

Andrew Sharpe
Chief Executive Officer
City of Albany
C/- planners@albany.wa.gov.au

Attention: Jessica Anderson

Dear Jessica

DEVELOPMENT APPLICATION: PROPOSED SERVICE STATION AND PYLON SIGN – LOT 100 ON DEPOSITED PLAN 405925 (No. 35494) ALBANY HIGHWAY, DROME

1. Introduction

Edge Planning & Property act on behalf of which the second was a second with the second by our client to prepare and lodge a Development Application for an unmanned service station (refuelling facility) and pylon sign.

In support of this Development Application, please find enclosed the following:

- A completed Development Application form and a completed Additional Information for Development Approval for Advertisements form;
- Site plan;
- Vehicle turning analysis (swept path plan for B-triple road trains);
- Elevations;
- Bushfire Management Plan by Envision Bushfire Protection; and
- This correspondence summarising the planning merits of the application.

If required, hard copies of the above can be provided to the City.

Based on our client's estimate of development works, it is understood the Development Application will be Our client will arrange payment once the application fee amount and reference number are provided by the City.

It is noted the Bushfire Management Plan considers a future workshop. It is highlighted that a workshop is not part of this Development Application.





www.edgeplanning.com.au

134 Hare Street, Mount Clarence, Albany, WA 6330 T: 9842 2269 M: 0409 107 336 E: steve@edgeplanning.com.au ABN: 51 473 192 534

2. Background

2.1 The site and its context

The site adjoins the well-established Mirambeena Industrial Estate which is approximately 14 kilometres north-west of the Albany city centre. The Mirambeena Industrial Estate contains a range of uses. To the north of the site is the Mount Romance Sandalwood Factory, to the east is a plantation, to the south and west are rural properties. The site is well separated from off-site dwellings and other sensitive uses.

2.2 Physical characteristics

The site:

- Is 262.4637 hectares in area:
- Contains a few buildings and a mix of cleared and vegetated areas. The development footprint for the service station is cleared, vacant and flat;
- Is flat to gently sloping with heights ranging between 62m 72m AHD;
- Is underlain by bedrock, comprising gneiss, metamorphic rock and granatoid in the Nornalup Complex of the Albany-Fraser Orogen. The soil is predominantly grey sand however there is some coffee rock near the surface in portions of the site;
- Has a low risk of acid sulphate soils based on the Albany-Torbay Acid Sulphate soils mapping;
- Is not within a Sewage Sensitive Area;
- Is not classified as a registered contaminated site; and
- Is partly within a Public Drinking Water Source Area (PDWSA) covering the south-west section. The development footprint is located outside of the PDWSA.

2.3 Services

All required services are available including reticulated water. A fire hydrant is located opposite the proposed service station footprint. The site will be serviced with on-site sewage disposal. There is a drainage swale in the Down Road reserve.

The site fronts the sealed Down Road which is approximately 10.5 metres wide adjoining the site. As set out at https://mrwebapps.mainroads.wa.gov.au/hvsnetworkmap, Down Road can be used by Restricted Access Vehicles (RAVs up to 36.5m) in addition to as-of-right vehicles.

2.4 Heritage

The property is not within a Registered Aboriginal Heritage site as outlined on the Department of Planning, Lands and Heritage's Aboriginal Heritage Inquiry System at https://espatial.dplh.wa.gov.au/ACHIS/index.html?viewer=ACHIS. Landowners and land developers have an obligation under the Aboriginal Cultural Heritage Act 2021 to protect places and objects in Western Australia that are important to Aboriginal people because of the connections to their culture.

The site does not contain any structure or place of non-indigenous heritage significance on the City of Albany Heritage Survey or on the City's Heritage List.

3. Planning framework

3.1 Overview

The Development Application is consistent with the planning framework including State, regional and local plans.

