

## Deemed Provisions – CI 67 Matters to be considered by local Government

### Land Use:

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>																			
<p><b>Comment:</b> <u>Land Use</u> In relation to land use under TPS 2, refer to Council report and RAR for the item.</p> <p><u>Objective</u> Clause 5.10.1 of TPS2 states “the purpose and intent of the Rural Zone is to allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area”. TPS2 does not define a ‘rural pursuit’ however, the SAT defines a rural pursuit as something that is ‘relating to, or a characteristic of the country’. Service stations, while not exclusive to rural areas, are found in such.</p> <p><u>Car Parking:</u> Table V – Car Parking of TPS2 provides minimum standards for car parking bays dependant on land use which have been calculated in the table below. It is worth noting that there are no standards for a ‘Produce Store’ however the standard for ‘Shop’ has been used as a guide to determine whether adequate parking has been provided.</p> <table border="1" data-bbox="205 983 1385 1279"> <thead> <tr> <th>Land Use</th> <th>TPS2 standard</th> <th>Bays Required</th> <th>Bays proposed</th> </tr> </thead> <tbody> <tr> <td>Service Station</td> <td>1.5 spaces per service bay plus 1 space per employee</td> <td>4 bays</td> <td>10 bays plus 8 bays for picnic area</td> </tr> <tr> <td>Veterinary Establishment</td> <td>6 spaces per practitioner</td> <td>60 bays</td> <td rowspan="2">120 bays</td> </tr> <tr> <td>Shop</td> <td>1 bay per 15m<sup>2</sup> of GLA</td> <td>68 bays</td> </tr> <tr> <td><b>Total</b></td> <td></td> <td><b>132</b></td> <td><b>138</b></td> </tr> </tbody> </table> <p>The table shows that adequate parking has been provided and the minimum standards have been met with 6 surplus bays.</p>				Land Use	TPS2 standard	Bays Required	Bays proposed	Service Station	1.5 spaces per service bay plus 1 space per employee	4 bays	10 bays plus 8 bays for picnic area	Veterinary Establishment	6 spaces per practitioner	60 bays	120 bays	Shop	1 bay per 15m <sup>2</sup> of GLA	68 bays	<b>Total</b>		<b>132</b>	<b>138</b>
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b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<p><b>Comment:</b> The site is proposed to remain zoned ‘Rural’ under LPS3. Under the approved LPS, it is identified as Rural. It is considered that LPS3, as a seriously entertained and certain planning document, will introduce a Rural zone for the land. Under LPS3 the ‘Service Station’ land use under LPS3 is defined as: “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.” Under LPS3 the land use of ‘Service Station’ is a <u>prohibited</u> land use in the ‘Rural’ zone under draft LPS3.</p>			

LPS3 has however introduced the use class of a 'Road House', which is defined as:

*"premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services -*

- (a) a full range of automotive repair services;*
- (b) wrecking, panel beating and spray painting services;*
- (c) transport depot facilities;*
- (d) short-term accommodation for guests;*
- (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies."*

The freeway service centre is defined as:

*"premises that has direct access to a freeway and which provides all the following services or facilities and may provide other associated facilities or services but does not provide bulk fuel services -*

- (a) service station facilities;*
- (b) emergency breakdown repair for vehicles;*
- (c) charging points for electric vehicles;*
- (d) facilities for cyclists;*
- (e) restaurant, cafe or fast food services;*
- (f) take-away food retailing;*
- (g) public ablution facilities, including provision for disabled access and infant changing rooms;*
- (h) parking for passenger and freight vehicles;*
- (i) outdoor rest stop facilities such as picnic tables and shade areas."*

'Road House' is an 'A' use in the 'Rural' zone under LPS3 and therefore is capable of approval subject to advertising. Based on its definition, for a development to be considered a 'road house', it must have direct access from a state road and provide all the services or facilities provided by a freeway service centre, as listed above.

There is no definition of state road, however MRWA define it as 'A road declared under the Main Roads Act 1930 to be a highway or a main road.' In the plan of the proposed crossover for both the interim and ultimate arrangement, it connects with area of land under the Planning Control Area 161, dedicated as such for road upgrades. It is therefore reasonable to accept that the section of Kargotich Road to which the crossover connects is a State road for the purposes of LPS3. Given there is no longer objection received from MRWA in relation to the access, it is considered that the proposal can meet the definition in this regard.

With regard to the services provided by the development, the proposal is considered to meet those services provided by a 'Freeway Service Centre' and capable of falling within the land use of 'road house'. The veterinary clinic component and rural supplies store component are considered to fall within the land uses of 'Veterinary Centre' and 'Trade Supplies' respectively under draft LPS3. These land uses are both discretionary uses requiring advertising.

The objectives of the 'Rural' zone under LPS3 are:

- *"To provide for the maintenance or enhancement of specific local rural character.*
- *To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*
- *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.*
- *To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.*

- *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.”*

The objectives of rural land under the LPS are to provide for a full range of rural uses, tourism, rural enterprise and the preservation of the rural character. The LPS emphasises the importance of protecting large rural lot sizes for agriculture. LPS3 also recognises the need for provision of non-rural land uses where they have a demonstrated benefit. As discussed, the existing road network is intended to be the east-west transport corridor for freight vehicles. It is considered that the proposed development is one that would service this transport corridor as well as providing petroleum and incidental products to the local community. In this instance the service station and incidental components is considered a non-rural use with a demonstrated benefit that can be undertaken alongside surrounding rural properties.

The veterinary clinic and rural supplies store area considered to support rural and agricultural activities, consistent with the LPS3 objectives.

c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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**Comment:**

SPP3.7 seeks to implement effective risk based planning and development to preserve life and reduce the impact of bushfires on property and infrastructure. As the site is designated as bushfire prone, a Bushfire Management Statement (BMS) has been submitted as part of the initial application. The BMS has mapped and classified vegetation within 150m of the proposal and identified a Bushfire Attack Level (BAL) rating of BAL-12.5. The BMS also provides an assessment against the criteria in the *Guidelines for Planning in Bushfire Prone Areas* in relation to location, siting, vehicular access and water, as required under SPP3.7.

