best Practices;
- Site operators will be trained personnel to effectively handle incidents such as fuel and oil spills; and
- Equipment will be installed on site to use in the clean up of any fuel, oil or chemical spills.

3.4 MOTOR VEHICLE WASH USE

3.4.1 Building & Design

The proposed Motor Vehicle Wash facility will include an Auto Wash building with queuing area and four (4) undercover manual washing bays which has a roof design which features a butterfly design similar to the Service Station fuel canopy.

The top of the manual washing bays will have polycarbonate infill glazing panels for acoustic performance.

As part of the Motor Vehicle Wash use, there will be four (4) vacuum bays located along the southern side of the property. The vacuum bays are intended to have a tensile shade structure installed over the bays, to provide cover from sun and inclement weather. The vacuum bays will also have a 2.40m high barrier fence around the immediate area to assist with noise mitigation.

The Motor Vehicle Wash use also includes a Dog Wash which is an incidental activity to the overall development. The Dog Wash is located adjacent to the plant room of the Auto Wash facility.

The design of the Motor Vehicle Wash includes a 5.297m high building and includes glazing on the sides and front of the building. The roof of the auto wash building also features a butterfly design with yellow fascia cladding, consistent with other parts of the proposed development.

The Motor Vehicle Wash facility has a minimum set back of 8.818m to the Zoe Street boundary.

The design of the Motor Vehicle Wash facility enables plenty of queuing area around the rear of the facility.

3.4.2 Hours of Operation & Staff

The Motor Vehicle Wash facility will operate 24/7, and involves no staff on-site other than occasional maintenance.

3.5 NOISE MANAGEMENT

Reverberate Consulting was engaged to prepare an Environmental Noise Assessment in support of the proposed development (see **Annexure 6**).

To assist with acoustic compliance, a 3.00m masonry wall is proposed along the rear boundary to shield the car wash and service station activities from properties to the west.

From the analysis undertaken, noise emissions from the proposed development (with management measures set out in a noise management plan) has been assessed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* and no other major noise mitigation is required.

4.0 PLANNING ASSESSMENT

4.1 GREATER BUNBURY REGION SCHEME

The subject land is zoned “Urban” under the Greater Bunbury Region Scheme (**GBRS**) as shown in **Figure 2** below. The subject land is adjacent to Blair Street which is an “Other Regional Road” reserve under the GBRS.



Figure 2: GBRS Zoning Map

The proposed development is consistent with the provisions of the GBRS and can be approved accordingly.

Preliminary advice was sought from the Department of Planning, Lands & Heritage (DPLH) in respect of existing/proposed access to Blair Street. The DPLH confirmed that if the City was generally happy with the proposed access arrangements, that it would support it in the same way. The City of Bunbury advised that the two existing legacy crossovers can be retained as a left-in, left-out arrangement, with final confirmation dependent on provision of a Transport Impact Statement and referral responses from both DPLH and Main Roads WA (MRWA) which operates the traffic signals.

4.2 CITY OF BUNBURY LOCAL PLANNING SCHEME NO. 8

4.2.1 Zoning & Land Use

The subject site is zoned “Service Commercial” in the City of Bunbury Local Planning Scheme No. 8 (**LPS8**) as shown in **Figure 3**. All adjacent land is also zoned “Service Commercial”.

The objectives of the “Service Commercial” zone (from Table 2 of LPS8) are as follows:

- *To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.*
- *To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in the regional centre, other activity centres or industrial zones.*

The proposed “Service Station” and “Motor Vehicle Wash” accords with the objectives of the “Service Commercial” zone.

