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9 August 2018

Ms Liz Makin
Manager-Strategic Planning
Yass Valley Council
Email: Liz.Makin@yass.nsw.gov.au

Dear Ms Makin,

Re: Response to Submissions – Bowning Highway Service Centre Planning Proposal

ATTN: Arif Chohan – Strategic Planner

The following information is provided in response to issues raised by the public and State Government agencies regarding our Planning Proposal for a Highway Service Centre on the eastbound carriageway of the Hume Highway at Bowning.

The following technical documents have been prepared by the project team and attached to this correspondence:

- *Traffic/Access Response to Submissions*, prepared by GTA consultants - **Attachment A**
- *Hydrological Assessment*, prepared by Environment and Natural Resource Solutions Pty Ltd - **Attachment B**
- *Stormwater Management Plan*, prepared by Richmond and Ross- **Attachment C**
- *On-site Wastewater Management Plan,* prepared by Environment and Natural Resource Solutions Pty Ltd – **Attachment D**

I trust that the responses and technical documents attached satisfy the issues raised in submissions. We understand that there should now be no outstanding issues that would prevent the endorsement of the subject Planning Proposal.

We understand that there will be a Council Meeting on the 26th of September. If our attendance is required at this meeting, or should you require any further information, please contact Wayne Gersbach on 0410697404.

Yours sincerely,

Wayne Gersbach
General Manager – NSW

ISSUES AND RESPONSES

- **Traffic & access**

1) *Closure of the existing median crossover providing access from Lot 26 DP 246891 to the eastbound and westbound carriageways of the Hume Highway. The median crossover is not to be closed without the consent of the landowner of the allotment. (RMS and owner of land).*

Response

The existing median crossover that provides access to Lot 26 DP246891 is to be retained. The opening will be modified, however, to prevent U-turns from the eastbound acceleration lane.

The existing median opening that provides access to Lots 18 and 19 DP 246891 is proposed to be closed in order to limit convenient access to the westbound carriageway of the Hume Highway from the acceleration lane. Property access to Lot 19 will be provided at the end of the merge taper as shown on the Service Centre Access Plan prepared by GTA consultants on the 21st of March 2018.

As per the letter of response to RMS prepared by GTA consultants, the project team has completed extensive consultation with adjoining land owners including the lot 26 land owner. However, as the median opening that provides access to lot 26 is to be retained, we believe that owners consent is no longer necessary.

2) *Roads and Maritime Services has advised that any median connection point shall not be located where it provides convenient access to the Service Centre for vehicles travelling on the westbound carriageway of the Hume Highway. In this regard the location of any proposed driveway to the Hume Highway relative to the existing at-grade median crossover between the carriageways of the Hume Highway needs to be considered (NSW-RMS).*

Response

The Service Centre's Access Design has been amended to address the concerns raised by the Roads and Maritime Services. GTA has removed provision for convenient access to the Highway Service Centre for vehicles travelling westbound on the Hume Highway.

A detailed response to traffic implications summarised by Yass Valley Council and raised by RMS and local residents is provided in the letter prepared by GTA attached to this correspondence.

It is noted that the access scheme has been amended to delete access for westbound motorists on the Hume Highway.

- **Water Supply/Wastewater/Stormwater**

1) *Although the trunk water pumping main extends along the front boundary of the subject site, Council's Water and Sewer Engineers have advised that a reticulated water supply to the proposed Service Centre cannot be provided. Any draw-off from the trunk water main would disturb the water supply to Binalong, which already experiences demand issues particularly in summer months. As such, an alternative viable water supply of suitable quality must be confirmed through a hydrogeological assessment of available groundwater yield and quality.*

Any installation of a bore to undertake this testing will require a licence from Water NSW (NSW-DPI Water).

Response

A Hydrogeological Assessment was prepared by Environment & Natural Resource Solutions (ENRS). The assessment involved the drilling and construction of a test bore to assess the capable yield and meet NOW testing for water bores.

The bore demonstrated that sufficient groundwater is present on site with the bore having a capable yield in excess of the project requirements. Based upon the capable yield the recommended pumping regime (20ML operating at 40% pump duty) is considered low risk for ground water impacts supported.

No registered water bores are present within a 1 km radius of the site and similarly no GDEs were identified at the site area, therefore, under the proposed operating regimes the bores will have no significant measurable impact on existing users in the area and the groundwater environment.