3.2 State Planning Framework

The following are of relevance to the Development Application:

- Planning and Development Act 2005;
- Planning and Development (Local Planning Schemes) Regulations 2015;
- State Planning Strategy 2050 sets a broad strategic plan for Western Australia built on sustained growth and prosperity. The Strategy highlights the importance of job creation, economic diversity, value-adding and supports developing strong and resilient regions. Figure 17 shows Albany is within an 'economic activity area'. Table 2 A strategic approach to economic development outlines the aspiration that 'Suitable land is allocated and zoned for enterprises, business and industry, including project ready industrial lands, buffer and infrastructure':
- State Planning Policy 1 State Planning Framework Policy;
- State Planning Policy 2 Environment and Natural Resources;
- State Planning Policy 2.9 Water Resources;
- State Planning Policy 3 Urban Growth and Settlement;
- State Planning Policy 3.4 Natural Hazards and Disasters;
- State Planning Policy 3.7 Planning in Bushfire Prone Areas;
- State Planning Policy 4.1 State Industrial Buffer Policy;
- State Planning Policy 5.4 Road and Rail Noise;
- Guidelines for Planning in Bushfire Prone Areas;
- Visual Landscape Planning in Western Australia Manual;
- Environmental Protection Authority Guidance Statement 3 Separation Distances between Industrial and Sensitive Land Uses;
- Environmental Protection Authority Guidance Statement 33 Environmental Guidance for Planning and Development; and
- WQPN 52: Stormwater management in industrial sites.

Relevant documents are considered in this correspondence or in the Bushfire Management Plan.

3.3 Regional Planning Framework

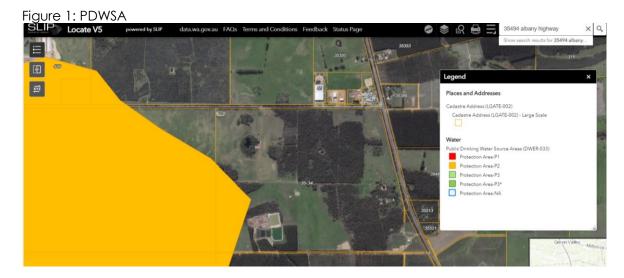
The Great Southern Regional Planning and Infrastructure Framework, Lower Great Southern Strategy 2016 and the Great Southern Regional Investment Blueprint support economic growth and job creation.

3.4 Local Plannina Framework

3.4.1 City of Albany Local Planning Scheme No. 1

The site is zoned 'Priority Agriculture' in the City of Albany Local Planning Scheme No. 1 (LPS1), with site specific controls set out in Schedule 11 – Industry Area (for Area 'IA4'). Area IA4 relates to the Mirambeena Strategic Area.

The site is within the Industrial Buffer Area IA4B4, is partly within the Albany Airport Noise Special Control Area and is partly within a Public Drinking Water Source Special Control Area (PDWSA). It is highlighted that the proposed service station is not located within the PDWSA. The proposed service station is over 1400 metres from the PDWSA as outlined in Figure 1.



Sections of LPS1 which are relevant to the Development Application, include:

- Aims of the Scheme are set out in Clause 1.9 and relevant aims include (n) and (o) to assist employment and economic growth;
- Priority Agriculture objectives are outlined in Clause 3.2.21, while clause 4.5.16 titled 'General and Priority Agricultural Zones' sets out provisions including land use and subdivision;
- Clause 3.3 and Table 2 set out the Zoning Table. 'Service Station' is a 'X' (not permitted) use in the Priority Agriculture zone. While noting this, the City has confirmed that they consider that Special Condition 2.4 for IA4 in Schedule 11 of LPS1 enables a service station to proceed with the current zoning. In particular, the City has advised that a service station can be considered as an 'A' use as per the provisions in IA4 as the development is within 200m of the boundaries of IA4 and the service station is compatible with adjoining rural land;
- Table 6 outlines carparking requirements. This requires the provision of car parking at a rate of 1 bay per pump, 1 bay per employee and 1 bay per 20m² retail area;
- Table 8 Site Requirements outlines standards for the Priority Agriculture zone including a 15m front setback;
- Clause 4.8.9.2 outlines the City has discretion to determine landscaping on land zoned Priority Agriculture;
- Schedule 1 defines services station as follows;
 - 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; or
 - (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;
- Schedule 11 Industry Zone (for Area 'IA4') sets out special conditions applying to the Mirambeena Strategic Industrial Area.

