

Metro Inner Development Assessment Panel Related Information

Meeting Date and Time: Tuesday, 22 September 2026; 9:30am
Meeting Number: MIDAP/154

PART B – CITY OF BELMONT

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Lots 93, 94, 95 & 96 (411 - 417) Great Eastern Highway, Redcliffe - Proposed Alterations and additions to existing motor vehicle repair - Amendments to Motor Vehicle Repair – DAP/02949
5. Section 31 SAT Reconsiderations

PART C – CITY OF STIRLING

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 1 (House Number 1-20/6) Anthony Way, Tuart Hill - Six (6) Multiple Dwellings – DAP/26/03074
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – CITY OF BAYSWATER

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lots 130 - 131 (No 321) Guildford Road, Bayswater - Proposed Service Station, car wash and drive thru coffee (fast food) – DAP/23/02575
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART B – CITY OF BELMONT

Submitters
Aaron Lohman (Cornerstone Town Planning) Dr John Marriott
Applicant
Andra Biondi (Urbanista Town Planning) Craig Wallace and Isabella Mosole (Lavan)
Officers/Technical Advisors in Attendance
Nick Reddy Alex Bott

1. Declarations of Due Consideration

2. Disclosure of Interests

Please note a standing declaration of interest, if the items on this agenda have been considered at the relevant local government council meeting or having attending a briefing session, the local government DAP members acknowledge that in accordance with section 2.4.5 of the DAP Code of Conduct 2025 they have declared that they had participated in a prior Council meeting or briefing in relation an item being determined at this meeting. However, under section 2.1.2 of the DAP Code of Conduct 2025, they acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

3. Form 1 DAP Applications

Nil

4. Form 2 DAP Applications

4.1 Lots 93, 94, 95 & 96 (411 - 417) Great Eastern Highway, Redcliffe - Proposed Alterations and additions to existing motor vehicle repair - Amendments to Motor Vehicle Repair – DAP/02949

4.1.1 Deputations

Aaron Lohman (Cornerstone Town Planning) speaking against the application at Item 4.1. The deputation will address the ability for the proposal to be considered as an amendment to a development approval under Regulation 17 (1) of the Planning and Development (Development Assessment Panel) Regulations 2011.

Dr John Marriott speaking against the application at Item 4.1. The deputation will address concerns regarding proposed developmental impact on amenity of adjacent residential property, which I could not raise earlier due to lack of notification.

Craig Wallace and Isabella Mosole (Lavan) speaking in support of the application at Item 4.1. The deputation will address legal support for the Form 2 application.

Andra Biondi (Urbanista Town Planning) speaking in support of the application at Item 4.1. The deputation will address a brief background of the Form 1 application and support for the City's recommendation.

The City of Belmont may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

4.1.2 Additional Information

The Presiding Member notes a DAP request for services and responsible authority response was published on 21 September 2026 in relation to Item 4.1.

5. Section 31 SAT Reconsiderations

Nil

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

Before requesting to present to a DAP please review the Responsible Authority Report that has been published on the DAP website and consider whether any previous comments have been adequately addressed.

Your request will be determined by the Presiding Member based on relevance to the subject application, individual merit, other requests raising the same issues and likely contribution to the DAP's consideration and determination of the application.

Deputations are not to exceed **3 minutes**, unless otherwise approved by the Presiding Member. The Presiding Member may agree to or require combined deputations where the deputations are considered complementary to each other and would assist the efficiency and effectiveness of the DAP meeting.

In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your deputation request must be accompanied with a document setting out the deputation content.

Handouts or power points will not be accepted on the day.

In accordance with Clause 3.6.9 of the *DAP Standing Orders*, if your deputation request is not approved, the submitted content will be circulated to the DAP and published on the DAP website as a written submission.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Aaron Lohman
Company (if applicable)	Cornerstone Town Planning
Relationship to proposed development	Town Planning representative of owners of 60 Central Avenue, Redcliffe
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/25/02949
Property Location	411-417 Great Eastern Highway, Redcliffe

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☐ AGAINST ☒
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☐ Online ☒

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> The ability for the proposal to be considered as an amendment to a development approval under Regulation 17 (1) of the Planning and Development (Development Assessment Panel) Regulations 2011.
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Refer to attached letter.

By Email: daps@dph.wa.gov.au

14 September 2026

Presiding Member
Development Assessment Panels
140 William Street
PERTH WA 6000

Dear Presiding Member

**PRESENTATION REQUEST: METRO INNER DAP MEETING 22 SEPTEMBER 2026
AMENDMENT TO 'MOTOR VEHICLE REPAIR'
LOTS 93 TO 96 GREAT EASTERN HIGHWAY REDCLIFFE**

Cornerstone Town Planning (CTP) are engaged by the owners of 60 Central Avenue, Redcliffe in respect to the amendment to Development Approval granted for 'Motor Vehicle Repair' by the Development Assessment Panel (DAP) at the meeting of 16 February 2026.