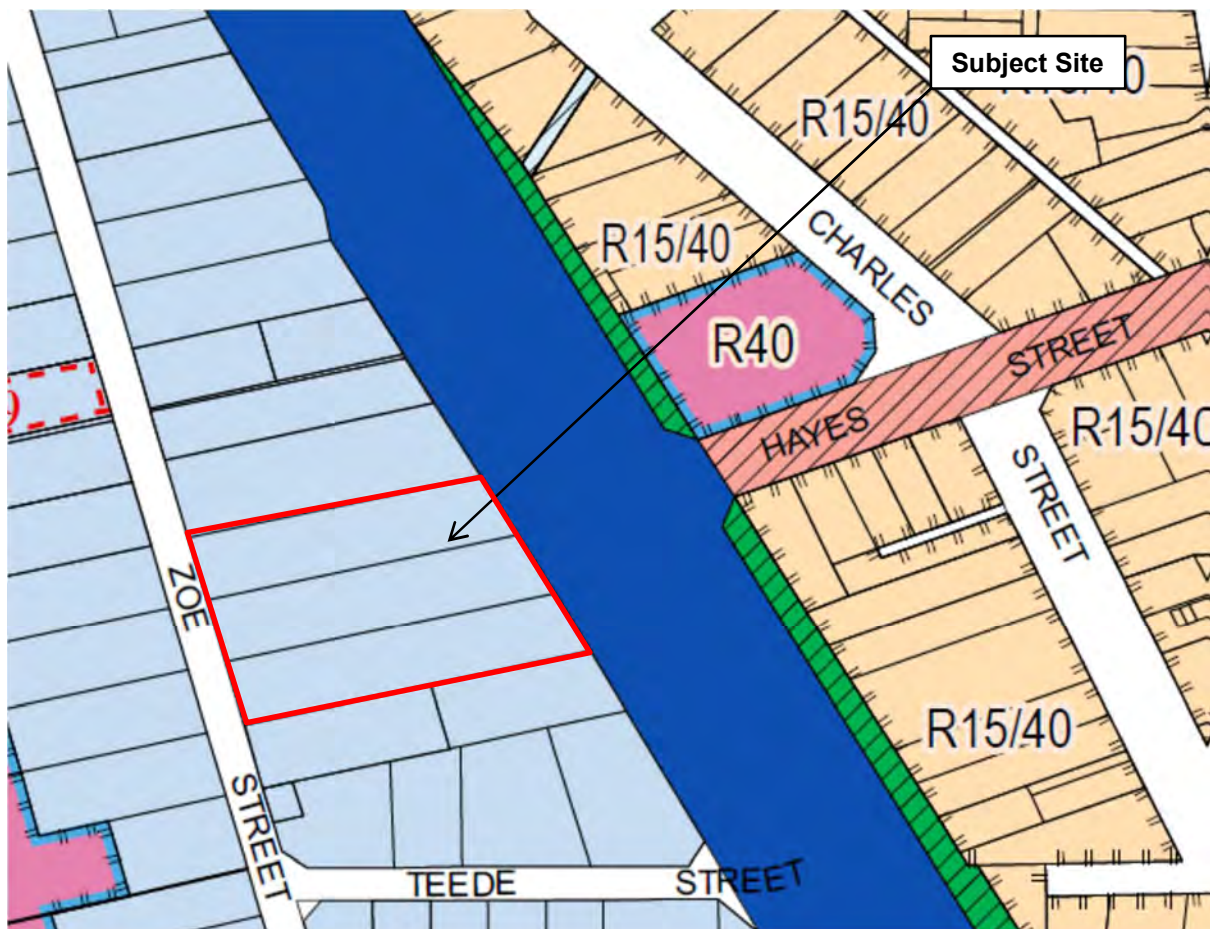


Figure 3: LPS 8 Scheme Map Extract

A “Service Station” use is an “A” use (discretionary with requirement for public advertising) in the “Service Commercial” zone, as set out in Table 3 (Zoning Table) of LPS8.

A “Motor Vehicle Wash” is a “D” (Discretionary) use in the “Service Commercial” zone.

The “Service Station” use is defined in Part 6 of LPS8 as:

“means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for –

- (a) *the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and/or*
- (b) *the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.”*

The “Motor Vehicle Wash” use is defined as:

“means premises primarily used to wash motor vehicles”.

Accordingly, the defined use class of “Service Station” and “Motor Vehicle Wash” is appropriate for the development/uses proposed.

4.2.2 Car Parking

Schedule 4 of LPS8 sets out the car parking requirements for land uses.

For a “Service Station” land use, LPS8 requires 4 bays per workshop and/or service bay; plus 1 bay per employee.

As there are no workshop or service bays proposed in this development, the only car parking required is for employees. As there is only a maximum of three (3) employees on site at any one time, there is only a requirement to provide three (3) car parking bays for the use.

For a “Motor Vehicle Wash” land use, LPS8 requires 1 bay per employee; plus 2 bays per wash bay; plus queuing space for 3 waiting vehicles for each wash bay. As there are no employees and 4 wash bays, there is a requirement to provide eight (8) car parking bays for this use.

In total therefore, there is a requirement to provide 11 car parking bays, plus queuing space for 3 waiting vehicles for each wash bay.