Section 5.10 of this correspondence assesses the application against LPS1.

3.4.2 Draft City of Albany Local Planning Scheme No. 2

The site is proposed to be zoned 'Priority Agriculture' and is within Special Control Area 7 - Down Road East Special Control Area Buffer. Portions of the site are within the Public Drinking Water Source and Albany Airport Special Control Areas. The proposed service station is located outside of the PDWSA.

3.4.3 Local Planning Strategy

The Local Planning Strategy (2019) identifies the Mirambeena Industrial Estate as 'Investigation Area 4 – Mirambeena Strategic Industrial Area'. The strategic direction is to 'Advocate for development of industry in Mirambeena.'

3.4.4 Local Planning Policies

The City does not have a policy relating to service stations. The key adopted Local Planning Policy of relevance to the Development Application is the Signs Policy.

3.4.5 City of Albany Strategic Community Plan

The Strategic Community Plan sets the community's vision for the future and it is the principal strategic guide for the Council's future planning and activities.

The City's vision is 'To be Western Australia's most sought-after and unique regional City to work, live and visit'. Key themes include 'Smart, Prosperous & Growing', 'Clean Green & Sustainable', 'A Connected Built Environment' and 'A Sense of Community'.

The proposal is consistent with the Community Strategic Plan including that it supports a strong and diversified economy, it supports local job creation, there are manageable environmental and landscape impacts and it promotes a safe and connected transport network.

3.4.6 Other approvals

Our client is required to obtain a Dangerous Goods Site Licence from the Department of Mines, Industry Regulation and Safety.

There is a need to obtain a Building Permit from the local government and approval for on-site sewerage disposal.

Based on the *Environmental Protection Regulations 1987*, a service station is not a Prescribed Premise. There is accordingly no requirement to obtain a Works Approval or operating licence from the Department of Water and Environmental Regulation.

4. Proposed development

The proposal seeks development approval from the City for the construction of an unmanned service station (refuelling facility) and for a 6m high x 3m wide pylon sign. The proposed pylon sign is consistent with Council's Sign Policy.

In particular, development approval is sought for an unmanned service station which will sell diesel, unleaded fuel, premium fuel and AdBlue, proposes below and above ground storage tanks (the tanks will be double contained), canopy, amenities building, two concrete crossovers and sealed vehicular accessways.

A site plan, floor plan and elevations are provided to illustrate the proposed development.

It is noted the Bushfire Management Plan considers a future workshop. It is highlighted that a workshop is not part of this Development Application.

As shown on the site plan, a row of trees or shrubs are proposed in the front setback to enhance the appearance of the site when viewed from Down Road.

All vehicle access is to/from Down Road. There will be no direct vehicle access to/from Albany Highway.

It is expected that the service station will be used by a mix of as-of-right vehicles and restricted access vehicles (RAVs), including to accommodate pocket road trains (B-triple) up to 36.5m in length.

All vehicles, including large vehicles, will enter and leave the site in a forward gear with no reversing onto Down Road.

Our client advises there will be low water and wastewater generation with the proposed facilities.

Our client seeks approval to operate 24 hours a day and open 7 days a week.

The amenities building is setback 15m from Down Road and is setback approximately 140m from Albany Highway.

Modest cut and fill earthworks will be undertaken to address City requirements including runoff and drainage controls.

It is recognised there is a need to address sediments, noise and dust, to control environmental incidents and to ensure there are contingency procedures during construction.

5. Planning Justification and Considerations

5.1 Overview

In addition to matters already set out in this correspondence, the planning justification for the proposed unmanned service station (refuelling facility) and 6m high pylon sign is outlined below. In summary, the site is suitable and capable for the proposed service station. The application is consistent with the requirements of orderly and proper planning.

5.2 Compatibility with adjoining and nearby development

The long established Mirambeena Industrial Estate is well-buffered to sensitive uses. Accordingly, there are expected to be no off-site impacts with the proposed development. The service station will be compatible with adjoining and nearby land uses.