Our client has separately lodged a submission outlining their concerns in respect to the development and amendments proposed. In addition, CTP separately wrote to the City of Belmont regarding the matters below.

The Amended Development Application was lodged as a Form 2 Application. The *Planning and Development (Development Assessment Panels) Regulations 2011* (Regulations) apply to the proposal. Regulation 17 (1) provides that:

- (1) An **owner of land** in respect of which **a development approval has been granted** by a DAP pursuant to a DAP application may apply for the relevant DAP to do any or all of the following —
- (a) to amend the approval so as to extend the period within which any development approved must be substantially commenced under regulation 16A(2);
 - (b) to amend or delete any condition to which the approval is subject;
 - (c) to **amend an aspect** of the **development approved** which, if amended, would not substantially change the development approved;
 - (d) to cancel the approval.

Bold above is the Author's emphasis.

Approval was granted for the original development at the Development Assessment Panel (DAP) meeting of 16 February 2026. The original development approval included Lots 93 to 95 Great Eastern Highway, Redcliffe.



This application seeks to include Lot 96 Great Eastern Highway, Redcliffe (Lot 96) in order to undertake the following amendments:

- *Extension of the use for vehicular manoeuvring over Lot 96.*
- *Awning and Bin store relocated to Lot 96.*
- *Reconfiguration of to the car parking, landscaping and manoeuvring layout;*
- *Modification of the location of the crossover access to Great Eastern Highway.*

It is our view that a Form 2 Application to amend the development approved under Regulation 17 (1) cannot be considered by the City or DAP on the following grounds:

1. Regulation 17 (1) of the Regulations allow for amendments to an *aspect of the development approved*.

The original development application did not include or contain any development on Lot 96 as development was limited to Lots 93 to 95. Refer to the development plans in the 19 February 2026 Metro Inner Development Assessment Panel Agenda. Therefore, it is our view that the additional development on Lot 96 cannot be dealt with via Clause 17 (1) of the Regulations as there is no development approved on Lot 96 to amend. An amendment to a development approval is constrained to the form of development approved, and the lots to which approval relates.

It is further noted that Regulation 17 (1) permits an owner of land to which development approval has been granted to apply to amend that approval. This reinforces that an amended application is constrained to the land to which the development was approved. The owning entity of Lot 96 has not received development approval.

2. Condition '1' of the development approval reinforces the above position as it requires development to be undertaken in accordance with the approved plans. That is condition '1' limits development to Lots 93 to 95.
3. The intent of Regulation 17 (1) is to allow for an amendment to an approved development that does not substantially change the approval. Introducing a new lot is a substantial change to the development approved. It is a substantial change as it facilitates both use and development of that land not previously contemplated.
4. The DAP Practice Notes: Making Good Planning Decisions outlines the that the amendment process assists the developers of larger projects that might require amendments to be made, as more detailed construction drawings are proposed. The development proposed goes beyond an amendment resulting from detailed construction drawings.

Whilst we have reviewed the Responsible Authority Report (RAR) and the above matters are generally considered under the hearing of Acceptance as a Form 2 Application it remains our view that the proposal does not meet the test of being an amendment to an aspect of the development approved under Regulation 17 (1). As discussed at '1' above there was no development approved on Lot 96 to now be amended.

Notwithstanding the view that the proposal cannot be considered as an amendment under 17 (1) of the Regulations other matters arising include:



- Vehicular access is proposed at the rear of Lot 96 for trucks being serviced and rubbish collection. On site truck movements are required to comply with the *Environmental Protection (Noise Regulations) 1997*. An acoustic report is not provided to demonstrate compliance can be achieved.
- The Operational Management Plan would further be required to consider the amendments proposed.

Conclusion

Having regard to the matters raised above, it is our view that the Amended Development Application cannot be progressed or considered under Regulation 17 (1).

It is considered that the application goes beyond the intent of Regulation 17 (1), by including a new lot, additional development and land in differing ownership.

The proposal raises the requirement for a new development application and consideration of the development as a whole.

If you have any queries, please contact the undersigned.

Yours sincerely,

Aaron Lohman

Aaron Lohman

Principal Town Planner

E: alohman@cornerstonetp.com.au

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

Before requesting to present to a DAP please review the Responsible Authority Report that has been published on the DAP website and consider whether any previous comments have been adequately addressed.

Your request will be determined by the Presiding Member based on relevance to the subject application, individual merit, other requests raising the same issues and likely contribution to the DAP's consideration and determination of the application.