The BMS considers the bushfire risk manageable through the implementation of a number of measures outlined in the plan. These measures include the installation of a 10,000 litre water tank and driveway access; maintenance of an asset protection zone and compliance with firebreak notices. It is considered that the BMS satisfactorily demonstrates that bushfire risk can be managed, consistent with SPP3.7, however should the MODAP resolve to approve the application it is considered that a condition should be imposed requiring an updated BMS reflective of the relocated development.

d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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**Comment:**

e) any policy of the Commission	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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**Comment:**

f) any policy of the State	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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**Comment:**

g) any local planning policy for the Scheme area	YES	NO	N/A
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comment:</b>			
LPP4.11 – Advertising – the proposal is generally consistent with the standards however having 2 pylon signs is considered to impact on the streetscape and rural character of the area. The report recommends that a signage strategy is provided should the MODAP approve the application.			
The objectives of LPP1.6 is to facilitate public art to enhance public enjoyment, engagement and understanding of places through the integration of public art. The policy sets out the requirements for physical and financial contributions for public art for any development valued at \$1 million or greater. A condition should be imposed requiring the applicant to contribute towards public art in accordance with the policy in the event of an approval.			

h) any structure plan, activity centre plan or local development plan that relates to the development	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
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j) 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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

## Development:

k) the built heritage conservation of any place that is of cultural significance	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

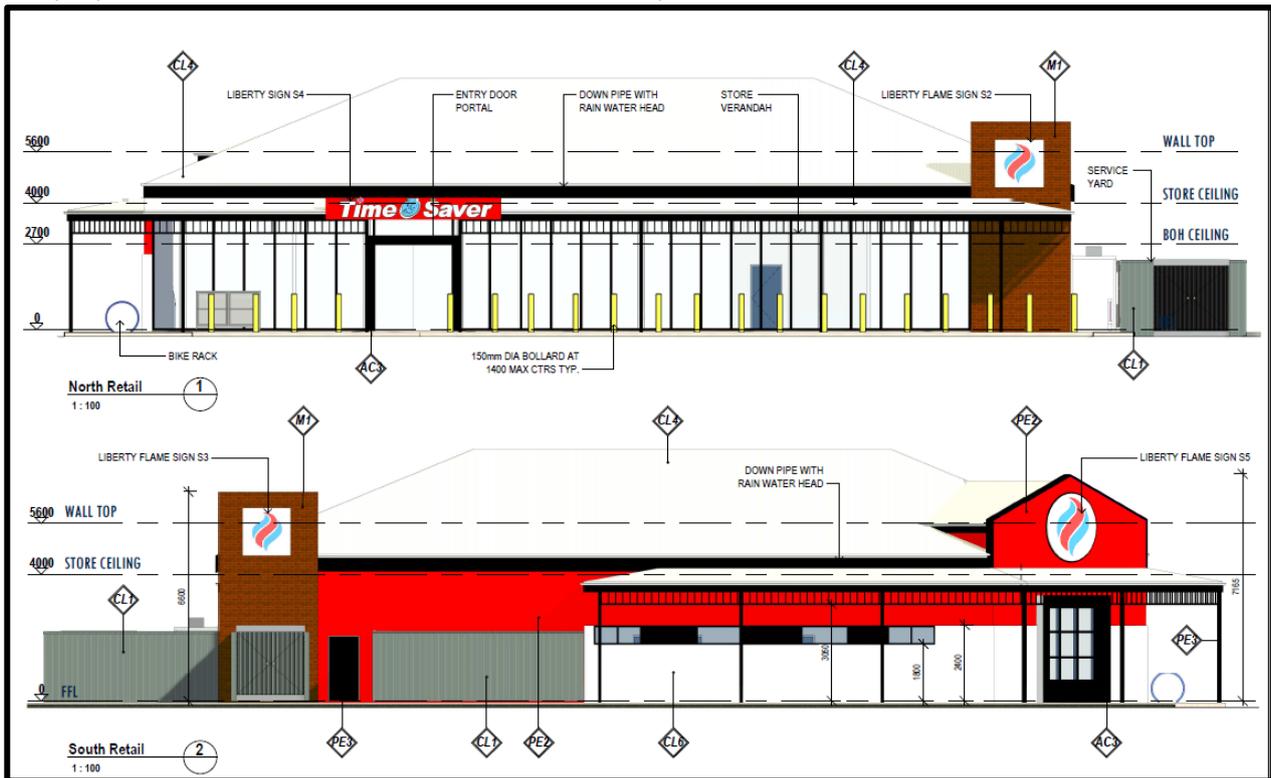
l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

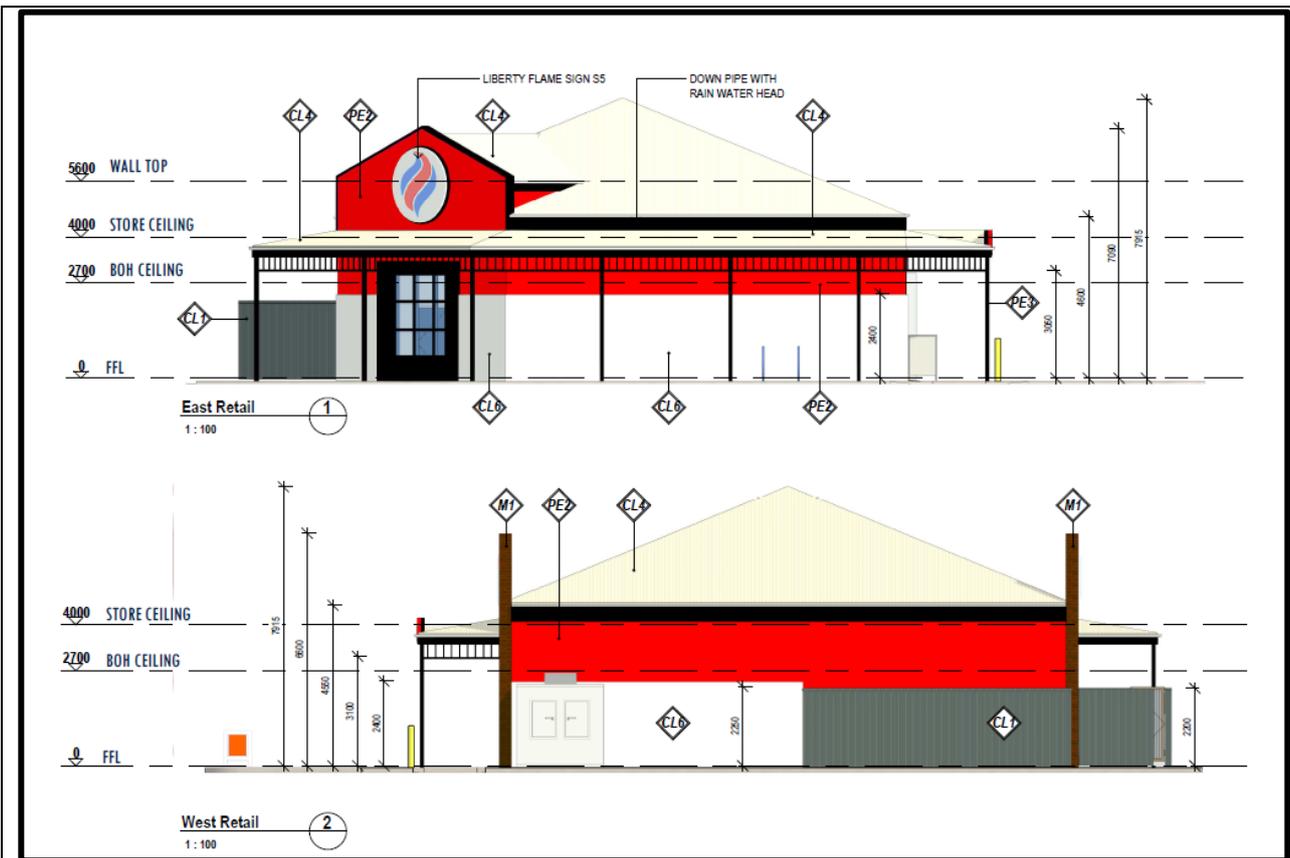
m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b> The subject site is in a prominent location for traffic entering Byford from the west as well as increased freight traffic subsequent to Westport, as the Thomas Road and Anketell Road linkage progresses. Notwithstanding the future road upgrades, the present character of the locality is rural in			