The closest off-site sensitive use (dwelling) is approximately 320 metres from the service station located on No. 35389 Albany Highway. This is to the north-east of the proposed service station on the eastern side of Albany Highway. The Mount Romance Sandalwood Factory is located between the proposed service station and the dwelling on 35389 Albany Highway.

There is a blue gum plantation to the east of Albany Highway.

The site is opposite industrial development to the north.

The service station is around 120 metres from Albany Highway with the amenities building around 140 metres from Albany Highway. The Albany Highway reserve is wide adjoining the site (approximately 60m). This combined with the established vegetation on the eastern boundary of the application site provides an effective buffer to uses on the eastern side of Albany Highway.

Our client's property is large. Given the siting of the service station, the service station is well separated to off-site farming operations to the west and south.

Environmental Protection Authority Guidance Statement No. 3 Separation Distances between Industrial and Sensitive Land Uses (Guidance 3) provides recommendations on separation distances for industrial and sensitive land uses. Guidance 3 recommends a separation distance of 50 metres for service station operating between 7.00am to 7.00pm. Guidance 3 also recommends a separation distance of 300-500 metres, depending on type of fuel stored and size, for fuel storage (crude oil and petroleum products in tanks or vessels exceeding 2000 tonnes capacity). The identified key impacts are odour and risk.

The proposed service station addresses separation distances from sensitive uses as per the EPA Guidance 3 for a service station and fuel storage.

The Development Application is compatible with adjoining and nearby land uses/development. The reasons include:

- There is a significant buffer to off-site dwellings and sensitive uses;
- It is noted that modest sized service stations do not require major buffers and are not prescribed premises;
- Potential noise emissions associated with the service station are considered insignificant compared to the noise generated by traffic on Albany Highway;
- Albany Highway is wide adjoining the site;
- There is a requirement for operators to appropriately manage their operation and control their impacts on their own property in accordance with standard practice and legal principles;
- Lighting and light spill can be controlled to the satisfaction of the City. The mature vegetation, on the eastern boundary, assists to minimise off-site impacts; and
- Conditions imposed by the City through the development approval will assist to control the impacts of the service station.

Given the above, the proposed service station will provide for the safety and amenity of surrounding land uses. Accordingly, the site is suitable and capable of accommodating a service station based on the site's context and characteristics.

5.3 Environmental impacts

It is expected there will be no or minimal off-site environmental impacts associated with the service station. For instance:

- The development footprint for the proposed service station has been previously cleared of native vegetation;
- There are appropriate separation distances (buffers) to sensitive land uses;
- All anticipated impacts associated with the service station will be contained on the site:
- Key environmental assets, including water resources, can be suitably addressed including via preparation and implementation of a Stormwater Management Plan;
- The service station is not located within the PDWSA;
- Noise, dust and stormwater can be effectively managed:
- The site is appropriately serviced; and
- It is not a contaminated site.

5.4 Managing dust

Our client is required to manage dust from operations through construction and operations. This will be assisted through sealed accessways.

5.5 Bushfire management

The development footprint is classified as bushfire prone at https://maps.slip.wa.gov.au/landgate/bushfireprone/. The development is a 'high-risk land use' based on the definition and related provisions of *State Planning Policy 3.7 - Planning in Bushfire Areas* (SPP3.7).

The Guidelines for Planning in Bushfire Prone Areas sets out that a Bushfire Management Plan (BMP) is required to support a Development Application for a service station in bushfire prone areas.

Envision Bushfire Protection have assessed bushfire risks and have prepared a BMP for the site including setting out risk treatments and landowner responsibilities. The BMP addresses SPP 3.7, the Guidelines for Planning in Bushfire Prone Areas and the relevant requirements of the City's Annual Fire Break Notice. The includes the proposed development addresses the 'acceptable solutions' set out in the Guidelines. As outlined in section 6 of the BMP, the BMP will be implemented during construction of the service station and through on-going operations.