Deputations are not to exceed **3 minutes**, unless otherwise approved by the Presiding Member. The Presiding Member may agree to or require combined deputations where the deputations are considered complementary to each other and would assist the efficiency and effectiveness of the DAP meeting.

In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your deputation request must be accompanied with a document setting out the deputation content.

Handouts or power points will not be accepted on the day.

In accordance with Clause 3.6.9 of the *DAP Standing Orders*, if your deputation request is not approved, the submitted content will be circulated to the DAP and published on the DAP website as a written submission.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	John Marriott
Company (if applicable)	Click or tap here to enter text.
Relationship to proposed development	Owner of 60 Central Avenue, Redcliffe
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner Dap
Meeting Date	22/09/2026
DAP Application Number	DAP/25/02949
Property Location	411-417 Great Eastern Hwy, Redcliffe

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☐ AGAINST ☒
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☐ Online ☒

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> To voice concerns regarding proposed developmental impact on amenity of adjacent residential property, which I could not raise earlier due to lack of notification.
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Click or tap here to enter text.

Good morning, Presiding Member and Panel members, and thank you for allowing me to speak.

My name is John Marriott. I am the joint owner of the directly adjoining residential property. I was raised at this property and currently lease it.

I have engaged Cornerstone Town Planning to advise me on this application, and a separate deputation has been lodged regarding whether this proposal can properly be considered as an amendment. My comments today concern the impacts on my property.

I first want to clarify an important misunderstanding.

When I received notification of this amendment, I mistakenly believed it was notification of the original development application. Consequently, my first submission addressed the development generally rather than the amendment.

After speaking with Mr Reddy, I realised the original development had already been approved. I immediately submitted a further response on the closing day explaining my circumstances.

I was unaware of the original application and therefore had no opportunity to make a submission when the development was originally considered.

Correspondence sent to the property was received by the tenants and was not passed on to me. My previous PO Box had also ceased operating, so correspondence was not forwarded to me.

I appreciate that this Panel is now considering an amendment and may not have jurisdiction to revisit the original approval. **I am not asking the Panel to exceed its jurisdiction.**

I am asking that, given the circumstances, my concerns be considered **to the extent they are relevant to the amendment before you.**

My concerns are:

First, the visual bulk and impact of the proposed 7.5-metre x 40-metre structure immediately adjoining our residential property.

Second, overshadowing and loss of sunlight to our backyard and residential windows.

Third, noise from the proposed motor vehicle repair use, including mechanical and vehicle-related activities.

Fourth, stormwater, earthworks and the boundary interface.

In my view, providing an appropriate setback from the residential boundary would substantially address these impacts and provide a more appropriate transition between the commercial development and our residential property.

I respectfully ask the Panel to consider whether the proposed amendment affects these impacts and, where it has the power to do so, require appropriate mitigation.

Finally, I ask that the circumstances surrounding my lack of awareness of the original application be noted on the record.

I am simply asking for my concerns to be heard and considered to the fullest extent available within the application before the Panel.

Thank you for hearing me.

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

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Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Craig Wallace/Isabella Mosole
Company (if applicable)	Lavan
Relationship to proposed development	Legal Representative
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner
Meeting Date	22/09/2026
DAP Application Number	DAP/25/02949
Property Location	Lots 93, 94, 95 and 96 (NO. 411-417) Great Eastern Highway, Redcliffe

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☐ Online ☒

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Click or tap here to enter text. See letter attached.
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Our ref: IAM:CHW:1193813
Your ref: DAP/25/02949
Contact: Isabella Mosole
Direct Line: (08) 9288 6963
Email: isabella.mosole@lavan.com.au
Partner: Craig Wallace
Direct Line: (08) 9288 6828
Email: craig.wallace@lavan.com.au



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Perth Western Australia 6000
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lavan.com.au

18 September 2026

Francesca Lefante
Presiding Member
Metro Inner Development Assessment Panel
140 William Street
PERTH WA 6000
By Email: daps@dplh.wa.gov.au

Dear Ms Lefante

**Legal submission in support of Form 2 application – Lots 93,94, 95 and 96
(No. 411 – 417) Great Eastern Highway, Redcliffe**

Overview

- 1 Lavan acts for Eaglehill Holdings Pty Ltd and Hennessy Holdings Pty Ltd, the registered owners of Lots 93, 94, 95 and 96 (No. 411–417) Great Eastern Highway, Redcliffe, in the City of Belmont (**Property**).
- 2 This submission is made to the Metro Inner Development Assessment Panel (**DAP**) in support of the Form 2 application (DAP/25/02949), which seeks to amend the existing development approval granted by the DAP on 19 February 2026 for Lots 93, 94 and 95 (No. 413–415) Great Eastern Highway, Redcliffe (**Existing Approval**), granted under the City of Belmont Local Planning Scheme No. 15 (**LPS15**).
- 3 The City of Belmont (**City**), in its responsible authority report (**RAR**), has recommended that the DAP resolve to:

(A) Accept that the DAP application reference DAP/25/02949, as detailed on the DAP Form 2 dated 26 July 2026, is appropriate for consideration in accordance with regulation 17 of the DAP Regulations; and



The Leading Western Australian Law Firm
Our Values: Excellence, Courage, Collaboration, Fulfilment and Integrity

Lavan respectfully acknowledges the traditional owners of the land on which we live and work.