nature with a mixture of open fields and tree lined verges. The form and appearance of the proposal should therefore reflect the rural character of the locality. The character of the locality is depicted in the image below as viewed on the approach to the intersection from the east.



The proposed elevations of the 'Service Station' are depicted below:

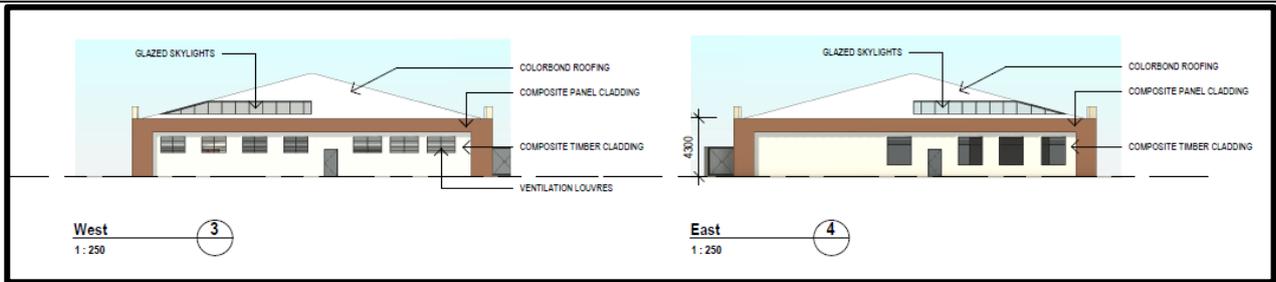




The building, as relocated, would be set back 42.3m from the existing eastern lot boundary (Kargotich Road) and approximately 126m from the existing northern lot boundary (Thomas Road). The design incorporates a hipped roof and verandah to reflect the form of a rural building. The building also features a brick feature wall, utilising materials consistent with the Shire’s rural character.

The rural supplies store and veterinary clinic would be located to the west of the service station fronting Thomas Road. The building would be set back, as relocated, approximately 90m from the northern lot boundary with the parking bays and building entrance provided to the front. The building would be cladded and have a colorbond roof. The entrance would be located centrally for both tenancies and have a pitched roof timber framed entrance way. The elevations include composite panel cladding framing the windows and composite timber cladding. There would be skylight windows adding an element of visual interest to the hipped roof. The elevations are depicted below:





It is considered that the form and design of this building is consistent with development expected in a rural area and generally reflects the rural character of the locality, with a degree of simple, symmetrical form.

**Signage**

The signage has not been amended as part of the relocation of the development except for the relocation of the pylon signs to alongside Kargotich Road instead of Thomas Road. Local Planning Policy 4.11 - Advertising (LPP4.11) sets out standards for different signage types. Table 1 of LPP4.11 sets out the permissibility of different sign types within particular zones. Both wall signs and pylon signs are not permitted in the ‘Rural’ zone under the LPP. These sign types would not typically be found within a ‘Rural’ zone and as such careful consideration is required to ensure they do not adversely impact on the rural character, notwithstanding the fact that the proposal is commercial in nature.

Table 2 of LPP4.11 sets out acceptable development standards for signage. The proposed signage is addressed against this criteria in the table below. The permissibility and variations to the LPP are discussed later in the report and are considered in relation to the objectives of the LPP.

Sign Type	Policy Requirements	Proposal
2x canopy signs S2 and S3	<ul style="list-style-type: none"> <li>• Is a single faced sign.</li> <li>• Must be compatible with the canopy and building on which it is displayed.</li> <li>• Must not be illuminated unless the nature of the illumination and/or materials is such as to prevent combustion.</li> <li>• Must have a minimum clearance of 2.75m to any rigid part of the canopy, and 2.4m to any flexible part of the canopy, and a footpath pavement, where pedestrian access is to be maintained.</li> </ul>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
4 x Liberty Wall signs (s2, S5 x2, s4)	<ul style="list-style-type: none"> <li>• A wall sign is to only to display the name, logo or slogan of the business premises to which the sign is applied.</li> <li>• The maximum single face area is 10m<sup>2</sup>, and must not extend beyond 12.0m above the ground even if the wall is higher than this.</li> <li>• Must not project more than 300mm from the wall and/or fascia to which it is affixed.</li> <li>• Must not project beyond the edges of a wall and/or fascia.</li> </ul>	<p>Compliant</p> <p>Compliant</p> <p>S2 – 2.25m<sup>2</sup></p> <p>S4 – 4.13m<sup>2</sup></p> <p>S5 – 4.49m<sup>2</sup></p> <p>Compliant</p> <p>Compliant except for Timesaver Sign (S4) which extends above the ro</p>
Pylon sign –	<ul style="list-style-type: none"> <li>• The maximum sign face area is 10m<sup>2</sup> per face, for a maximum of two faces.</li> </ul>	<p>Veterinary Clinic and Supplies 14.12m<sup>2</sup></p>