As a result of the assessment undertaken, a suitable water access licence (WAL) has been secured for 20ML to support the site proposal.

2) *As the site cannot be serviced by reticulated sewer, an on-site and soil/capability study is to be provided to demonstrate the sites capacity to handle the wastewater to be dispersed, and mitigate impacts to groundwater and surface water sources. This report will also need to consider sufficient areas for effluent disposal, buffers to surface water sources and any existing domestic bores nearby.*

Response

An On-Site Waste Water Management Plan was prepared by Environment & Natural Resource Solutions (ENRS). This plan considers sufficient areas for effluent disposal, buffers to surface water sources and any existing domestic bores nearby.

Based on the information reviewed, ENRS determined that:

- The geology, soil characteristics and attributes, landform, available land for on-site application and local climate allow treated wastewater to be disposed on site. A Department of Health approved septic system and disposal of treated wastewater by use of an Aerated Wastewater Treatment System is considered suitable for the site.

- The installation of an appropriate on-site waste management system will ensure surface water is not contaminated by any flow from treatment systems and land applications.

- Surface spray irrigation is the preferred and recommended method of wastewater disposal (effluent disposal). As part of their management plan ENRS positioned a Surface Spray Irrigation System in the north western part of the Site after assessing the required buffer distances from the property boundaries, buildings, driveways and any surface water bodies ensuring the requirements listed in AS/NZS 1547:2012 were met.

- ENRS reviewed the NSW Office of Water (NOW) registered bore database which did not identify any existing bores within a 1 km radius of the proposed development, hence, there is no need to assess the impacts of potability of water from existing bores.

3) *Stormwater management should be considered, having regard to mitigating impacts to downstream watercourse stability and water quality - especially stormwater from refuelling areas. Dams are located adjacent to the site which will need to be considered to ensure impacts are adequately mitigated (NSW DPI-Water).*

Response

The assessment of stormwater impacts demonstrates that potential runoff from the proposal can be mitigated to prevent adverse impacts on the watercourse stability and its water quality.

Storm water management will be addressed at the detailed design stage of the proposal and will include water quality assurance measures. The future operation of the facility will be required to comply with relevant guidelines regarding contamination and stormwater management for Highway Service Centres, however, its detailed consideration is not necessary at this stage in the development process.

The Stormwater Management Plan, prepared by Richmond and Ross proposes that the recommended system will result in adequate environmental protection and control of stormwater, considering the requirements for water pollution and quantity control. A negligible increase in peak flows of 4.5% is forecast to occur at the downstream farm dam. Further details of flood management are available in the Stormwater Management Plan and Flood Study attached to this correspondence.

- **Floodplain Risk Management**

1) *The site proposed for rezoning (i.e. Lot 1 only) contains a small watercourse and existing dam located on that watercourse. The flooding risk is therefore low and is likely to have some minor flood affectation and/or has the limited potential to affect flood behaviour. Clarification of whether a flood related S.117 direction applies should be sought from the Department of Planning and Environment (NSW-OEH).*
2) *The rezoning process would enable intensification and paving of the catchment, which could lead to increased flooding of downstream areas. Council should be satisfied that appropriate development controls will be applied, to ensure any flooding impacts to downstream properties are mitigated. OEH understands that Council is currently planning to progress a flood study for the township of Bowning which could be useful in informing the future development of the site.*

Response

The NSW Department of Planning confirm that s.117 *Direction 3.4 Flood Prone Land* does not apply to the planning proposal.

A Flood Study was prepared by Richmond and Ross to provide advice pertaining to flooding potential for the proposed Highway Service Centre and impact on the downstream farm dams.

The study identified that the proposed development would result in a negligible increase in post development peak flows (4.42%). Further, both hydraulic and hydrologic modelling undertaken during the study has confirmed that the proposed HSC development will have a negligible impact on the existing flood conditions. Richmond and Ross propose that the development will not alter the flood levels on adjoining allotments and will maintain the required level of flood safety for the development. In their assessment, Richmond and Ross propose using a geofabric lining for the farm dam embankments in order to improve on the scour protection from existing conditions.

Further, the future Highway Service Centre will be subject to development controls of the Yass Valley Local Environmental Plan as they relate to external flooding impacts. Any applicable development controls that result from the future Bowning Flood Study will also apply to any future development on the site. This matter will be addressed in detail at the DA stage.

