BROWN COMMERCIAL BUILDING

PH: (02)4966 0218
ABN: 14 619 195 078
P.O. Box 596 East Maitland NSW 2323

Dated: Feb 2025

STATEMENT OF

ENVIRONMENTAL EFFECTS

PROPOSED DEVELOPMENT AND SUBJECT LOCATION:

Service station, illuminated, non-illuminated signage

71 Turton Street, Metford
Lot 418, 419 DP 41113

Applicant

Brown Commercial Building Pty Ltd

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1.0 INTRODUCTION

This Statement of Environmental Effects relates to the proposed Service station, ancillary car wash and associated works at 71 Turton Street, Metford. This SoEE is submitted in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979, which requires the consideration of environmental impacts, the suitability of the site for development, and the public interest. This document addresses the following key considerations as outlined in the Act:

- Compliance with applicable environmental planning instruments, proposed instruments subject to public consultation, development control plans, and any relevant planning agreements.
- Evaluation of the likely impacts of the development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.
- Assessment of the site's suitability for the proposed development.
- Consideration of any submissions made in accordance with the Act or regulations.
- Ensuring that the development aligns with the public interest.

This SoEE concludes that the proposal is consistent with the objectives and provisions of the Maitland Local Environmental Plan 2011 and Maitland Development Control Plan 2011.

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2.0. PRE DA-MEETING ADVICE

A Pre DA meeting was held on the 22nd August 2024, regarding the proposed service station. It is noted that the proposal now incudes a car wash, which was not included on the plans at the time of the meeting. Table 1 outlines the comments received from Council and applicant response.

Table 1 – Pre DA meeting

Item	Council Response	Applicant response
1. State Environmental Planning Policy (resilience and Hazards) 2021	Identifies petrol stations maybe potentially hazardous, documentation submitted with any future DA must address Part 3 'Potentially hazardous or potentially offensive development' a preliminary hazard analysis in accordance with the current circulars and guidelines. Part 3.12 outlines matters for consideration by consent authorities. Should the development include the storage and sale of LPG gas cylinders, further consideration of relevant procedures for dealing with such must be addressed. Previous similar applications have provided Dangerous Goods and Fuel Electrical Systems plan in a draft operational plan which includes information on complaint handling and transportation of dangerous goods. Part 4 'Remediation of Land' to be addressed in any application including submission of a preliminary site investigation.	A SEPP assessment PHA has been submitted with this application that addresses concerns under the Resilience and Hazard SEPP. The results noted that the societal risk of the application is negligible. A PSI accompanies this application.

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2. State Environmental Planning Policy (Industry and Employment) 2021	Chapter 3 – Advertising and signage and Schedule 5.	The SEPP is addressed below.
3. Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019,	Matters to be addressed	Relevant clauses are addressed below.
4. DCP	This development must comply with the below chapters of the DCP. - Chapter B.6 - Chapter C.1 - Chapter C.5 - Chapter C.6 - Chapter C.11 - Chapter C.12	All relevant chapters of the DCP are addressed in the following report below.
5. Noise	Noise is potentially one of the primary environmental impacts associated with the proposed development. Consideration is to be given to the proximity of sensitive residential receivers along Chelmsford Drive. A Noise Impact Assessment ("NIA") may be required and should consider, but not limited to, the following: • Truck and car movements to and from the site, including truck loading and unloading and car movements within the site. • Location and emissions of any infrastructure. • Any potential operational impacts occurring both during	A Noise Impact Assessment has been provided with this application and notes the following, The assessment has quantified potential operation emissions pertaining to customer generated noise, including light vehicles, truck goods or fuel deliveries, waste collections and mechanical plant. The results of the Noise Assessment demonstrate that noise emissions from the project would satisfy the relevant PNTLs at all assessed receivers for all assessment periods once noise controls for the project are implemented (see Section 6.1): • the project is constructed as per the site design and plans (as presented in Appendix B) which includes

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	hours of trade and hours of operation. The proposed hours of operation will be of significance with early morning and late-night operational noise more likely to result in unreasonable impacts. The assessment is required to confirm that noise levels will meet appropriate standards and outline any acoustic attenuation measures which may be required to be integrated into the development. The acoustic assessment must be prepared by a qualified acoustic professional. The acoustic report should provide a list of recommendations to ensure the proposal complies with relevant Government guidelines and standards and that adjoining residents have a reasonable level of amenity and are not adversely affected by the proposal.	the barrier attenuation provided by buildings orientation; and ・ the mechanical cooling and ventilation plant are located in the coral of the project, which is surrounded by the coral boundary fence, which extends 2.2m above the relative ground level of the coral area.
6. SEE	A detailed statement of environmental effects (SoEE) is required that fully addresses the likely environmental impacts of the development (including impacts on both the natural and built environments), the social and economic impacts in the locality, and how the environmental impacts of the development have been identified. The SoEE should demonstrate how identified impacts will be mitigated. The SoEE must also address site suitability and demonstrate that in designing the proposal you have fully considered and responded to	This report addresses these concerns.

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	the applicable site constraints legislative provisions. Any departures from Council's policies and DCP should be justified with appropriate reasons for justification.	
7. Vehicle access, traffic and parking	a traffic impact assessment (TIA) is required to be submitted with any future DA. The TIA must include assessment of right turn from Chelmsford Drive to Turton Street. This may require closing, i.e. extension of median. Other matters that must be addressed at DA stage: • Provide pedestrian facilities for safe access through the site, including an access point from Turton Street. • Provide pedestrian footpath along both frontages, desire for pedestrians to access food & drink premises from neighbouring residential and commercial uses. • Referral to TfNSW for traffic generating development • Refuelling areas shall not block main entry/exit • Car parking and circulation areas to comply with AS2890.	There are no pedestrian facilities in this area. As food and drink component has been removed this is N/A This notion is contested, no referral is required as the development is located further than 90m from a state road and does not have heavy vehicle fueling. Compliant Compliant
8. Stormwater	a stormwater strategy and plan must be submitted with any future DA. The stormwater management must consider stormwater quality and	A stormwater plan has been submitted with this application. If required, a trade waste agreement will be sought with Hunter Water.

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	quantity. The area around refuelling and fuel pumps to be bunded, with any runoff being captured and disposed of via a trade waste agreement	
9. Building Advice	Ensure the building meets accessibility and fire safety standards under both the BCA, Australian Standards and Guidelines and the requirements of Maitland DCP 2011 (where applicable).	The development is compliant with the BCA and the relevant Australian Standards.
10. Environmental Health	if includes takeaway/convenience store - Food Act 2003, Food Regulation 2004, Food Standards Code and Australian Standard 4674 for the Design, Construction and Fit-out of Food Premises	N/A
11. External Referrals	• NSW Police (crime risk). • TfNSW.	The referral to NSW Police is noted. The referral to TfNSW is considered n/a as noted above.