	<ul style="list-style-type: none"> <li>• The maximum height above the ground is to be 6.5m or the height of a building in close proximity, whichever is the greater, but is not to exceed 10m. The height of a building is defined as the height of the uppermost part of the building above ground level.</li> <li>• Must be mounted as a free-standing structure.</li> <li>• Must not be located less than 1.5m from the front property boundary (including the primary and secondary street frontages of a corner lot), and must not project beyond the alignment of any property boundary.</li> <li>• Must not face adjoining premises unless the sign is a minimum of 3.0m from the property boundary of that premises, or unless the landowner of the adjoining premises consents to the sign being a lesser distance from the boundary.</li> <li>• Must not expose an unsightly back view of the sign to a road or other public place. Must not be located on a street frontage of a premises along which is located another pylon sign, billboard sign or pole sign.</li> </ul>	<p>Service Station pylon – 16.24m<sup>2</sup></p> <p>Veterinary Clinic and Rural Supplies 7.05m</p> <p>Service Station – 7.2m</p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p>	
Rural Supplies x2 Wall signs	<p>A wall sign is to only to display the name, logo or slogan of the business premises to which the sign is applied.</p> <ul style="list-style-type: none"> <li>• The maximum single face area is 10m<sup>2</sup> , and must not extend beyond 12.0m above the ground even if the wall is higher than this.</li> <li>• Must not project more than 300mm from the wall and/or fascia to which it is affixed.</li> <li>• Must not project beyond the edges of a wall and/or fascia.</li> </ul>	<p>Y</p> <p>Branding – 3.75m<sup>2</sup></p> <p>Deliveries – 2.92m<sup>2</sup></p> <p>Y</p> <p>Y</p>	
Veterinary Clinic 2x wall signs	<p>A wall sign is to only to display the name, logo or slogan of the business premises to which the sign is applied.</p> <ul style="list-style-type: none"> <li>• The maximum single face area is 10m<sup>2</sup> , and must not extend beyond 12.0m above the ground even if the wall is higher than this.</li> <li>• Must not project more than 300mm from the wall and/or fascia to which it is affixed.</li> <li>• Must not project beyond the edges of a wall and/or fascia.</li> </ul>	<p>Y</p> <p>Branding – 3.75m<sup>2</sup></p> <p>Deliveries – 2.92m<sup>2</sup></p> <p>Y</p> <p>Y</p>	
<u>Variations</u>			

Pylon signs and wall signs are listed as not permitted within the 'Rural' zone. The wall signs are considered an appropriate sign type in this case given the commercial nature of the development and the fact they are generally compliant with the standards set out in the LPP.

LPP4.11 states that where acceptable standards cannot be met an assessment against the performance criteria outlined under Table 2 is required. The Table 2 criteria are addressed below in relation to the variations:

Sign Type	Performance Criteria	Proposal
Pylon Signs	<p>Size Is in keeping with scale of the development or site on which it is proposed.</p> <p>Colour and Shape Is complementary to the development and surrounding landscape.</p> <p>Number There is not an excess of signage that detrimentally impacts on the visual amenity and character of the area.</p> <p>Location The location is sympathetic to the existing landscape /streetscape and does not impede on the function of the approved use for the site.</p> <p>Design The scale and form of the sign complements the building /development and does not obstruct key architectural features.</p>	<p>Given the height of the proposed rural supplies and vet building in close proximity is approximately 7m, it is considered that the scale of the pylon signs is relatively consistent with the scale of the development.</p> <p>The colour of the pylon signs is not considered particularly sympathetic to the surrounding rural landscape and having two pylon signs along the same street frontage is considered to adversely impact on the character of the locality and the streetscape.</p> <p>The design of the signs do not include any features consistent with the rural zone</p>

The submitted plans include various other signs that are not shown on the site plan. Should Council or the MODAP support the application it is considered that a signage plan should be required by way of a condition to ensure details of all signage is provided and consistent with the rural character of the locality. As part of the signage plan, the condition should limit no more than one pylon sign is permitted for the whole development.

n) the amenity of the locality including the following –

- I. Environmental impacts of the development
- II. The character of the locality
- III. Social impacts of the development

**YES**



**NO**



**N/A**



**Comment:**

Given the relocation of the development, the applicant has provided an updated Environmental Acoustic Assessment. The proposal would operate 24 hours per day, seven days a week. Due to the existing traffic volumes on both Kargotich and Thomas Road, it is considered that the proposal would not adversely impact on adjoining landowners by way of traffic noise due to the additional traffic numbers provided within the Traffic Impact Assessment.

It is acknowledged that additional noise would be resultant from the operations of the facility. The EPA Guidelines require a separation distance of 100m between service stations and sensitive receptors. In this case, the proposal is compliant with this requirement.

The Acoustic Assessment details noise sources as Mechanical Services; Tyre Inflator beeper; Car and truck doors closing; and breakout noise from veterinary clinic. The closest sensitive receptors are detailed in the report as per the plan below:



The acoustic assessment uses a modelling programme to calculate noise levels from different sources to determine compliance. The tables below detail each noise source, the assigned level (acceptable level) and the level at each sensitive receptor as shown above.

