

9.1 PROPOSED MINOR MODIFICATIONS TO LOCAL PLANNING POLICY 3.4 'SERVICE STATIONS'

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Attachments 1. Local Planning Policy 3.4 - Service Stations

RECOMMENDATION

That Committee adopts the proposed changes to Local Planning Policy 3.4 – Service Stations for the purposes of advertising in accordance with Clause 5 of the Deemed Provisions of City of Cockburn Town Planning Scheme No. 3, as shown in the attachment.

Background

Local Planning Policy 3.4 'Service Stations' was first adopted in 2002 and the purpose of the policy is to provide guidance to applicants and the City in the assessment of Service Station proposals. The policy is intended to ensure that Service Stations are conveniently located for resident and the travelling public but also ensuring that they do not detract from the amenity of residents. The LPP has undergone at least five modifications over the years to ensure that it remains relevant and effective.

Submission

N/A

Report

The proposed change to the Local Planning Policy (LPP) serves to reference buffer requirements stipulated under the Environmental Protection Authority Separation Distances between Industrial and Sensitive Land Uses (G3).

The table below provides a review of the sections of the LPP, which details amendments:

Part of LPP	Change Summary
(3) Residential Amenity	<ul style="list-style-type: none"> Add the following: <p>3. The location of service stations is generally guided by the prescribed buffer distances set out under the Environmental Protection Authority <i>Separation Distances between Industrial and Sensitive Land Uses (G3)</i>. Where a proposal does not</p>

Part of LPP	Change Summary
	meet such prescribed distance, further detailed reporting (noise, risk, light, odour etc) will be required in order to consider the potential impacts associated with emissions from the proposal, and the degree to which these can be managed in a viable way.

Use of the EPA separation distances as a tool of assessing appropriate separation distances has been the practice of the Statutory Planning team. However there is benefit in referencing this in the Service Station Local Planning Policy to provide clarity for landowners, developers and assessing officers. The separation distances for Service Stations as outlined in the EPA guide are as follows:

- Premises Operating normal hours (Monday-Saturday from 0700-1900 hours – 50m buffer distance to sensitive land uses;
- Freeway Service Centre (24 hour operations) – 100m; and
- All other 24 Hour operations – 200m.

In recent years there have been several planning applications lodged for Service Stations in close proximity to residential dwellings and which have not achieved the minimum separation distances outlined in the EPA Guidance Statement. These include the Puma Service Station on the corner of Carrington Street and Clontarf Road in Hamilton Hill which was constructed in 2017 as well as the proposed 711 Service Station on Durnin Avenue in Yangebup which was recently approved by the Joint Development Assessment Panel but has not yet been constructed. In both of these examples, further detailed reporting was required in order to address concerns about potential emissions from the proposals due to the minimum separation distances not being achieved.

As the changes do propose an update to policy application, consultation will be required.

Strategic Plans/Policy Implications

City Growth

Ensure planning facilitates a desirable living environment and meets growth targets.

Community, Lifestyle & Security

Provide for community facilities and infrastructure in a planned and sustainable manner.

Leading & Listening

Deliver sustainable governance through transparent and robust policy and processes.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

Specific to this LPP adopted under the Town Planning Scheme No. 3, in accordance with Clause 5 of the Deemed Provisions, it will require advertising for comment.

Risk Management Implications

If the subject changes to the policy are not adopted and therefore not progressed, some inconsistencies would occur in relation to existing practices. This practice needs to be formalised in a policy for consistency and reliability.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) *Local Government Act, 1995*

Nil

Title	LOCAL PLANNING POLICY 3.4
Policy Number (Governance Purpose)	



Policy Type

Local Planning Policy

Policy Purpose

A policy is needed to assist the City in the assessment of proposals and decision making process.

The purpose is to provide applicants and the City with guidelines as to how service station ~~and petrol filling station~~ proposals within the District will be assessed. The objective of the Policy is to promote a convenient and accessible pattern of service stations within the District to serve the resident and travelling public and to prevent stations from establishing in locations which are unsuitable on traffic and amenity grounds.