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3.0 SITE DETAILS AND BACKGROUND

The site is located at 71 Turton Street, Metford, Lot 418 and 419, DP41113 is a rectangular parcel with an area of 4332 square metres. The site experiences a slight gradient, ranging from 16.99 AHD to 18.71 AHD, sloping gently across the property. Currently, it hosts a single-storey brick building set to be demolished. The site's layout and existing vegetation, including five trees to remain, will undergo significant changes to accommodate the new service station, car wash and associated facilities.

The locality of Metford, where the site is situated, is characterized by a mix of commercial and residential developments. The area is known for its blend of historical and modern architecture, contributing to a diverse urban fabric. The proximity to major commercial hubs like Stockland Green Hills enhances the commercial appeal of the area, making it a strategic location for new developments such as the proposed service station and car wash

The neighbourhood around Turton Street features a combination of commercial buildings and residential properties. The streetscape is defined by moderate to high activity levels, primarily due to the industrial nature of the zone. Existing structures vary in design, with a prevalence of single and multi-storey buildings that accommodate a range of functions. The proposed development site is notably set back significantly from the street, offering a distinct spatial arrangement that could influence future streetscape dynamics.

History

The most recent development application recorded for this property was DA2018/2090, which involved Commercial Alterations and additions, as well as signage to the existing Maitland Mazda Service Centre.

Figure 1: Site Location

4.0 PROPOSED DEVELOPMENT

This application seeks approval for a service station, with associated signage at 71 Turton Street, Metford The proposed development will have minimal impact on the existing surrounds located in an established Commercial precinct. The proposal includes:

Demolition and earthworks

The existing building onsite will be demolished. Demolition works will be carried out in accordance with AS 2601- 2001 Protection of the Public and the Environment. Prior to demolition, the onsite buildings and structures will be assessed for hazardous materials including but not limited to asbestos and lead paint. All asbestos containing materials within the buildings and structures at the site will be removed prior to demolition in accordance with Safe Work Australia Codes of Practice. Dust and noise control will also be considered and actioned prior to demolition commencing.

Bulk earthworks are detailed in the Civil Plans with a balance of 41.756^3 of soil filled as part of the proposed earthworks.

All waste will be disposed of according to the relevant standards and as per the Waste Management Plan (WMP) included as a part of the application.

Service Station

• Construction of a new service station, including a 200m2 convenience store building containing customer service counter, retail floor space, office, storeroom, cool room and amenities

• Installation of underground fuel tanks and their related infrastructure.

• Installation of four (4) double sided fuel dispensers (appropriately bunded) and overhead canopy.

• Construction of an underground OSD tank for stormwater discharge control and Stormstack filtration system.

• Installation of indicative business identification signage on the south eastern face of the convenience store.

• Installation of x 1 freestanding 'Pearl Energy' pylon sign – 7.3m in height, 1.9m in width.

• Illuminated lettering for 'Pearl Energy'

• Perimeter planting around the whole site.

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- Screened waste storage area.
- Loading Zone adjacent to waste storage area.
- Car-parking for 14 vehicles, including x 1 disabled space and x 1 air-water space.

The service station will operate 24 hours a day, seven days week and employ 2 staff Mon-Friday and 1 staff for night and weekend shifts.

The service station is of a contemporary design with colours reflecting of Pearl Energy corporate theme. The convenience store building is well setback from both road frontages and therefore not visually dominant to the streetscape. The nominated materials and finishes for the service station include precast concrete wall panels, aluminimum composite panel, aluminium framed glazed auto sliding entry doors. The fuel canopies will have a blue paint finish with a single Pearl Energy logo on selected canopy elevations (full signage details are contained below). Refer to the 3D perspective of the service station in Figure 2

Figure 2

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Ancillary Car wash

Construction of an ancillary car wash at the rear of the service station forms part of this application, inclusive of the below.

- Construction of a car wash, inclusive of two (2) manual was bays and two (2) auto bays and pay stations associated with each bay.
- This is inclusive of an office and store room that will contain the relevant mech plant associated with the car wash.
- 4 vacuum bays are located along the northern boundary, as well as a dog wash.

Tree removal and landscaping

A total of 5 trees will be retained.

In terms of new landscaping, the existing site and locality characteristics have been considered in the landscape design and a suitable outcome has been realized through several landscape elements, including:

• A variety of planting species with low maintenance and water requirements; and

• Use of approved native tree species where possible.

The proposed tree and plant schedule is provided in Table 2

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PLANT SCHEDULE

ID	TREES, SHRUBS, GRASSES & GROUNDCOVERS Botanical Name	Common Name	Qty	Pot Size mm/ltr	Mature Size W x H mtrs
AAM	Acmena smithii 'Allyn Magic'	Dwarf lilly pilly	56	200mm	1 x 1m
ACS	Acmena smithii 'Cherry Surprise'	Red tipped lilly pilly	30	200mm	2 x 2.5m
BVN	Baeckea virgata 'Nana'	Miniature Beackea	40	150mm	1.2x1.2m
BF	Buxus faulkner	Korean box	28	200mm	1.2x1.2m
CCP	Callistemon 'Candy Pink'	Dark Pink bottlebrush	6	150mm	2 x 3.5m
CE	Callistemon citrinus 'Endeavour'	Red bottlebrush	8	200mm	3 x 5m
CLJ	Callistemon 'Little John'	Dwarf red bottlebrush	40	200mm	1.5x1.5m
CWA	Callistemon citrinus 'White Anzac'	White bottlebrush	54	200mm	1.5 x 1.5m
CGBF	Callistemon salignus 'Great Balls of Fire'	Red bottlebrush	50	150mm	1.5x1.5m
CHR	Callistemon viminalis 'Hannah Ray'	Weeping red bottlebrush	3	25ltr	8x8m
CA	Cupaniopsis anacardioides	Tuckeroo	3	25ltr	8 x 8m
DE	Doryanthus excelsa	Gymea lilly	38	200mm	2 x 2m
GPP	Grevillea 'Pink Pearl'	Grevillea	27	200mm	1 x 1m
LL	Lomandra longifolia	Spiny-head mat rush	54	150mm	.7 x 1m
LT	Lomandra longifolia 'Tanika'	Dwarf mat rush	138	150mm	.7x.7m
MCT	Melaleuca 'Claret Tops'	Dwarf red tipped snow in summer	41	200mm	1.5x1.5m
RSM	Raphiolepsis 'Snow Maiden'		43	200mm	1.5 x 1.5m
SA	Syzygium australe	Bush cherry	3	25ltr	5 x 9m
SC	Syzygium luehmannii-x-wilsonii 'Cascade'	Weeping pink Lilly pilly	15	200mm	3x5m
SL	Syzygium luehmannii	Weeping lilly pilly	3	45ltr	6 x 9m
STT	Syzygium australe 'Tiny Trev'	Dwarf lilly pilly	53	200mm	1.5x1.5m
TLL	Tristaniopsis laurina 'Luscious'	Water gum	3	25ltr	5 x 9m
WF	Waterhousea floribunda	Weeping lilly pilly	3	25ltr	8 x 8m
WFF	Westringia Flat n Fruity	Dwarf coastal rosemary	56	150mm	G/cover
WFM	Westringia fruticosa 'mundi'	Dwarf coastal rosemary	39	200mm	1x1m
ALL HEIGHTS ARE AVERAGE DEPENDENT ON SOIL, CLIMATE, MAINTENANCE, ETC.					