**TABLE 6.2 – ASSESSMENT OF L<sub>A10</sub> NOISE LEVEL EMISSIONS  
MECHANICAL SERVICES**

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable Assigned L <sub>A10</sub> Noise Level (dB)	Exceedance to Assigned Noise Level (dB)
Residences to North	26	Night Period	41	Complies
Residence to East	28	Night Period	41	Complies

**TABLE 6.3 – ASSESSMENT OF L<sub>A1</sub> NOISE LEVEL EMISSIONS  
REFRIGERATED TRUCKS**

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable Assigned L <sub>A1</sub> Noise Level (dB)	Exceedance to Assigned Noise Level (dB)
Residences to North	34	Day Period	61	Complies
		Sunday / Public Holiday Day Period	56	Complies
		Evening Period	56	Complies
		Night Period	51	Complies
Residence to East	38	Day Period	61	Complies
		Sunday / Public Holiday Day Period	56	Complies
		Evening Period	56	Complies
		Night Period	51	Complies

**TABLE 6.5 – ASSESSMENT OF L<sub>AMAX</sub> NOISE LEVEL EMISSIONS  
CAR DOOR**

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable Assigned L <sub>AMax</sub> Noise Level (dB)	Exceedance to Assigned Noise Level (dB)
Residences to North	38	Day Period	71	Complies
		Sunday / Public Holiday Day Period	71	Complies
		Evening Period	61	Complies
		Night Period	61	Complies
Residence to East	42	Day Period	71	Complies
		Sunday / Public Holiday Day Period	71	Complies
		Evening Period	61	Complies
		Night Period	61	Complies

**TABLE 6.7 – ASSESSMENT OF L<sub>AMAX</sub> NOISE LEVEL EMISSIONS  
TRUCK DOOR**

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable Assigned L <sub>AMax</sub> Noise Level (dB)	Exceedance to Assigned Noise Level (dB)
Residences to North	48	Day Period	71	Complies
		Sunday / Public Holiday Day Period	71	Complies
		Evening Period	61	Complies
		Night Period	61	Complies
Residence to East	52	Day Period	71	Complies
		Sunday / Public Holiday Day Period	71	Complies
		Evening Period	61	Complies
		Night Period	61	Complies

**TABLE 6.9 – ASSESSMENT OF L<sub>AMAX</sub> NOISE LEVEL EMISSIONS  
DOG BARK**

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable Assigned L <sub>AMax</sub> Noise Level (dB)	Exceedance to Assigned Noise Level (dB)
Residences to North	33	Day Period	71	Complies
		Sunday / Public Holiday Day Period	71	Complies
		Evening Period	61	Complies
		Night Period	61	Complies
Residence to East	38	Day Period	71	Complies
		Sunday / Public Holiday Day Period	71	Complies
		Evening Period	61	Complies
		Night Period	61	Complies

The results show that compliance with the noise levels is achieved.

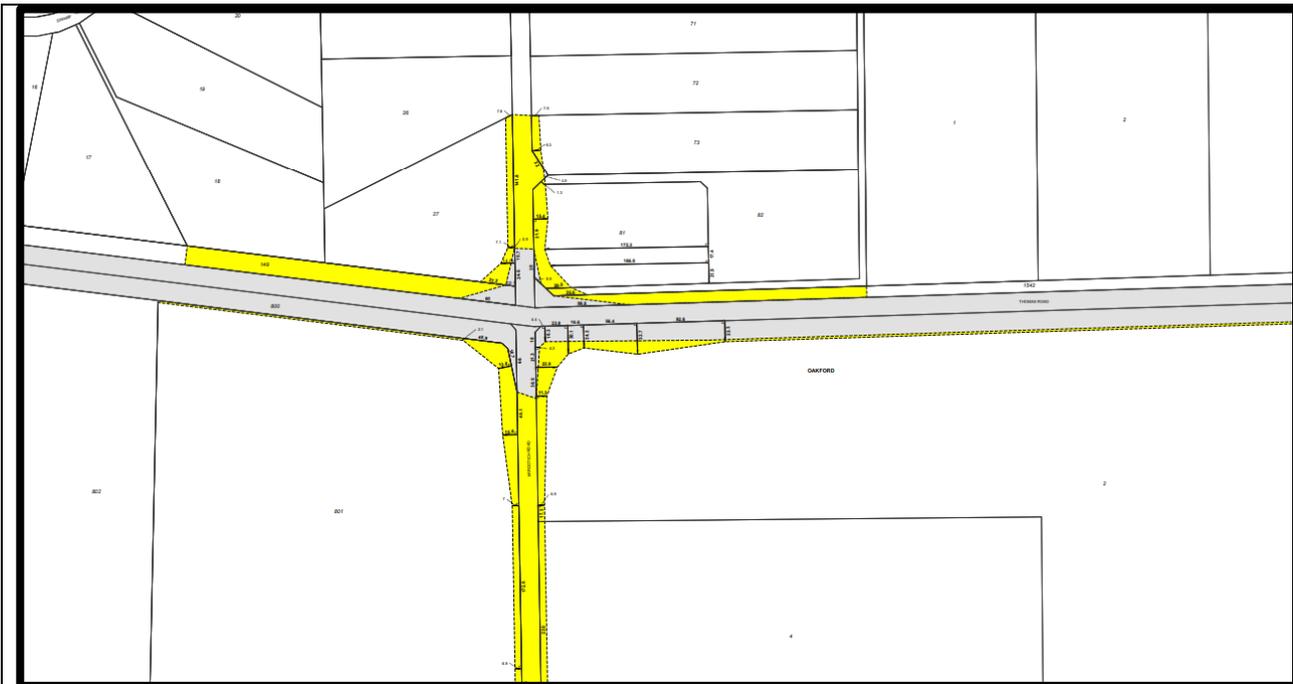
o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

p) 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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

r) the suitability of the land for the development taking into account the possible risk to human health or safety	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

s) the adequacy of –	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<ul style="list-style-type: none"> <li>I. The proposed means of access to and egress from the site; and</li> <li>II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles</li> </ul>			
<p><b>Comment:</b> Thomas Road is classified as a Primary Distributor and operates under the speed limit of 80km/h in the vicinity of the subject site. The speed limit is reduced to 70km/h to the east of the Kargotich Road intersection.</p> <p>A revised Traffic Impact Assessment (TIA) has been submitted which details that Thomas Road (west of Kargotich Road) carried approximately 17,846 vehicles per day (vpd) on a regular weekday in 2019/20 with the morning peak between 7:00am and 8:00am being 1,525vph. The afternoon peak was recorded at 1,792vph between 4:00pm and 5:00pm.</p> <p>Kargotich Road is classified as a Regional Distributor with a speed limit of 90km/hr in the vicinity reducing to an advisory (yellow sign) 40km/h on the approach to the Thomas Road intersection and increasing to 80km/h to the north of the intersection. Kargotich Road carried approximately 3,272vpd on a regular weekday in 2019/20 with the morning peak of 261vph between 7:00am and 8:00am and the afternoon peak of 349vph between 4:00pm and 5:00pm.</p> <p>According to MRWA mapping, Thomas Road is a RAV 7 network which can accommodate vehicles up to 36.5m in length and Kargotich Road is a RAV 3 network which can accommodate vehicles up to 27.5m in length.</p> <p><i>Road Upgrades:</i></p> <p>Thomas Road is the subject of an ‘under construction’ safety project of MRWA which specific to this application includes the construction of a dual lane roundabout at the intersection of Thomas Road and Kargotich Road. This work is anticipated by MRWA to commence later this year. There is also Planning Control Area 161 (PCA 161) declared over the land shown in yellow on the plan below.</p>			