The overall objectives of the Policy are:

1. To ensure that service stations do not compromise traffic flows and safety.
2. To protect residential amenity by ensuring service stations are located and designed in a way that reduces the impact of noise, light and odour emissions on nearby dwellings.
3. To ensure that service stations do not undermine the ability of activity centres to provide and support a mix of land uses and activity for the community and to perform their role/function as set out in the City of Cockburn Local Commercial and Activity Centre Strategy.
4. To ensure that service stations do not negatively impact on the diversity and intensity of activity in activity centres in accordance with the City of Cockburn Local Commercial and Activity Centre Strategy.
5. To ensure that service stations do not have a negative impact on pedestrian and cyclist safety, connectivity, convenience and amenity.
6. To ensure that service stations do not detract from the streetscape character.

Policy Statement

- (1) Design Guidelines

Title	LOCAL PLANNING POLICY 3.4
Policy Number (Governance Purpose)	



1. The design and siting of development should take into consideration the siting, setback, design and scale of adjacent development to ensure it does not dominate or detract from the character of the streetscape.
2. Glazing should be designed to maximise opportunities for surveillance of the street and/or public realm.
3. Blank walls to the street and public realm should be minimised as much as possible, and where blank walls cannot be avoided they should be designed in such a way that they contribute to a safe and attractive street environment by:
 - a. Minimising the length and height of blank walls, and
 - b. Articulating blank walls through the creative application of complementary materials, avoiding large continuous masses of the same finish; and/or the provision of appropriately integrated structural features, lighting, street furniture, artworks, and/or landscaping.
4. All opportunities for landscaping on the site should be maximised, and landscaping should be designed to:
 - a. soften the appearance of the development and enhance the streetscape, and
 - b. improve the pedestrian environment.
5. Where opportunities for street trees adjacent to the site are restricted due to crossovers, trees should be identified as an alternative within the landscaping strip on the site to ensure that the streetscape and pedestrian environment (both current and future) are not negatively impacted by the development.

(2) Traffic Management

1. Applicants are required to provide a Traffic Impact Assessment prepared by a suitably qualified traffic consultant, which addresses the following:
 - a. Number, size, location and appropriateness of access and egress points;
 - b. Queuing of traffic and the impact on the road network;
 - c. Proximity to median breaks;
 - d. Proximity to traffic lights and speed bumps;
 - e. Provision of auxiliary lanes;
 - f. Manoeuvrability within the site through a swept path analysis;
 - g. Impact on existing infrastructure within the road reserve; and
 - h. Impact on future road widening or other improvements.

(3) Residential Amenity

1. Service stations abutting residential development shall be designed to minimise impact on abutting residents and shall address; noise, odour, light,

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traffic, visual amenity, safety and any other matter that may detract from the amenity of the residential area.

2. The applicant may be required to submit an acoustic assessment prepared by a suitably qualified acoustic consultant, a light management plan prepared by a suitably qualified consultant and/or a site management plan addressing odour control.

2.3. [The location of service stations shall generally be guided by the prescribed buffer distances set out under the Environmental Protection Authority Separation Distances between Industrial and Sensitive Land Uses \(GS 3\).](#)

(4) Service Station in Activity Centres

1. Service station proposals in activity centres will be deemed to be 'significant development applications' in accordance with the City of Cockburn Local Commercial and Activity Centre Strategy due to their potential to have a significant impact on an activity centre's overall performance.
2. Service station proposals in activity centres should demonstrate that the development does not reduce the performance of the activity centre through detrimental impacts on any of the assessment areas (as relevant for the level in the activity centre hierarchy) in accordance with the City of Cockburn Local Commercial and Activity Centre Strategy.

Strategic Link:	Local Planning Strategy
Category	Planning
Lead Business Unit:	Statutory Planning
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	