Stormwater management

The development proposes inclusion of Water Sensitive Urban Design (WSUD) measures to reduce the pollutant load within the stormwater runoff discharged from the site .

The WSUD measures include provision of onsite treatment chambers with mechanical filter cartridges and filter baskets within all inlet pits. High risk runoff from under the fuel canopies is separated from general site runoff by providing bunding beneath each fuel canopy. The under-canopy areas will be connected to an oil/water separator and discharged to sewer in accordance with authority requirements and therefore this component does not impact on the stormwater system.

A below ground On-Site Detention Tank (OSD) is proposed at the front of the site with a volume of 82.4m3 .

Lot consolidation

The lots will be consolidated as a part of this application.

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5.0 Environmental planning instruments

5.1 Environmental Planning and Assessment Act 1979

The proposal is subject to the provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act). Section 4.15(1) of the EP&A Act, 1979 provides criteria which a consent authority is to take into consideration, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 4.15(1), is provided within this report.

As the development area is not mapped as bushfire prone land (refer to Figure 5), Clause 4.14 Consultation and development consent—certain bush fire prone land does not apply to the proposal**.**

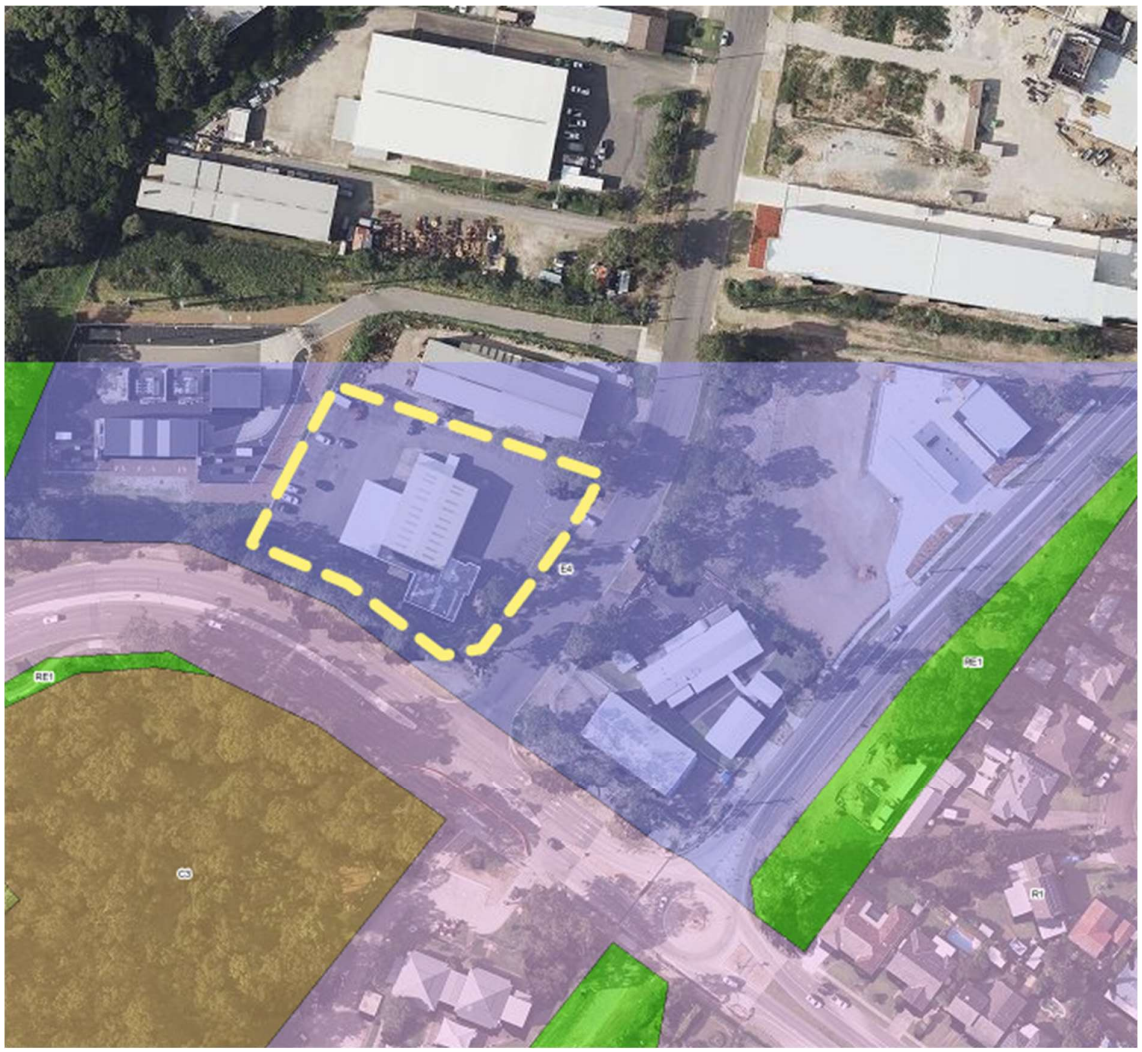

Figure 8 – Bushfire Prone Land Map (Source: ePlanning Spatial Viewer)

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It is noted that the proposal does not trigger integrated development under Section 4.46 of the EP&A Act.