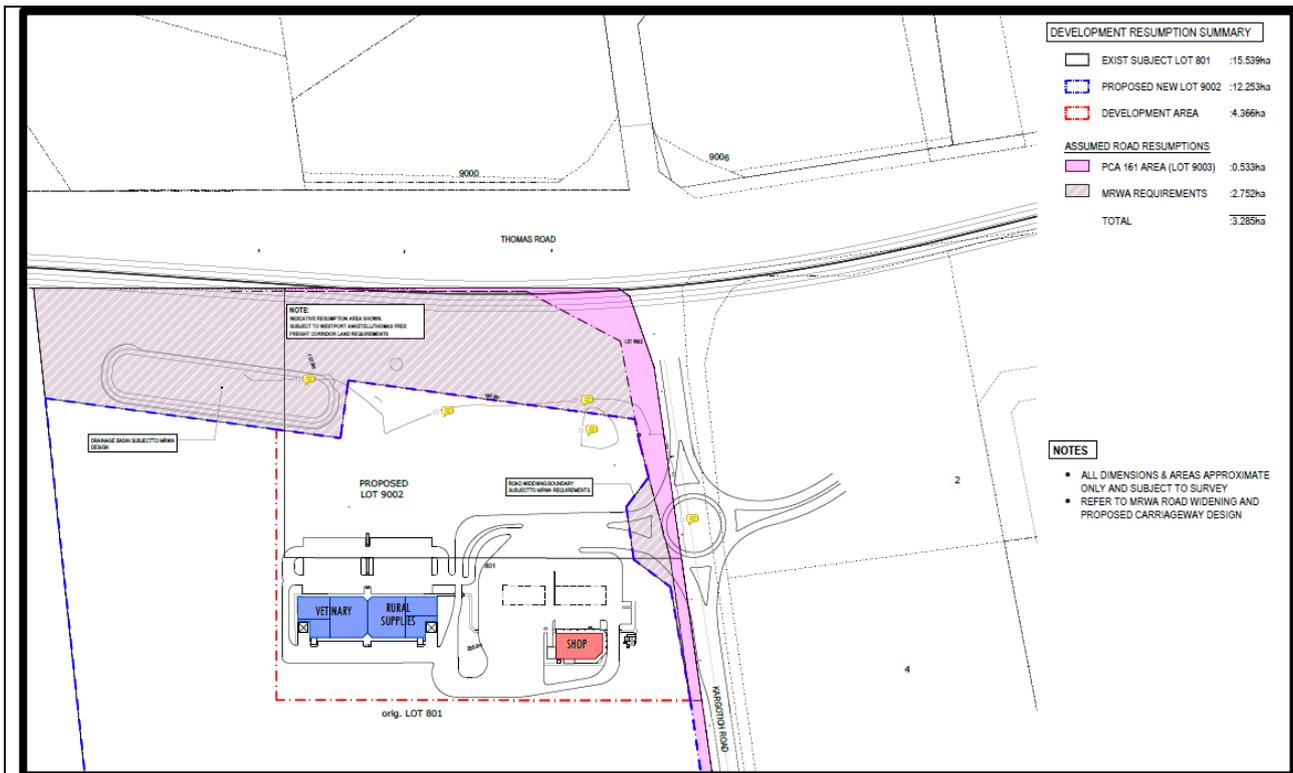


The purpose of this area is to protect land for future road upgrades to allow Thomas Road to achieve its freight and regional functions. The WAPC considers that the PCA is required to ensure that no development occurs on this land which might prejudice this purpose until it may be reserved for Primary Regional Road under the MRS.

As part of the Westport Project which seeks to improve freight linkages from Kwinana, concept plans for the project have identified a grade separated interchange is the most likely intersection configuration that will be required at the intersection of Thomas Road and Kargotich Road. The concept of this is depicted below:



The grade separated intersection would allow uninterrupted flow of freight vehicles whilst maintaining local road connections supporting the growth of industry. This will require reconsideration of the land requirements identified for the PCA. Whilst the revision of the PCA is not yet formalised, in consultation with the WAPC and MRWA the applicant has provided a plan depicting the assumed new land required in relation to the development as depicted below:

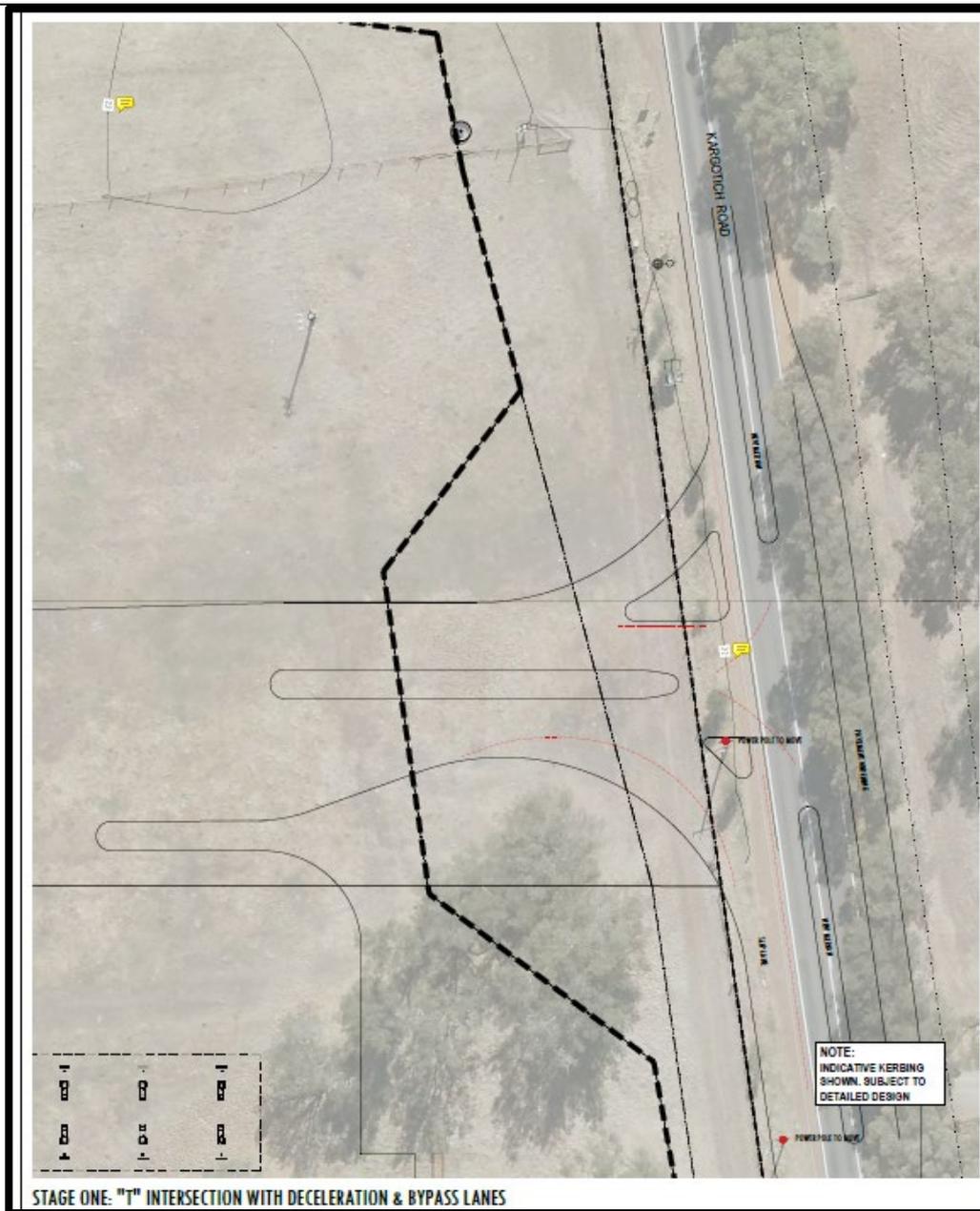


The future road upgrades were the main reason for the deferral of the application by the MODAP. The applicant has consulted with both the WAPC and MRWA and provided amended access arrangements for the proposed development accordingly.

As amended, the application proposes one full movement crossover on Kargotich Road with an ultimate arrangement taking into account the future grade separated intersection and an interim solution should the development be completed prior to the grade separated intersection.

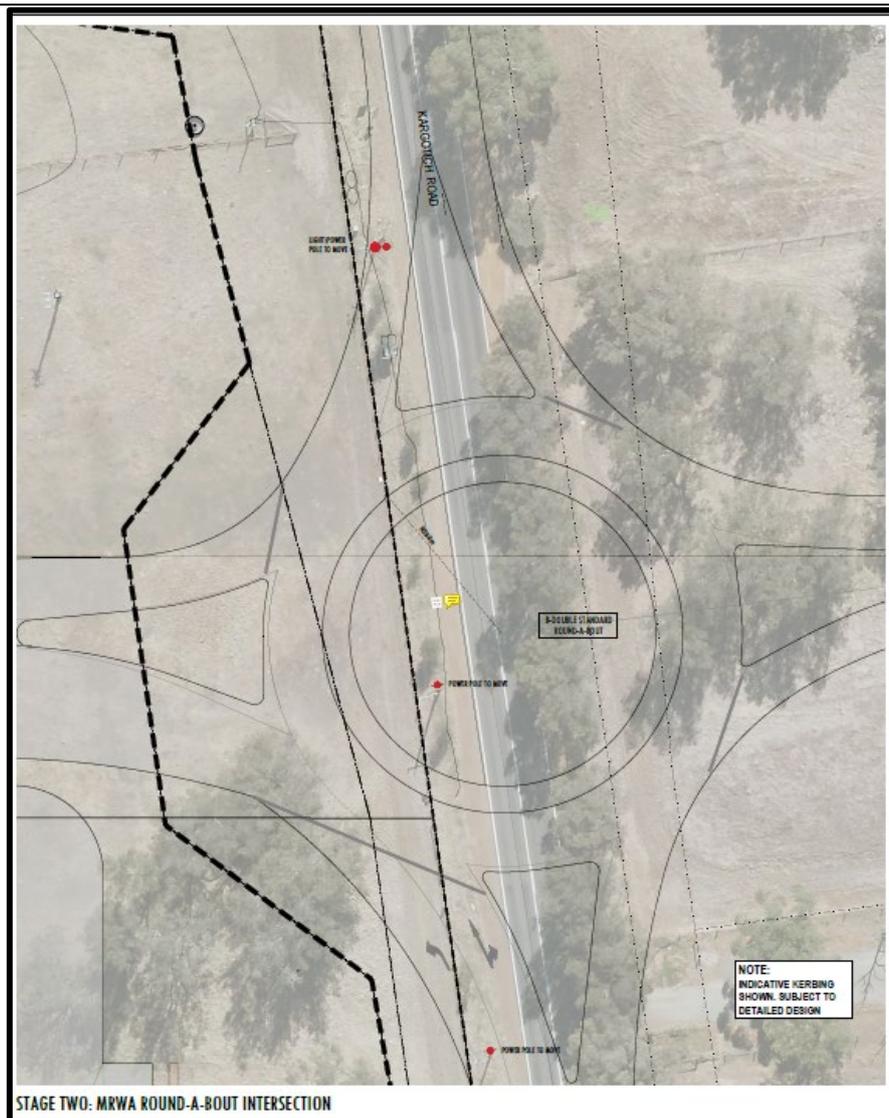
*Interim Scenario:*

The interim scenario is based around the roundabout being constructed at the intersection of Thomas Road and Kargotich Road and comprises of a 'T' intersection. As part of the upgrades of the roundabout intersection, approach and departure lanes on Thomas Road will be upgraded to two lanes and approach lanes northbound on Kargotich Road (south of the roundabout) will also be upgraded to two lanes. These upgrades will accommodate RAV vehicles for Thomas Road and Kargotich Road and as such allow for the fuel tankers and heavy vehicles associated with the 'service station'.