5.6 Services

As set out in section 2.3, the site contains relevant services. The development can be readily serviced without a major service upgrade.

The development will be provided with on-site sewage disposal. It is highlighted that the volumes of sewage wastewater will be low for the modest scale service station. Noting the property is 262.4637 hectares in area, there is sufficient space to appropriately accommodate on-site sewage disposal to the satisfaction of the City and the Department of Health. The wastewater system will be located well away from water courses, well away from the PDWSA and will be located high in the landscape.

5.7 Stormwater management

The site is generous in area (262.4637 hectares) and has sufficient space to accommodate onsite stormwater detention to address City requirements.

The submitted plans show a number of soakwells to accommodate runoff from proposed impervious areas.

As a condition of development approval, it is expected there will be a need to prepare and implement a stormwater management plan. As part of preparing a stormwater management plan, our client is required to have regard to relevant DWER publications including WQPN 52: Stormwater management in industrial sites.

The stormwater management plan will demonstrate the proposed service station can appropriately accommodate the stormwater generated by the development in the context of site features and the amount of impervious/hardstand proposed. It is expected that:

- Stormwater will be managed through soakwells;
- All stormwater from roofed and impervious areas will be collected and disposed of onsite other than in major storm events where it will be directed to the City's stormwater network;
- Clean fill will be added to assist in redirecting drainage flows; and
- There is limited potential for erosion given the site is gently sloping.

5.8 Traffic, vehicular access and vehicle car parking

The site has excellent access to the State and regional road network. Down Road is a road train route that can accommodate Restricted Access Vehicles (RAVs) to 36.5 metres in length. Given the Mirambeena Industrial Estate adjoins Albany Highway, the impact of large vehicles on general traffic is minimised.

Down Road is sealed and approximately 10.5 wide adjoining the site. Down Road is appropriately designed to allow for safe and efficient manoeuvring by both light and large vehicles.

Vehicle access to/from the site will be provided via two wide crossovers onto Down Road. As outlined on the submitted plans, the crossovers have been located to take account of median islands and turning lanes. The design of the crossovers will facilitate the safe and efficient movement of traffic including RAVs. There are appropriate sight distances in both directions. The crossovers and internal vehicle accessways will be sealed.

Most RAV traffic is expected to be associated with vehicles accessing the CBH facility at the western section of Down Road. Our client expects the facility in the short term may serve approximately 6 road trains per day.

All short-term vehicle parking associated with refuelling at the service station will be contained on site.

It is noted that:

- A wide range of trucks and other uses currently use Down Road;
- The level of traffic to and from the proposed service station (refuelling facility) will be modest and the development will have minimal impacts on Down Road;
- Noting the modest scale of the service station, there are expected to be modest RAV movements to and from the service station;
- The existing road network and intersections have sufficient capacity to address traffic generation from the proposed service station;
- The swept path analysis plan shows that a B-triple road train can enter and leave the property in a forward gear; and
- All loading/unloading will be undertaken on-site.

There will be no direct vehicular access between the service station and Albany Highway.

5.9 Landscaping

There are modest landscape considerations given the location of the service station, the context and character of the area and existing vegetation.

The site is discrete within its setting noting the location of the service station (approximately 120 metres from Albany Highway) and the existing vegetation in the Albany Highway reserve. The service station will have minimal impacts when viewed from Albany Highway. The 6m high pylon sign is consistent with the City's policy.

Our client proposes to plant a row of trees and shrubs on the northern property boundary adjacent to the service station to improve the appearance of the site when viewed from Down Road. The site plan shows indicative planting. The planting will assist in enhancing the site's appearance when viewed from Down Road.

It is recognised that the City may require the preparation and implementation of a landscape plan as a condition of development approval.

5.10 Consistency with LPS1

The proposed service station is consistent with LPS1. The below assesses the proposed development against relevant LPS1 provisions.