5.2 Protection of the Environment Operations Act 1997 (POEO Act)

Schedule 1 of the POEO Act lists several 'scheduled activities' which require an Environmental Protection License (EPL). Under Clause 9 of Schedule 1, the following storage chemicals are listed as a scheduled activity:

• General chemicals storage – capacity to store more than 20 tonnes (pressurized gases), 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form).

• On-site generated chemical waste storage- involves storing on site at any time more than 5 tonnes of any chemical substance produced on site that is prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne); and

• Petroleum products storage -capacity to store more than 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form).

The maximum fuel storage capacity of the site is 180,000L within underground fuel tanks, which equates to approximately 180 tonnes. There is no proposal to store or supply bulk LPG at this site. There is also no other chemical stored at the site more than 2,000 tonnes. As such, the proposal is not a controlled development and does not need an EPL.

5.3 Road Act 1993

Under Section 138 of the Road Act, consent is required from the appropriate road's authority to:

(a) erect a structure or carry out a work in, on or over a public road, or

(b) dig up or disturb the surface of a public road, or

(c) remove or interfere with a structure, work or tree on a public road, or

(d) pump water into a public road from any land adjoining the road, or

(e) connect a road (whether public or private) to a classified road,

Modification of the existing driveway access on Turton St is required as part of the proposal, therefore, approval under Section 138 will be required from Council once a consent has been granted. This can be addressed at the Construction Certificate (CC) stage.

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5.4 Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014 (POEO Regulation)

The POEO Regulation is relevant to the operation of the service station. It requires owners and operators of underground petroleum storage systems (UPSS) to regularly check for leaks in the fuel tanks and pipes used to store and handle petroleum products. Owners and operators also need to meet minimum standards in their day-to-day environmental management of these storage systems. The owner / operator of a UPSS is required to have in place:

- A system for detecting and monitoring leaks.
- Groundwater monitoring wells at sensitive locations and a program to test them.
- An Environment Protection Plan for the facility.
- Systems in place for record keeping, reporting of leaks and notifying the local council when a UPSS is decommissioned.

Responsibility for compliance with the provisions of the UPSS Regulation lies with the person responsible for the system.

Risk Screening Documentation has been prepared by an accredited dangerous goods consultant, Hazkem Pty Ltd, and accompanies the application. A Hazard Analysis can be found in Appendix 3 of the Risk Screening Documentation.

All equipment will be designed and installed with the latest technology and techniques available to date from approved suppliers. The design and installation of the underground petroleum storage system to comply with AS 4897 2008 and with Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulations 2014 and Protection of the Environment Operations (Clean Air) Regulation 2010 (if required by legislation).

5.5 Protection of the Environment Operations (Clean Air) Regulation 2022

The proposed development will comply with the necessary requirements prescribed under Division 2 – Petrol service stations related to vapor recovery of the POEO (Clean Air) Regulation 2022.

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5.6 Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011

A notification by the service station operator in conjunction with the contractor who installs the fuel system will be required to enable Workcover to regulate the management of the fuel on the site in accordance with the provisions of these pieces of legislation.

5.7 State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy (Transport and Infrastructure) 2021

Clause 2.121 Traffic-generating development - Pursuant to column 3 of the Table to Schedule 3, the proposed 'service station' is classified as traffic generating development, however the development is not located closer than 90m from a Classified road, and does not include the refueling of heavy vehicles, hence no referral is required.

5.7.1 State Environmental Planning Resilience and Hazards

Chapter 3 Hazardous and offensive development

A Risk Screening Report has been prepared by Hazkem Pty Ltd accompanies the application. It has been determined by assessment that the site is 'potentially hazardous'. The proposed design sees all the setback distances under this SEPP are not achieved. A PHA has been undertaken and notes that all equipment must be in accordance with manufacturers' recommendations and must comply with all the relevant standards listed within. Specific safety features of the site are to be maintained and reviewed on a regular basis.

Plotting the frequency against consequence, it can be clearly seen that the societal risk is negligible.

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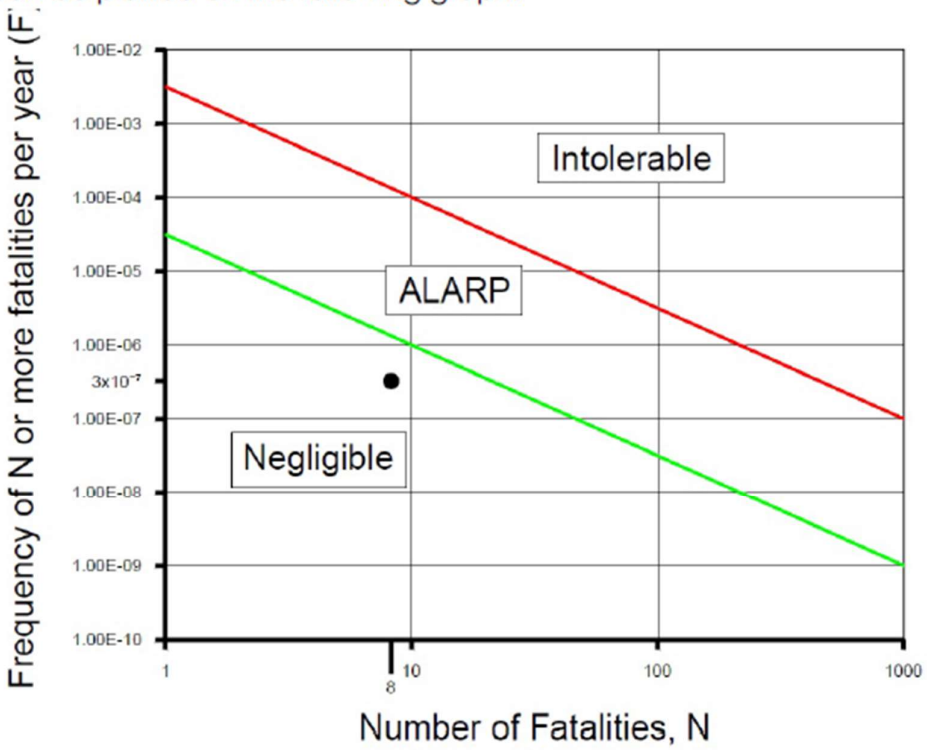
This result can be plotted on the following graph:



5.7.2 Chapter 4 Remediation of land

Clause 4.6(1) of the SEPP states:

(1) A consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

A PSI accompanies this application. And notes the following,

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This report presents the findings of a PSI undertaken for the proposed development at 71 Turton Street, Metford NSW and was required to satisfy an requirements from Maitland City Council as part of the DA process in accordance with SEPP 55.