The development proposes to provide a total of 15 marked car parking bays. In addition, the development proposes to provide four (4) EV charging bays, four (4) vacuum bays, two (2) dog wash bays, 16 bowser parking bays and drive thru queuing (which reduces pressures on marked car parking bays). There is also plenty of queuing space for the car wash facility, for queuing for the auto wash and the manual bays, as shown on the plans.

The 16 vehicle bowser pump bays should be considered by the City as being able to be added to the car parking calculation, since in practice, those bays are highly likely to be used to park cars while customers pay for fuel and access the convenience store building. This is a standard being applied across many local governments in the consideration of Convenience Store/Service Station developments.

In all of these circumstances, the car parking proposed on the site far exceeds the parking requirements of LPS8.

4.2.3 Matters to be Considered

Clause 67 - Part 2 - Schedule 2 (**Deemed Provisions**) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) outlines matters to be given due regard by local government when assessing development applications.

Table 4 below provides an assessment against matters relevant to this proposal.

Table 4: Matters to be Considered

Relevant Matters to be Considered	Comment
(a) <i>The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</i>	The propose development is consistent with the aims and provisions of the City's LPS8 for the following reasons: <ul style="list-style-type: none"> • The proposal seeks approval for land uses which are capable of approval and are appropriate for the site/location. • The proposal is generally compliant with the development standards of LPS8.
(b) <i>The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</i>	This matter is not relevant to this proposal as there is no proposed local planning scheme or amendment to the scheme that has been advertised.
(c) <i>Any approved State Planning Policy</i>	This report demonstrates the proposed development is in compliance with the relevant State Planning Policies.
(d) <i>Any environmental protection policy approved under the Environmental Protection Act 1986 section 31 (d);</i>	This matter is not relevant to this proposal.
(e) <i>Any policy of the Commission</i>	This matter is not relevant to this proposal.
(f) <i>Any policy of the State</i>	This is addressed further in this report.
(g) <i>Any local planning policy for the Scheme area;</i>	This report demonstrates the proposed development is in general compliance with the local planning policies applicable to the subject site.
(h) <i>Any structure plan or local development plan that relates to the development.</i>	This matter is not relevant to this proposal.
(i) <i>Any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015.</i>	This matter is not relevant to this proposal.
(j) <i>In the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve.</i>	This matter is not relevant to this proposal as the subject land is not reserved under the Scheme.

Relevant Matters to be Considered	Comment
(k) <i>The built heritage conservation of any place that is of cultural significance.</i>	This matter is not relevant to this proposal.
(l) <i>The effect of the proposal on the cultural heritage significance of the area in which the development is located.</i>	This matter is not relevant to this proposal.
<p>(m) <i>The compatibility of the development with its setting, including -</i></p> <p>(i) <i>the compatibility of the development with the desired future character of its setting; and</i></p> <p>(ii) <i>the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</i></p>	<p>The proposed development is entirely compatible with its setting for the following reasons:</p> <ul style="list-style-type: none"> • The proposed development is suitably located within a highway commercial locality. • The proposal is compatible with adjacent existing developments. • The scale of the development does not impact any adjacent properties. <p>Having regard to the above, the nature of the proposed development is entirely compatible with its surroundings/</p>
<p>(n) <i>The amenity of the locality including the following –</i></p> <p>(i) <i>Environmental impacts of the development;</i></p> <p>(ii) <i>The character of the locality;</i></p> <p>(iii) <i>Social impact of the development;</i></p>	<p><u>Environmental Impacts:</u></p> <p>The proposed development is not anticipated to result in any adverse environmental impacts.</p> <p><u>Character of the Locality:</u></p> <p>The proposed development will not alter the established character of the locality which is considered to be a highway commercial area.</p> <p><u>Social Impacts:</u></p> <p>The proposed development will not have any adverse social impacts on the surrounding locality, but will provide a positive social impact through the creation of jobs through construction and operation of the facility.</p>
(o) <i>The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource.</i>	This matter is not relevant to this proposal.
(p) <i>whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.</i>	Large areas of landscaping have been provided on the site. A Landscape Plan has been provided with this Application (Annexure 3).
(q) <i>the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence landslip, bush fire, soil erosion, land degradation or any other risk.</i>	This matter is not relevant to this proposal.
(r) <i>The suitability of the land for the development taking into account the possible risk to human health or safety.</i>	This matter is not relevant to this proposal.