Table 1 – Assessment of proposal against LPS1 provisions	
Relevant objectives and provisions	Compliance
Front boundary setback (15m)	Yes
Side boundary setback (10m)	Yes
Rear setback (10m)	Yes
Use of setback areas	Yes
Plot ratio – not applicable	Yes
Landscaping – merit assessment	Yes
Bin storage areas	Can be addressed through a development condition and will be shown on the Building Permit plans. Will be effectively screened from view.
Carparking	Yes. Temporary parking with associated stacking distance is provided. Given it is an unmanned facility, there is no requirement for employee parking.
Loading areas	Yes

5.11 Supporting the local and regional economy

Approval and implementation of the service station (refuelling facility) will have various economic benefits including supporting local services, assisting in a more sustainable local economy and it will add to Albany's overall viability, vitality and prosperity.

A growing and more diverse economy provides an important foundation for the future economic base of the community. This is consistent with the planning framework which promotes employment and economic growth including in publications such as the Strategic Community Plan, LPS1 and the Economic Development Strategy.

The service station will support the provision of cost-effective fuel to Albany.

5.12 Planning justification

The proposed service station (refuelling facility) and pylon sign are considered appropriate for reasons including:

- It is consistent with the planning framework including LPS1 and the Local Planning Strateav:
- The Mirambeena Industrial Estate is a long-established industrial area which is well-buffered to sensitive uses. The development will complement and not conflict with nearby land uses;
- It is a strategic location for a service station noting it is located outside of the Albany Ring Road to facilitate access by RAVs and vehicle access will be to/from Down Road;
- The development footprint is cleared and contains no environmental assets and the development will not create any adverse environmental impacts;
- The site is appropriately serviced including with reticulated water and fire hydrants;
- Stormwater can be effectively managed to detain and treat water on-site;
- The site is not subject to heritage or landscape constraints;
- It addresses bushfire requirements including the acceptable solutions in the Bushfire Guidelines:
- The site has convenient access to the State and regional road network;

- Traffic impacts will be minimal, and traffic can readily be accommodated on Down Road;
- Vehicles will enter and leave the site in a forward gear and unloading/loading will occur on-site; and
- The pylon sign is consistent with Council's Sign Policy.

The development represents a good planning outcome and is consistent with orderly and proper planning.

6. Conclusion

Our client seeks the City's development approval for a service station (refuelling facility) and a 6m high pylon sign. This correspondence confirms that the application is consistent with the planning framework and the site is both suitable and capable of accommodating the proposed development.

7. Next Steps

We trust that the above and attached provides sufficient information to assess this application. Please contact me on 0409107336 or steve@edgeplanning.com.au should you have any questions, seek clarification or require additional information.

On behalf of our client, Edge Planning & Property trust the City will positively consider this Development Application and we look forward to receiving conditional approval at your earliest possible convenience.