The site history indicates that the site has vacant bushland prior to the early 1980's when the current development was constructed on the site, and has been used for that purpose since then.

Fieldwork investigations comprised of a site walkover and excavation of five (4) boreholes and the collection of sis (6) primary samples and one (1) duplicate sample submitted to Envirolabs NATA Accredited Laboratory for testing of identified CoC's.

The following sources of possible types of environmental contamination were identified onsite:

- Fill material used to construct hardstand layers;
- Historical and current use of the site as a vehicle repair and service centre;
- The rear northern boundary of the site including general rubbish and used vehicle parts located on the site;
- Unlikely possible Historical Fill located on the rear western portion of the site.

The geotechnical conditions on the site are generally either pavements or topsoil overlying residual CLAY's to at least 1.5m depth with groundwater not detected above termination depth.

Based on the analytical testing the following exceedances of the adopted criteria were not reported in any of the samples collected:

It is assessed that further assessment, remediation or construction / long-term environmental management is **not** required for the proposed development

5.7.3 State Environmental Planning Policy Industry and Employment 2021

The proposed signage has been designed to integrate with the proposed buildings, to reflect corporate branding, and to comply with the requirements of schedule 5, as outlined in the following table:

Schedule 1 Assessment criteria	
1 Character of the area	
• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signs are compatible with the scale, proportion and characteristics of the area.

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• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is consistent with the theme of outdoor signage in the area.
2 Special areas	
• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signs will not detract from the amenity or visual quality of any environmentally sensitive area, heritage area, natural or other conservation area, open space area, waterway, rural landscaped or residential area. Therefore, the proposed signs will not introduce any significant new visual element to the locality.
3 Views and vistas	
• Does the proposal obscure or compromise important views?	
• Does the proposal dominate the skyline and reduce the quality of vistas?	The signs will not dominate the skyline or reduce the quality of vistas as it will be consistent with the scale of existing structures in the locality.
• Does the proposal respect the viewing rights of other advertisers?	The proposed signs will not affect the viewing rights of other advertisers in the locality.
4 Streetscape, setting or landscape	
• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signs will not result in conflict with the nature of the existing streetscape and will complement the proposed building. The signs will be professionally designed.
• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signs will not alter the existing visual interest of the streetscape, setting or landscape.
• Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage is to be placed on a new building and no existing advertising exists.

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• Does the proposal screen unsightliness?	The signs do not screen unsightliness. The subject site is not considered to contain areas of unsightliness.
• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signs will not protrude above buildings or tree canopies.
• Does the proposal require ongoing vegetation management?	The signs do not require ongoing vegetation management.
5 Site and building	
• Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signs are compatible with the scale, proportion and characteristics of the area.
• Does the proposal respect important features of the site or building, or both?	Surrounding buildings do not have any significant features that require protection from signage. The proposed sign will be substantially the same in terms of scale and area as that which exists in the locality.
• Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signs represent business identification signage, and while not innovative or imaginative they are considered appropriate.
6 Associated devices and logos with advertisements and advertising structures	
• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The signs will be designed and constructed to relevant standards. They will be located wholly within the site boundaries and will provide sufficient notification to the travelling public of the

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	business location to assist in safe and efficient vehicle movement into the site.
7 Illumination	
• Would illumination result in unacceptable glare?	No.
• Would illumination affect safety for pedestrians, vehicles or aircraft?	No
• Would illumination detract from the amenity of any residence or other form of accommodation?	No, as it is not within a residential area.
• Can the intensity of the illumination be adjusted, if necessary?	Yes.
• Is the illumination subject to a curfew?	No, as it is within an industrial area.
8 Safety	
• Would the proposal reduce the safety of any public road?	The signage will not reduce safety for any public roads.
• Would the proposal reduce the safety for pedestrians or bicyclists?	The proposed signage will not affect pedestrian or cyclist safety.
• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not obstruct any sightlines.

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6.0 MAITLAND LOCAL ENVIRONMENTAL PLAN 2011

Part 1 Preliminary

1.1 Name of Plan

The proposed industrial units are consistent with the performance criteria and acceptable solutions of the Local Environmental Plan both generally and specifically.

Part 2 Permitted or Prohibited Development

2.1 Land Use Zones

The land is Zoned E4 General Industrial under the provisions of Maitland 2011

2.2 Zoning of Land to Which Plan Applies

The proposal is located on land contained within the Land Zoning Map under the Maitland LEP 2011.

2.3 Zone Objectives and Land Use Table

Zone E4 General Industrial

1 Objectives of zone

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.

2 Permitted without consent

Home industries

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Business premises; Centre-based child care facilities; Community facilities; Depots; Food and drink premises; Function centres; Garden centres; General industries; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport

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facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Rural supplies; Service stations; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home occupations; Home occupations (sex services); Home-based child care; Industries; Jetties; Marinas; Mooring Pens; Moorings; Open cut mining; Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Waste disposal facilities; Water recreation structures; Wharf or boating facilities

Clause 4.3 Height of Buildings
The subject site does have a specified building height limit of 8m under the LEP. The development proposed has a height of 4.7m.

Clause 4.4 Floor Space Ratio
The subject site does not have a specified FSR.

Clause 4.6 Exceptions to Development standards
There are no variations proposed to any development standards sought in conjunction with the proposal.

Clause 5.10 Heritage Conservation
The subject site is not located within a heritage conservation area and does not contain any listed heritage items.

Clause 7.1 Acid Sulfate
The Development site is mapped as class 5 ASS. Nothing further is required in relation to this.

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7.12 Earthworks

The proposed development involves the demolition of an existing structure and the construction of a new service station, which includes earthworks for building foundations and site preparation. Development consent for these earthworks is required as they are not minor in nature and are not exempt under any other applicable environmental planning instrument. Drainage patterns are proposed as per the stormwater plans provided and will have no impact on the amenity of adjoining neighbours. This will have little to no likelihood of disturbing relics.