*Ultimate Scenario:*

Once the grade separated intersection is constructed, access to the site would be upgraded from a 'T' intersection to a roundabout with the fourth leg of the roundabout being the Thomas Road westbound on and off ramp, as depicted below:



These proposed access arrangements are to the satisfaction of MRWA who has confirmed that the development can occur without compromising the current or future plans for the road network.

#### *Traffic Impact*

The TIA states that the traffic generated by the proposal combined with the peak road network traffic would result in the greatest demand on the road network during the typical weekday morning peak between 7:00am to 8:00am and an afternoon peak hour between 4:00pm and 5:00pm.

With regard to traffic impacts of the proposal, the TIA assumes that 80% of light vehicles for the service station are passing vehicles, 100% of heavy vehicles are passing vehicles and 100% of vehicles for the rural supplies and vets are non-passing vehicles. The TIA details the net additional traffic as shown in the table below.

**Table 2. Estimated peak hour trips for the proposed development**

Land use	Passing Trade	Daily Trips	AM		PM		Non-passing Traffic	Daily Trips	AM		PM	
			IN	OUT	IN	OUT			IN	OUT	IN	OUT
Roadhouse (light vehicles)	80%	3394	103	103	118	118	20%	848	26	26	30	29
Roadhouse (heavy vehicles)	100%	660	26	26	26	26	0%	0	0	0	0	0
Rural Supplies -	0%	0	0	0	0	0	100%	151	7	7	10	10
Veterinary	0%	0	0	0	0	0	100%	191	16	16	16	16
<b>Total</b>		<b>4054</b>	<b>129</b>	<b>129</b>	<b>144</b>	<b>144</b>		<b>1190</b>	<b>49</b>	<b>49</b>	<b>55</b>	<b>55</b>

To inform the TIA, a SIDRA analysis was undertaken for both post development (roundabout intersection) and post development (grade separation). The results show that the roundabout intersection would operate at good level of services during both typical AM and PM peak hours with the maximum of approximately a three vehicle queue in the eastbound direction of Thomas Road in AM peak hour and a four vehicle queue in the westbound direction of Thomas Road in PM peak hour. They also indicate that the crossover proposed would operate at a good level of service.

Once the grade separated intersection is constructed, access to the site would be upgraded from a T intersection to a roundabout with the fourth leg of the roundabout being the Thomas Road westbound on and off ramp. The SIDRA analysis found that this roundabout intersection would operate satisfactorily and within capacity in the ultimate scenario.

Based on the information provided in the TIS, it is considered that the traffic operations of the proposed development are acceptable and can be satisfactorily be accommodated by the surrounding road network. The TIA also includes turn path analysis for 27.5m trucks, 19m fuel tanker and 8.8m service delivery trucks which demonstrate satisfactory access, circulation and egress. It is anticipated that fuel delivery and waste collection will be undertaken outside of peak operating times.

t) 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

**YES****NO****N/A****Comment:** Traffic Impact

With regard to traffic impacts of the proposal, the TIA assumes that 80% of light vehicles for the service station are passing vehicles, 100% of heavy vehicles are passing vehicles and 100% of vehicles for the rural supplies and vets are non-passing vehicles. The TIA details the net additional traffic as shown in the table below:

**Table 2. Estimated peak hour trips for the proposed development**

Land use	Passing Trade	Daily Trips	AM		PM		Non-passing Traffic	Daily Trips	AM		PM	
			IN	OUT	IN	OUT			IN	OUT		
Roadhouse (light vehicles)	80%	3394	103	103	118	118	20%	848	26	26	30	29
Roadhouse (heavy vehicles)	100%	660	26	26	26	26	0%	0	0	0	0	0
Rural Supplies -	0%	0	0	0	0	0	100%	151	7	7	10	10
Veterinary	0%	0	0	0	0	0	100%	191	16	16	16	16
<b>Total</b>		<b>4054</b>	<b>129</b>	<b>129</b>	<b>144</b>	<b>144</b>		<b>1190</b>	<b>49</b>	<b>49</b>	<b>55</b>	<b>55</b>

To inform the TIA, a SIDRA analysis was undertaken for both post development (2022) and 10 years post development (2032). Post development the roundabout intersection would operate at good Level of Services during both typical AM and PM peak hours with the maximum of approximately a 3 vehicle queue in the eastbound direction of Thomas Road in AM peak hour and 4 a vehicle queue in the westbound direction of Thomas Road in PM peak hour.

The TIA considers that 10 years post development the intersection would still operate at good Level of Services during both typical AM and PM peak hours. The maximum queues reported are approximately 4 vehicles in the eastbound direction of Thomas Road in AM peak hour and 7 vehicles in the westbound direction of Thomas Road in PM peak hour.

Based on the information provided in the TIS, it is considered that the traffic operations of the proposed development are acceptable and can be satisfactorily be accommodated by the surrounding road network.

The TIA also includes turn path analysis for 27.5m trucks, 19m fuel tanker and 8.8m service delivery trucks which demonstrate satisfactory access, circulation and egress. It is anticipated that fuel delivery and waste collection will be undertaken outside of peak operating times.

The TIA reports that both crossovers would operate at a good level of service however reports that that 95% queue on Kargotich Road northbound in PM peak hour is 31.1m which will extend past the left turn exit only crossover (crossover 2) on Kargotich Road. Further, it should be noted that 95% of time during the PM peak hour, the queue would be less than that reported in SIDRA and therefore the reported queue length would only occur during 5% of this peak hour which is equivalent to 3 minutes only. The reported average queue length (50% of the peak hour time) on this approach is 12.5m which does not extend to crossover 2. Officers have already raised concerns in relation to this northernmost crossover and proximity to the roundabout and consider that the queueing of traffic passed the crossover increases the potential safety impact of the proposal.

u) the availability and adequacy for the development of the following –	<b>YES</b>	<b>NO</b>	<b>N/A</b>
I. Public transport services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
II. Public utility services			
III. Storage, management and collection of waste			

IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities)			
V. Access by older people and people with disability			
<b>Comment:</b>			

v) 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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

w) the history of the site where the development is to be located	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

y) any submissions received on the application	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

Za) the comments or submissions received from any authority consulted under clause 66	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			

Zb) any other planning consideration the local government considers appropriate	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			