Relevant Matters to be Considered	Comment
<p>(s) <i>The adequacy of –</i></p> <p>(i) <i>the proposed means of access to and egress from the site; and</i></p> <p>(ii) <i>arrangements for the loading, unloading, manoeuvring and parking of vehicles;</i></p>	<p>As outlined in this Report and the supporting Transport Impact Statement (TIS) prepared by DVC (Annexure 4), the proposed access arrangements to and from the site are satisfactory.</p> <p>The development has been appropriately designed, including appropriate arrangements for loading, unloading, manoeuvring and parking of vehicles.</p>
<p>(t) <i>The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;</i></p>	<p>The Transport Impact Statement (Annexure 4) indicates that the proposed development will not have an unacceptable level of impact on the surrounding road network.</p>
<p>(u) <i>the availability and adequacy for the development of the following –</i></p> <p>(i) <i>public transport services;</i></p> <p>(ii) <i>public utility services;</i></p> <p>(iii) <i>storage, management and collection of waste;</i></p> <p>(iv) <i>access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);</i></p> <p>(v) <i>access by older people and people with disability;</i></p>	<p>The Transport Impact Statement (Annexure 4) addresses these matters.</p>
<p>(v) <i>The potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses.</i></p>	<p>No loss of any community service or benefit is expected to occur as a result of the proposed development.</p>
<p>(w) <i>The history of the site where the development is to be located.</i></p>	<p>No significant historical matter is relevant to this proposal.</p>
<p>(x) <i>The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.</i></p>	<p>The proposed development will have a positive benefit on the community as a whole, as it provides for the retail sale of fuel and convenience goods and washing of vehicles.</p>
<p>(y) <i>Any submissions received on the application.</i></p>	<p>The City is required to advertise the application as it involves an “A” use and to assess any relevant submission made.</p>
<p>(za) <i>The comments or submissions received from any authority consulted under clause 66.</i></p>	<p>The City can refer the application to any authority it considers appropriate, and to assess any relevant submissions/comments made.</p>
<p>(zb) <i>Any other planning consideration the local government considers appropriate.</i></p>	<p>The City can determine whether there are any other planning considerations that are relevant.</p>

Having regard to **Table 4** above, the proposal appropriately addresses the relevant matters to be given due regard as set out in the Deemed Provisions.

4.3 LOCAL PLANNING POLICIES

4.3.1 Local Planning Policy 3.0 – Zone Codes Requirements

The City's Local Planning Policy 3.0 'Zone Codes Requirements' (**LPP3.0**) provides development requirements for land within various zones under LPS8. Clause 4.7 of LPP3.0 relates to development in the "Service Commercial" zone.

Table 5 below outlines the various development requirements of LPP3.0 and provides an assessment against the provisions.

Table 5: LPP3.0 Assessment

Design Element	Permitted	Proposed
Building Height	15m (4 storeys)	Building height 7.05m Canopy height 7.24m Complies
Front setbacks	Primary street minimum - 4m Secondary street minimum – 3m	Building setback 12.74m to Primary Street Canopy set back 20m to Primary Street Car wash set back 8.818m to Secondary Street Complies
Side setback	Nil permitted (where not adjoining Residential Zone) Minimum 3m where adjoining Residential Zone	4.23m side setback to Service Commercial zone Complies
Landscaping	Primary and secondary streets landscaped for full frontage excluding any pedestrian/vehicle access to a minimum width of 1.5m	Large landscaping areas along Primary and Secondary Street far exceeding 1.50m width Complies
Car Parking		Refer previous section on car parking. Complies

Accordingly, it is demonstrated that the proposed development complies with the provisions of LPP3.0.

4.3.2 Local Planning Policy 5.3 – Signage & Advertisements

The City's Local Planning Policy 5.3 'Signage & Advertisements' (**LPP5.3**) provides guidance on the development of signage or advertisements.

Annexure 3 of LPP5.3 provides specific requirements for various signs.

For a Pylon Sign, the policy states that the maximum height above ground is to be 6.50m or the height of a building in close proximity, whichever is the greater, but is not to exceed 10m. The pylon sign is to be located not less than 1.50m from the front property boundary.

The Pylon Sign fronting Blair Street is proposed at a height of 9.00m which is considered appropriate for Blair Street. The sign is higher than the height of the buildings proposed on the site, however there is discretion to approve the 9.00m high sign. It does not exceed 10m in height.

The Pylon Sign fronting Zoe Street is proposed at a height of 6.00m which complies with the policy.