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7.0MAITLAND DEVELOPMENT CONTROL PLAN 2011

B.6 Site Waste Minimization and Management	Submission/Application Requirements All applications relating to residential developments, as well as commercial and industrial premises are to include a Site Waste Minimisation and Management Plan (SWMMP) as part of documentation submitted to Council. The development plans should also clearly indicate the location of waste management facilities, including recycling bins and the like. Site Preparation Phase **a) Specific Controls**	A Waste Management Plan(WMP) has been submitted with this DA which includes details regarding demolition/ site preparation, construction and operation. The location of refuse areas is clearly indicated on the plans in Appendix A.	Y
	i. An area shall be allocated for the storage of materials for use, recycling and disposal, considering slope, drainage, location of waterways, stormwater outlets, vegetation and access and handling requirements. ii. Waste and recycling materials are to be separated. iii. Measures are to be implemented to prevent damage by the elements, health and odour risks, and windborne litter. **b) Submission Requirements** I. A completed SWMMP shall accompany the development application for demolition. II. The SWMMP shall identify all waste likely to result from the demolition, and the opportunities for the reuse and recycling of these materials, through the 'deconstruction' of the building. Construction Phase a) Specific Controls I. An area shall be allocated for the storage of materials for use, recycling and disposal, considering slope, drainage, location of waterways, stormwater outlets, vegetation and access and handling requirements. Signage is to be incorporated into this area for the clear definition of space. II. Waste and recycling materials are to be separated. Signage shall clearly indicate which bins or disposal units are for waste and those for recycling. III. Measures are to be implemented to prevent damage by the elements, health and odour risks, and windborne litter.		Y

	IV. The use of prefabricated components and recycled materials should be considered when possible. b) Submission Requirements i. A completed SWMMP shall accompany the development application for construction for developments listed in Section 5. ii. The SWMMP shall identify all waste likely to result from the construction process, and the opportunities for the reuse and recycling of these materials. Operational Phase - Commercial Developments and Change of Use		
	Specific Controls i. The waste area should provide separate containers for the separation of general waste from recyclables. ii. If Council is not the provided waste contractor, then a valid contract with a licensed waste facility is to be kept by the premises or the body corporate managing the site for the collection of waste and recyclables. Submission Requirements iii. A completed SWMMP shall accompany the development application, indicating measures for the construction phase (if required) and its ongoing use. iv. The SWMMP or plans submitted with the application shall show the location of onsite individual or communal waste/ recycling storage area/s or room/s of an appropriate size to accommodate waste and recycling bins, either provided by Council or by a private waste facility. These areas are to be large enough to accommodate the waste generated by the development and be accessible by the waste contractor.		Y
C1 Accessible living	Various Controls	The development has been developed in accordance with the DDA act 1992 and all other relevant legislation. Further required information can be conditioned for CC stage.	
C.6 Signage	Various Controls	Signage has been designed in accordance with the requirements of the DCP principles. Additionally, an assessment of the signage	Y

		infrastructure SEPP has been included in this application.	
C.11 Vehicular Access and Parking	General Requirements **General Principles** In determining the parking and traffic requirements for a development proposal, the following principles shallbe followed: • the minimum standards as set out in this plan. • the likely demand for on-street parking generated by thedevelopment. the availability of public transport in the vicinity to service the proposed development. • the probable mode of transport to be used by employees and/or customers. • the likely peak times of usage of the proposed development. • the existing traffic volumes on the surrounding street network including, where relevant, the potential future traffic volumes;and • the equity of requiring of-street parking for individual developments within areas such as Maitland City Centre and Morpeth, were historical • parking deficiencies have occurred.	All DCP principles have been considered in the deigns of the proposal.	Y

	Calculation of Parking Requirements As extracted from Appendix A of the DCP, the following parking requirement applies: Service station/Highway service centres6 spaces per work bay plus 1 space per 20m2 GFA of conveniencestore	Compliance with car parking requirements is discussed in Section 5.2 of this report and found the provision of 9 parking spaces complies in full of the DCP.	Y
	Guidelines for the design, layout and construction of access and parking areas Access to the Site A development should be designed to provide adequate on-site manoeuvringand circulating areas to ensure that all vehicles can enter and leave the site in aforward direction.	The site provides adequate on-site manoeuvring and circulating areas to ensure all vehicles can enter and leave the site in a forward direction. Swept paths are shown on theplans at Appendix A.	Y

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	Access to or from a site shall be located where it causes the least interference to vehicular and pedestrian traffic on the road frontage. Access will generally not be permitted in the following locations: a) close to traffic signals, intersections or roundabouts where sight distance is considered inadequate byCouncil. b) opposite other developments generating a large amount of traffic (unless separated by a median island). c) where there is heavy and constant pedestrian movementalong the footpath. d) where right turning traffic entering the facility mayobstruct through traffic; and e) where traffic using the driveways interferes with, orblocks the operations of bus stops, taxi ranks, loading zones or pedestrian crossings. f) Direct access onto a majorroad is to be avoided wherever possible. Auxiliary lanes, (deceleration and acceleration lanes), may need to be provided to minimise conflicts between entering/leaving traffic with through traffic. In many cases, right turn movements into a site are unlikely to be supported, unless an exclusive right turn bay is provided.	The position of the sites access points are suitable as justified in Section 5.2 and theTraffic Report at Appendix H.	

	Sight Distances Consideration must be given to maintaining adequate sight distances forall access driveways. Any vehicle entering or leaving the driveway must be visible to approaching vehicles and pedestrians. AS 2890.1 Off Streetcar Parking gives minimal and desirable sight distances for a range of road frontage speeds.	Appropriate sight distances are achieved at all driveways.	Y

	Entrance / Exit to the Site The entry and exit requirements forparking areas may vary in relation to: - the size of vehicles likely to enter theproposed development. - the volume of traffic on the streetsserving the proposed development; and - the volume of traffic generated by the development. The driveway standards recommended by the Roads and Traffic Authority of NSW for Traffic Generating Developments are adopted for the purpose of this Plan. Requirements specified by the Roads and Traffic Authority are summarized in Tables 1 and 2 in Appendix B, and in general the following shall apply:	The driveway accounts for the largest vehicle to enter the site as well as the volume of traffic.	Y Y
	• separate entrance and exit driveways should be provided for developments requiring more than 50 car parking spaces or	Separate entrance and exit points have been provided.	Y
	where the development generates a high turnover of traffic such as a service stationor other drive in retail facilities. • entry and exit driveways shall beclearly signposted. • the number of access points from a development site to any one street frontage should belimited to one ingress and one egress; and • the potential for on-street queuing should be minimised by ensuring that adequate standing areas are available for vehicles entering the car park and loading areas.	Entry and exit points will be clearly signposted. There are no safety concerns created by theproposal. Adequate standing area is available for onsite queueing.	Y