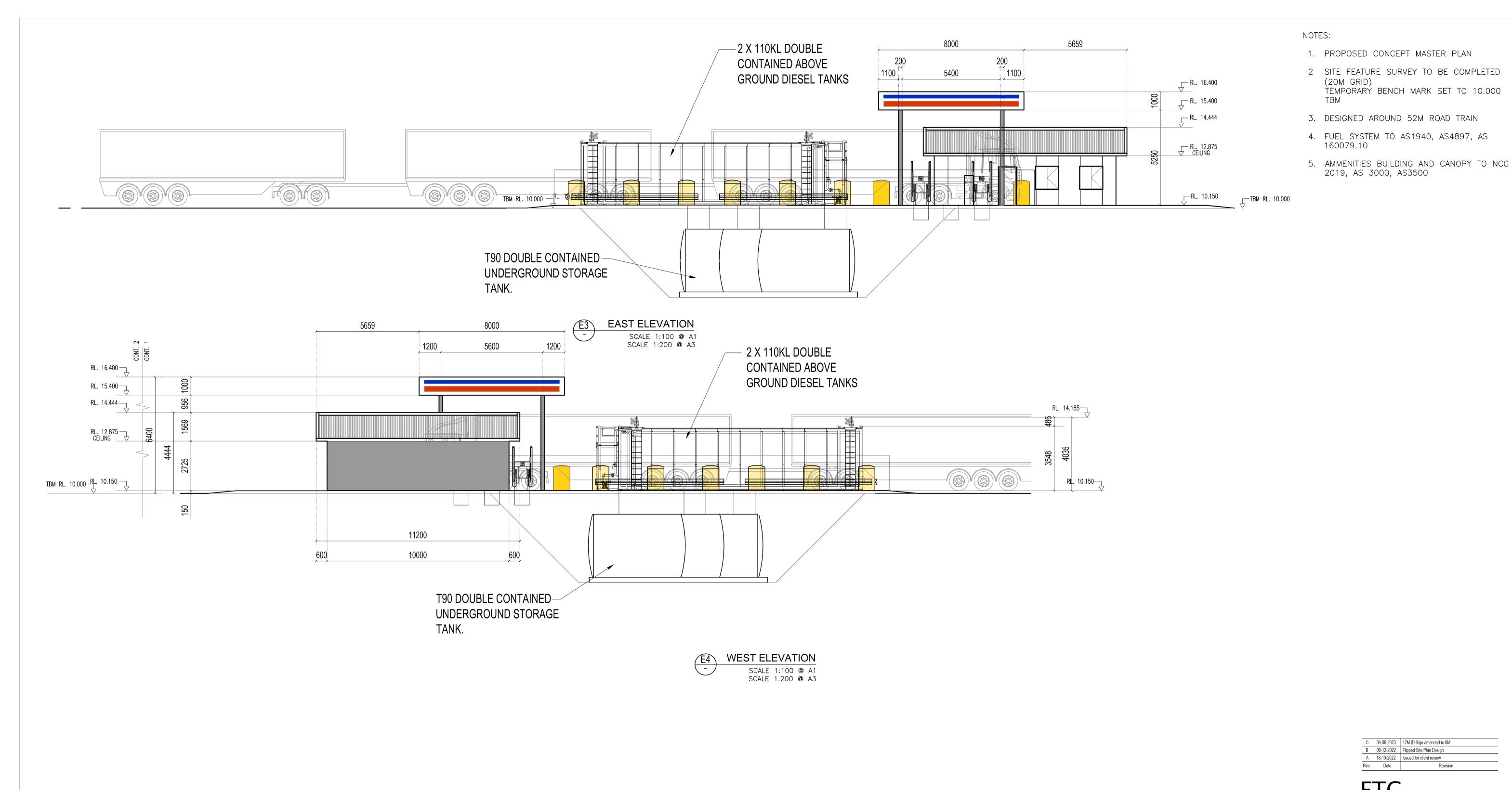
Yours sincerely

Steve Thompson

SENIOR PARTNER

29 September 2023

Enc.