In any event, the City/JDAP has the discretion to support the minor height variation.

The proposed Pylon Signs are located not less than 1.50 from the property boundaries, as demonstrated on the Site Plan.

4.3.3 Local Planning Policy 48 – Landscaping

The City's Local Planning Policy 48 'Landscaping' (**LPP48**) applies to the proposed development.

A Landscaping Plan has been prepared in accordance with LPP48 (refer Annexure 3).

4.4 STATE PLANNING POLICIES

4.4.1 WAPC SPP 7.0 – Design of the Built Environment

Table 6 below provides a response to the Design Principles of State Planning Policy 7.0 Design of the Built Environment (**SPP7.0**).

Table 6: Assessment of Design Principles of SPP7.0

SPP 7.0 Design Principles	Comment
1. Context and character <i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>	<p>The proposed development/use is consistent with the existing service commercial context.</p> <p>The character of the area is not consistent, with varying built form and land uses. There are examples of high quality modern buildings, such as the Mazda Dealership but more generally there are standard forms of showroom buildings along the service commercial strip.</p> <p>The development of the site will improve the amenity of the locality, by incorporating well-designed built form (together with landscaped setting).</p>
2. Landscape quality <i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i>	<p>The proposed development provides a large area of the site area as landscaping (19% of site area) which is considered to be an excellent outcome for a service station development.</p> <p>The landscaping areas provides opportunity for planting of trees and shrubs which is considered to be a positive aspect of the proposed development, as there is currently very little in the way of landscaping on the site.</p> <p>It is considered that the proposed landscaping regime provides both a good quantity and high quality.</p> <p>Landscape treatment to the streets is more visible and thus an important aspect to consider – and in response, the planting and landscaping areas have been focussed in these areas, so that the development presents with a foreground of landscaped areas.</p>

SPP 7.0 Design Principles	Comment
	<p>The width of landscaped bed sizes are good, enabling consolidated plantings to occur as well as the establishment of trees.</p> <p>A Landscaping Plan has been prepared in support of the application– refer Annexure 3.</p>
<p>3. Built form and scale <i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i></p>	<p>The built form is a function of the use (service station).</p> <p>The built form, scale and height of the proposed development is appropriate to this setting and appropriate for the development type.</p> <p>The built form includes a range of building materials which provide a high quality outcome.</p>
<p>4. Functionality and build quality <i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i></p>	<p>The development has been designed to be highly functional, with a range of car-based uses such as a convenience store, fuel sales, EV charging, car washing and vacuum facilities.</p> <p>The design of the development is aimed at providing user efficiency.</p>
<p>5. Sustainability <i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i></p>	<p>The proposed building and fuel canopy is designed to support PV (Solar) Panels, and the development also provides EV charging stations.</p>
<p>6. Amenity <i>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i></p>	<p>The development improves the amenity of the locality and provides an environment that is universally accessible. Good quality landscaping areas (including planting of trees) is also proposed to provide a healthy environment and improved amenity.</p> <p>The convenience function of the service station itself is considered to provide a new amenity to the locality.</p>
<p>7. Legibility <i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i></p>	<p>The proposed access arrangements, including left-in, left-out crossovers from Blair Street provide for easily legible entry and exit. Similarly, access to the drive through and the car wash area is easily identifiable.</p> <p>A footpath is proposed along the frontage of the convenience store and will connect with the existing footpath in the verge of Blair Street. This provides a clear connection and identifiable link to assist pedestrians to find their way around.</p>
<p>8. Safety <i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i></p>	<p>The building design maximises opportunities for casual surveillance over the forecourt area through large windows and the main entrance to the building. The car park and forecourt is in full view of the adjacent road ways, which optimises the safety and security of the facility.</p>
<p>9. Community <i>Good design responds to local community needs as well as the wider social context, providing environments that support a</i></p>	<p>The development is specifically designed for convenience of the local community, enabling a venue which provides goods and services 24/7 and responds to a growing need in the area.</p>

SPP 7.0 Design Principles	Comment
<i>diverse range of people and facilitate social interaction.</i>	It is a well-placed addition which will add to the diversity and choice of convenience stores / service stations in the locality, and puts less pressure on other facilities in the area.
10. Aesthetics <i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>	<p>The proposed building has been architecturally designed with a range of materials and colours and includes an outdoor seating area with a timber beam feature.</p> <p>The quality landscaping design of the site also results in an attractive setting for the development.</p>

As a result, it is considered that the proposed development complies with the Design Principles of SPP7.0.