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	Location of Parking Areas Parking facilities for visitors and customers shall be provided whereclearly visible from the street so their use is encouraged. Parking spaces for employees and for longer duration parking may be located more remotely from the street. Within the development site, the location of the parking area should be determined having regard to: a) site conditions such as slope and drainage. b) visual amenity of theproposed and adjacentdevelopment. c) the relationship of the building to the parking area; and d) the proximity of the parking area to any neighbouring residential areas.	The parking area proposed is considered acceptable and has considered slope, drainage, visual amenity and location to the car parking area.	Y
	Parking Space and Aisle Dimensions The following figures illustrate typical parking layouts and aisle dimensions. It should be noted that these parking space dimensions represent minimum unobstructed requirements and that greater dimensions should be provided in the following instances: - a parking space which has a wall or obstruction on one side – an additional 300mm width tothat shown is required; and, - for the end space in a blind aisle, the width is to be increased to 3.6 metres.	Parking spaces are the correct dimensions. No car parking spaces have a wall or obstruction adjacent to them.	Y
	Construction Requirements In general, all car parking areas, manoeuvring areas and unloading areas shall be constructed with a base course of adequate depth to suit design traffic, and shall be sealed with either bitumen, asphaltic concrete, concrete or interlocking pavers. In choosing the most suitable pavement type, consideration should be given to: - anticipated vehicle loads. - run-off gradients and drainage requirements; and, - construction constraints.	Noted.	Y

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	Landscaping Parking areas shall be appropriately landscaped to achieve a satisfactory appearance, particularly for those car parks with large areas of bitumen, to provide shade and to provide a buffer between neighbouring land uses. Landscaping should be used throughout the car park and on the perimeters. In general, there should be no more than 10 parking bays before a break with planting. Species should be selected and located to avoid maintenance problems, so that they do not hinder visibility at entry or exit points and so that they do not cause damage to paved areas by root systems or create excessive leaf or branch litter. Trees with large surface roots, excessive girth, brittle limbs, fruits which drop and trees which attract large numbers of birds should be avoided in parking areas. In most cases landscaping can be integrated into parking layouts without the need for additional area or loss of car parking spaces. Wheel stops are to be provided along the front of parking bays to prevent vehicles from damaging landscaped areas, buildings and/or fencing and other vehicles.	Parking areas are appropriately landscaped in accordance with the DCP. The species to be used have been selected as they require minimal maintenance. Wheel stops will be provided where necessary.	Y Y Y
	Directional Signs and Marking Parking areas are to be clearly signposted, and line marked. Entry and exit points are to be clearly delineated and parking spaces for specific uses (disabled, visitors, employees etc.) clearly signposted	Directional signs and line markings will clearly delineate entry and exit points.	Y
	Principles for Crime Prevention Lighting is to be provided in off-street car parks in accordance with the requirements of AS 2890.1, 1993 – Parking Facilities Off Street Parking. Lighting may also be required over the	Lighting has been designed in accordance with relevant legislation.	Y
	street frontage of the development, particularly at entry or exit points in accordance with AS/NZS 1158, 1997 – Road Lighting.		

	Number and Size of Loading Bays The number and dimensions of the on- site loading bays must be designed having regard to the nature and scale of the proposed development, the estimated frequency of deliveries, thetype of delivery vehicle likely to be involved and the types of goods being loaded/unloaded. Accordingly, thesedetails are required to be submitted with the Development Application for Council's consideration.	There is a loading bay provided on site and has been designed regarding the estimated frequency of deliveries and type of deliveries likely to be involved. Further details are provided on the plans in Appendix A.	Y
	Car Parking for Persons with a Disability In general, where 10 or more vehicle spaces are required, one designated parking space for people with disabilitiesis required per 100 (or part thereof) car spaces provided. Council has adopted the 'enhanced' requirements for land uses where there is a higher demand for disabled facilities. For example, for retail shopping complexes, community facilities and medical centres, parking provisions for people with disabilities should be increased to 2 to 3% of the overall parking requirements.	One accessible car parkingspace are provided.	Y
6. Bicycle parking	Provision is to be made for cyclists via the installation of bicycle parking facilities in accordance with Australian Standard AS 2890.3-1993 – BicycleParking Facilities and Austroads Guide toTraffic Engineering, Part 14.	Bike parking can comply with relevant AS.	Y
7. Major Traffic Generating Development	Where it is considered that a traffic generating development may have a major impact on the traffic movement within a given locality, Council may require the applicant to arrange for the preparation and submission of a Traffic and Parking Study, by a qualified professional. In this regard, the Roads and Traffic Authority's publication "Guideto Traffic Generating Developments" provides relevant information	A Traffic Report is included in this application.	Y

C.12 Crime Prevention Through Environmental Design

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	The following developments shall includea detailed Crime Prevention Through Environmental Design assessment that is prepared by an accredited person. • New centres •Mixed use residential/ commercial development • Medium and high-density residential development • Subdivisions involving newly developing areas • Parks and open space or publicly accessible areas • Community uses • Sport, recreation and entertainment areas • Other high use areas or developments where crime may be an issue.	N/A- however the development will provide the following, in accordance with the CPTED Principles. 1. Single secured pedestrian access point to the convenience store, 2. Secure access to the service yard, with pin code system, or equivalent. 3. Trees are to be under pruned and underplanted with low level plantings and groundcovers. 4. CCTV to be provided onsite. CCTV to be designed and installed in compliance with Australian Standard 806.1: Closed Circuit Television (CCTV) Management and Operation. 5. Motion-activated security lighting to be provided in the service yard. All lighting within the site is to be in accordance with Australian Standard 1158 - Lighting for roads and public spaces and Australian Standard 4282 - Control of the obtrusive effects of outdoor lighting. 6. All surfaces on the building to be maintained regularly, with graffiti removed and damage repaired immediately to reduce repeat offending and further anti-social behavior.	Y

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Centres	Various Controls	The development provides an active street frontage, that will add a useful service to the town centre. The development complies with the requirements of this chapter where required.	**Y**

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8.0 PLANNING ASSESSMENT

The following is an assessment of the environmental effects of the proposed development asdescribed in the preceding sections of this SEE. Unless otherwise stated, the proposed development either complies with or is consistent with relevant planning instruments and controls.

2.1 Traffic, Access and Parking

A Traffic and Parking Impact Assessment (TIA) has been undertaken by SECA Solutions for the proposed development. The report examines the traffic implications of the proposed development including the predicted traffic generation and its impact on existing road and intersection capacities (both now and in the future). The report also reviews parking requirements, access provisions and public transport, including assessment against Council, Australian Standards as required.

Traffic

Traffic diverted onto Turton Street, given the low traffic demands along this road, shall be acceptable with this road remaining within its operational capacity. The impact on the operation of the various intersections will also be minimal given that the service station traffic is already within the local road network using these intersections and only the car wash traffic (site peak being outside the local road peak) shall add to the local traffic demands. The site currently operates as a Mazda car service centre and so currently generates site specific traffic demands in the area. The impact of the diverted traffic shall also see lower through traffic on Metford Road.