- **Consistency with Zone Objectives/Permissibility/ Impact on productivity of land**

1) *The proposal is not consistent with relevant zone objectives for the RU1 Primary Production Zone in accordance with the Yass Valley LEP 2013. Namely;*
    a. *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
    b. *To minimise the fragmentation and alienation of resource lands.*
    c. *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
    d. *To maintain the rural character of Yass Valley.*
    e. *To encourage the use of rural land for agriculture and other forms of development that are associated with rural industry or that require an isolated or rural location.*
    f. *To ensure that the location, type and intensity of development is appropriate, having regard to the characteristics of the land, the rural environment and the need to protect significant natural resources, including prime crop and pasture land.*
    g. *To prevent the subdivision of land on the fringe of urban areas into small lots that may prejudice the proper layout of future urban areas.*

Response

Whilst it is noted that the proposed Highway Service Centre does not expressly achieve the 'rural' objectives intended for the RU1 Primary Production Zone, Highway Service Centres are a relatively common permissible use in this zone in other Local Government Areas in NSW including Camden, Albury and Wagga Wagga.

It is possible, however, and necessary, to accommodate service centres on the main roads that service regional areas in a manner that does not compromise the overall rural nature of the location. Specifically in relation to the zone objectives:

- The Planning Proposal supports the efficient function of primary industry through the provision of fuel and services for rural workers.

- The planning proposal does not fragment rural lands in its vicinity. The Planning Proposal utilises the site's highway frontage and is of a sufficient size to ensure adequate buffers can be provided to adjoining rural lands where required.

- The proposal will serve the local community of Bowning and will result in the removal of only 19.63ha of rurally zoned land that is not presently used for agricultural purposes.

- A Highway Service Centre is permitted in the RU1 Primary Production Zone in several other Local Government Areas. The subject location is considered appropriate as it fronts the Hume Highway and will provide a valuable service to the surrounding rural areas and the travelling public. The proposed location of the Highway Service Centre will not result in the fragmentation or alienation of resource lands.

- The proposal will not have a detrimental impact on biodiversity values or groundwater resources in the area, as provided in the Planning Proposal and supporting documents.

- Construction of a Highway Service Centre at the subject site and consequent subdivision of the residual lands will not prejudice the use of other adjacent lands.

- The Planning Proposal is for a Highway Service Centre which is arguably a form of development that requires a rural/isolated location. The nature of Highways is that they connect cities and towns through often remote, rural locations. A service centre is therefore a use that achieves the objectives of the RU1 zone.

- **Impact on small business operating within the within the Bowning Village**

1) Potential reduction in patrons using local restaurants/cafes.

Response

The proposal capitalises on a rare opportunity in the Marulan to Gundagai stretch of the Hume Highway for a Service Centre that allows safe access for motorists.

As provided in the Planning Proposal, based on our experience with similar projects and the nature of retail dynamics, the market groups which drive the turnover spend within Bowning and Yass and at the proposed development site are different and pose minimal market crossover.

As such, the proposal will mostly capture trade from travelling motorists who do not plan to visit or stop at Bowning or Yass and will therefore not diminish the viable commercial function of small business in Bowning. The Highway Service Centre will provide both full-time and part-time employment opportunities for local residents including the areas youth.

- **Impact on land value due to loss of amenity due to noise and visual impacts**

1) *The proposal will be visible from rural properties in the vicinity and it will generate noise impacts on dwellings in the vicinity of the site.*

Response

The subject site fronts the Hume Highway and is an appropriate location for a Highway Service Centre, particularly when considering the location of such facilities along this particular stretch of the highway.

Visual and acoustic impacts of the proposal will be addressed at the detailed design stage of the application and will be managed so as to ameliorate any potential impacts on sensitive receivers within the vicinity of the site.

The proposal (including access and egress ways) is located a sufficient distance from the nearest residential receivers to mitigate potential acoustic and amenity impacts. In particular, the proposal is located over a kilometre away from the nearest RU5 Village Zone (the closest exit driveway is approx. 243m away) and approximately 523m from the nearest dwelling (the closest driveway is approximately 320m away).

The proposal is of a sufficient size to incorporate adequate landscaping to ensure an appropriate level of screening is provided to mitigate visual impacts on passing motorists and dwellings.