4.5 ENVIRONMENTAL PROTECTION AUTHORITY GUIDANCE STATEMENT NO. 3 – SEPARATION DISTANCES BETWEEN INDUSTRIAL & SENSITIVE LAND USES

The Environmental Protection Authority (EPA) Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses (**EPA Guidance Statement**) provides generic buffer distances intended to mitigate impacts of industrial developments on sensitive land uses.

With respect to fuel facilities that are intended for 24-hour operation, the EPA Guidance Statement identifies potential impacts as gaseous, noise, odour and risk, and recommends a generic buffer distance of 200m to sensitive land uses. These recommended buffer distances are not absolute separation distances, but are instead default provisions in the absence of site specific technical assessment.

Residential areas exist to the east, on the opposite side of Blair Street.

Table 7 below provides an assessment of the potential impacts from the operation of the proposed Service Station, and provides justification to demonstrate the appropriateness of the development on the subject site.

Table 7: Mitigation of Potential Amenity or Environmental Impacts

Issue	Comment
Noise	<p>It is common for Service Stations to be located either opposite or directly adjoining residential properties.</p> <p>Transmission of noise in these circumstances is not an issue, and noise generated from a fuel facility is generally consistent with other similar commercial uses.</p> <p>A comprehensive Environmental Noise Assessment has been prepared to address noise issues, and it has been concluded that the site will comply with the Environmental Protection (Noise) Regulations (refer Annexure 6).</p>
Risk	<p>As the proposed Service Station provides for the retail sale of fuel, the operator must obtain a Dangerous Goods Storage and Handling Licence to store and sell fuel on the site. The Licence application is made post planning approval.</p> <p>Accordingly, Risk can be appropriately managed through the Dangerous Goods Storage and Handling licence requirements.</p>

Issue	Comment
Odour / Gaseous	<p>The underground fuel storage tanks will be equipped with a vapour recovery system which ensures that all petrol vapours from the underground tanks are drawn back into the fuel tanker at the time of fuel delivery. This enables the returned vapours to be recondensed into liquid.</p> <p>The Dangerous Goods Licencing process also assesses the likely impact of vapours/odours. Accordingly, the assessment of odour/gaseous issues is appropriately addressed and managed through the Dangerous Goods Licencing process.</p>
Lighting	<p>Potential sources of light spill from the proposed development are primarily from the lighting of the fuel canopy, the retail building, and any external lights in the forecourt or perimeter of the development site.</p> <p>Lighting proposed within the fuel canopy are inset and orientated internally to ensure light spill is contained within the site.</p> <p>It is not anticipated that light sources from the proposed development will affect residential dwellings which are located over 100m away and not directly facing the proposed development.</p> <p>Further, it is a requirement to comply generally with Australian Standard AS4282 – Control of Obtrusive Effects of Outdoor Lighting, and the final design of lighting (and ultimate operation) will be regulated by AS4282.</p>

As demonstrated in the Table 7 above, the proposed Service Station development has been appropriately designed and sited to mitigate any potential amenity and environmental impacts on nearby sensitive (residential) land uses. Accordingly, a lesser separation distance has been demonstrated to be acceptable.

5.0 CONCLUSION

This application seeks Development Approval for a proposed new OTR Service Station and Motor Vehicle Wash Development at Lots 33, 34 & 102 (#92) Blair Street, Bunbury.

In summary, the proposed development warrants approval for the following reasons:

- The proposed “Service Station” and “Motor Vehicle Wash” is compliant with the development standards and requirements of the City of Bunbury Local Planning Scheme No. 8;
- The proposed uses are capable of approval in the “Service Commercial” zone and appropriate for the site and location;
- The proposed development is an appropriate use and development form on Blair Street which services as a highway commercial function in the locality;
- The proposed development will provide increased services to the Bunbury locality;
- The proposed development provides for the redevelopment of the existing site, which is currently a vacant (demolished) site; and
- The proposed development is supported by a range of expert technical reports, demonstrating that all relevant technical issues have been considered and addressed; and

Having regard to the above, the proposed Service Station and Motor Vehicle Wash Development should be supported and approved.

For these reasons, and in light of the assessment contained within this report, we respectfully request that the City of Bunbury have regard to the merits and broader benefits of the proposal when undertaking its assessment of the application, and to recommend approval to the Regional JDAP, subject to reasonable conditions.

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