Parking

The parking areas of the site have been assessed against the relevant sections of *AS2890.1:2004, AS2890.2:2018, and AS2890.6:2022* and have been found to satisfy the objectives of each standard.

The proposal includes the provision of a total of 9 car parking spaces (including 1 accessible space) complying with the car parking requirements of Council's DCP.

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Access and Internal Circulation

Vehicular access to the site is provided from the existing driveways on Garnett Road. The car parking layout has been assessed to achieve the relevant clauses and objectives of *AS2890.1:2004, AS2890.2:2018 and AS2890.6:2022*.

The development provides loading and servicing facilities for up to an 8.8m length Medium Rigid Vehicle which is appropriate to cater for the needs of the development. In addition, the service station provides a design to facilitate the entry and exit of vehicles up to an 19 length Semi. Swept paths associated with service vehicles are provided in the architectural plans.

2.2 Signage

An integrated approach has been adopted for signage associated with the proposal, comprising a mix of wall signs and logos on the building facades and fuel canopy, as well as 1 x freestanding pylon.

In accordance with the aims of Chapter 3 of SEPP (Industry and Employment), it is consideredthat the proposed signage is compatible with the amenity and visual character of the area andwill provide effective communication to vehicles passing the site. The signs are of anappropriate height, scale and proportion given the site's location and setting. All signs will beof a high quality and finish and selected signage will be illuminated at an acceptable level thatwill not result in unreasonable glare that would affect the safety of vehicles or pedestrians.

Overall, the proposed signage meets the Schedule 5 assessment criteria as contained within Chapter 3 of SEPP Industry and Employment and is acceptable in terms of design and road safety as demonstrated above.

2.3 Odour

The proposal is expected to have no significant impact because of potential odours associated with cooking and waste storage.

The service station will include vapor recovery equipment (VR1 and VR2) installed to capture petrol vapor efficiently before it enters the atmosphere. The development will meet all vapor recovery regulatory responsibilities.

2.4 Overshadowing

Due to the characteristics of site, nature of surrounding land uses, and height of the proposed buildings, the proposal will not have any unreasonable impact because of overshadowing.

2.5 Lighting

Appropriate lighting will be installed within the development, including lighting for the forecourt. External lighting will contribute to the overall safety of the site and will be in accordance with *AS4282-1997 Control of the obtrusive effects of outdoor lighting* and *AS1158 Lighting for Roads and Public Spaces.*

2.6 Crime Risk

The development has been designed to and shall be managed by the operator to minimize and discourage criminal activity to promote the safety of customers and staff. The proposal has been designed with consideration of Crime Prevention Through Environmental Design (CPTED) principles where possible.

2.7 Landscaping

The landscape design plan meets Council's planning objectives through the consideration of environmental, ecological concerns and public amenity. The proposed landscaping has beenprepared in accordance with relevant Council requirements as well as having regard for the practicality of ongoing management.

Tree and shrub species, sizing & locations have been chosen to ensure that passive surveillance is maintained at buildings, carpark & driveway entry with smaller groundcovers and shrubs adjacent to paths and buildings in accordance with CPTED principles.

2.8 Sediment and Erosion Control

Sediment and erosion control will be always maintained during the course of construction and shall not be removed until the site has been stabilized. All erosion and sediment control devices will be constructed, placed and maintained in accordance with respective Council specifications and Landcom soil and construction" manual and as shown on the proposed Sediment and Erosion Control Plan prepared by Eclipse.

The contractor shall ensure that kerb inlet and rain receiving stormwater shall be always protected during the development. Kerb inlet sediment traps shall be installed along the

immediate vicinity of the street frontage. Sediment fencing will be installed around the perimeter ofthe development area. All stockpiles of building material such as sand and soil will be protected to prevent scour and erosion. Full details are to be provided in a Construction Management Plan.

2.9 Waste Management

Most of the waste generated during the operation of each premises will be recyclable waste such as paper and cardboard, plastics, containers as well as some food and general waste. The waste storage area is readily accessible to service vehicles in the loading bay. Swept paths have been includedwithin the architectural plans.

A Waste Management Plan (WMP) has been prepared for the proposal which addresses each stage of the development from demolition and constriction through to the ongoing management of waste once operational.

2.10 Social and Economic Impacts

The proposal is anticipated to have an ongoing positive social and economic impact on the local Maitland area as well as the broader community. Direct ongoing employment opportunities will be created as well as significant job creation during the construction phase.The total construction cost of the development (>$1M) will have flow on value added multiplierbenefits to the local region. The proposal will provide essential services to the area, meeting the daily needs of the surrounding workers, residents and visitors.

Potential adverse social impacts from the proposal (e.g. crime/anti-social behaviour) will be mitigated through measures that can be demonstrated in the CC documentation.

2.11 Building Access

Access to the buildings will be compliant with the relevant legislation and criteria including the*Building Code of Australia* (BCA) and the *Disability Discrimination Act 1992* and *AS1428 – Design for Access and Mobility* to ensure that adequate pedestrian and disabled access is provided for the development. As illustrated in the proposed plans, accessible pathways are made available throughout the site, car park, building entrances and within the buildings.

2.12 Public Interest

The proposal is in the public interest as it will deliver several public, social and economic benefits with minimal adverse impacts (as detailed within this report). The style of development is appropriate for the location and zoning of the site and will providevaluable services to the surrounding area.

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2.13 Acoustic

The acoustic report provided demonstrates that the following measures need to be incorporated in order to achieve compliance,

- the project is constructed as per the site design and plans (as presented in Appendix B) which includes the barrier attenuation provided by buildings orientation; and
- the mechanical cooling and ventilation plant are located in the coral of the project, which is surrounded by the coral boundary fence, which extends 2.2m above the relative ground level of the coral area.

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9.0CONCLUSION

This Statement of Environmental Effects has successfully demonstrated the environmental, social and economic matters associated with the proposed service station and associated infrastructure, at 71 Turton St, Metford. The proposal has been considered in terms of relevant State, Regional, and Local planning controls and legislation. The proposed development is largely in accordance with each.

The proposed scale of the development is in keeping with the planning ambitions for this location to support the existing town. Setbacks have been provided in compliance with Councils DCP requirements. As such the scale and aesthetic appeal of the proposal sits comfortably within the long-term planning aspirations of the area in general, as well as the immediate vicinity. It is therefore considered the proposal is in the public interest and consent be given.