6m ID SIGN

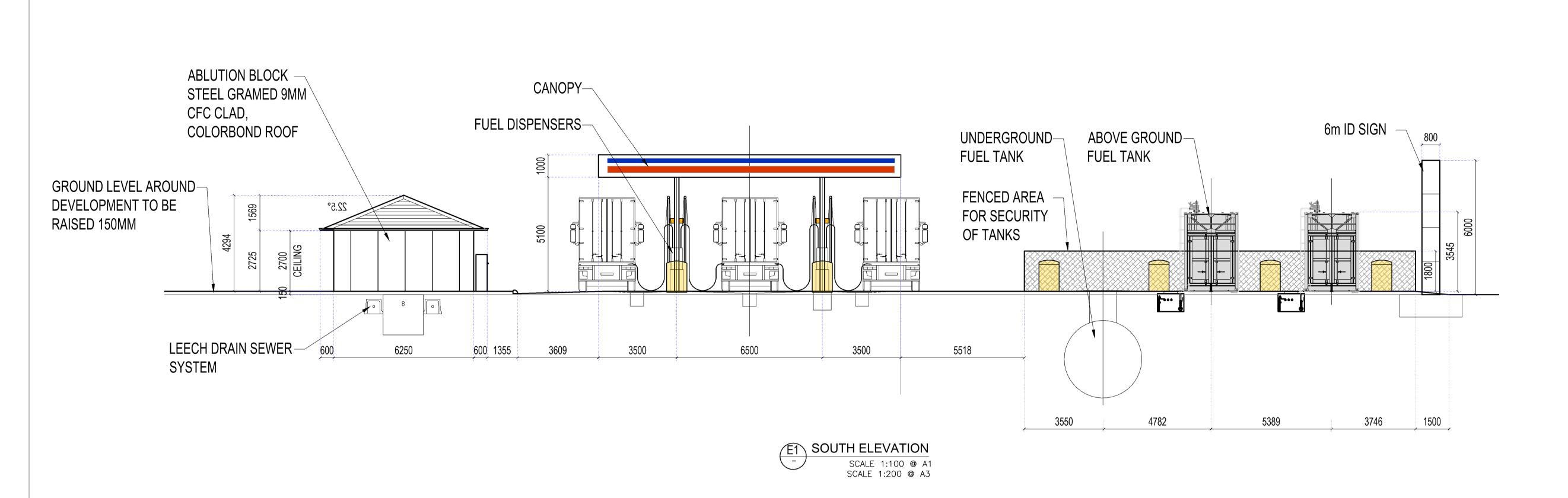
3000

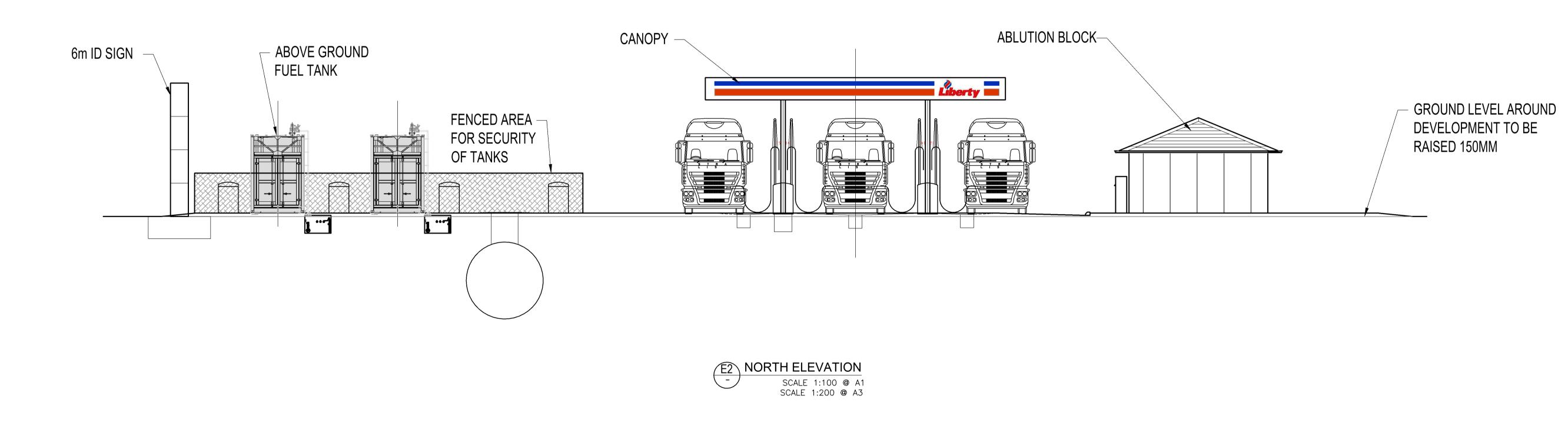
24HR FUEL

WEST ELEVATION

SCALE 1:100 @ A1 SCALE 1:200 @ A3







NOTES:

- 1. PROPOSED CONCEPT MASTER PLAN
- 2 SITE FEATURE SURVEY TO BE COMPLETED (20M GRID)
 TEMPORARY BENCH MARK SET TO 10.000
 TRM
- 3. DESIGNED AROUND 52M ROAD TRAIN
- 4. FUEL SYSTEM TO AS1940, AS4897, AS 160079.10
- 5. BUILDING TO NCC 2019, AS 3000, AS3500