(B) Approve to amend DAP application reference DAP/25/02949 for amendments to the approved Motor Vehicle Repair use at Lots 93, 94, 95 and 96 (No. 411–417) Great Eastern Highway, Redcliffe, in accordance with regulation 17, subject to additional conditions.

- 4 For the reasons set out below, it is my opinion that the DAP has power to approve the proposed amendments and the Form 2 application should be approved, consistent with the City's recommendation.

Validity and characterisation of the Form 2 application

- 5 A Form 2 application is determined under regulation 17 of the *Planning and Development (Development Assessment Panel) Regulations 2017* (WA) (**DAP Regulations**). Regulation 17(1)(c) relevantly provides:

An owner of land in respect of which a development approval has been granted by a DAP pursuant to a DAP application may apply for the relevant DAP to do any or all of the following —

...

(c) to amend an aspect of the development approved which, if amended, would not substantially change the development approved;

- 6 In *Milem Pty Ltd v Metro Central Joint Development Assessment Panel* [2019] WASC 207 (**Milem**), the Supreme Court of Western Australia held at [9] that regulation 17(1)(c) involves a two-stage analysis:

The first stage requires the decision-maker to be satisfied that the proposed amendment would not substantially change the development approved. If the decision-maker is so satisfied, the application for the amendment would be a valid application under reg 17(1)(c), and the Panel would then have the jurisdiction to exercise its discretion to approve or refuse the proposed amendment.

- 7 Applying the first stage of the *Milem* analysis, the present application satisfies each requirement for a valid Form 2 application under regulation 17(1)(c):

- 7.1 there is an existing development approval granted by the DAP;
- 7.2 the application is made by the owners of the land in respect of which the development approval was granted; and
- 7.3 the proposed amendments would not substantially change the development approved.

- 8 As to that last point, comparing the Existing Approval and the Form 2 amendment application:

- 8.1 The approved Motor Vehicle Repair land use remains unchanged; no new or different land use is introduced. The pre-existing 'Shop' use on Lot 96 is removed by demolition of the existing commercial structures, not perpetuated or expanded. Each of the proposed works, the extension of the manoeuvring area, the roller door, the awning, the bin store relocation,

the reconfigured parking and landscaping, and the relocated crossover, is ancillary to the approved Motor Vehicle Repair use.

- 8.2 There is no increase to the approved gross floor area and no change to the approved building footprint. The additional land from the incorporation of Lot 96 is devoted to vehicle manoeuvring, car parking and landscaping rather than additional building bulk. Site coverage remains well below the 60% maximum permitted under clause 4.11.1(c) of LPS15, and the ratio of built form to total site area is reduced by the increased site area. Building height is unchanged. Built form scale is accordingly not increased.
- 8.3 The operational character of the development is not materially intensified. The use, workshop operations and essential site functions remain consistent with the Existing Approval. The reconfiguration of parking increases on-site provision from 19 to 23 bays (a surplus of 3 bays against the City's applied standard), reducing the approved shortfall. The amended layout also improves the separation of customer, staff and operational vehicle movements and enhances circulation throughout the site. The intensity of the approved development is accordingly not increased.
- 9 Taking the amendments individually and as a whole, none rises to the level of a 'substantial change' within the meaning of regulation 17(1)(c). The amendments are confined to ancillary site works and operational improvements that enhance the functionality of the approved development without altering its fundamental character.
- 10 The first stage of the *Milem* analysis is accordingly satisfied, and the application is valid and capable of determination as a Form 2 application under regulation 17(1)(c).
- 11 The City has reached the same conclusion in the RAR, finding that the proposed amendments do not substantially change the development approved and that the application is appropriate for determination under regulation 17(1)(c). I endorse that assessment.

Works on Lot 96 do not exceed the scope of a Form 2 application

- 12 The application proposes to incorporate the adjoining Lot 96 into the approved development site and undertake associated works, including the demolition of existing commercial structures, extension of the vehicle manoeuvring area, a new roller door, addition of an awning, relocation of the bin store, and reconfiguration of car parking, landscaping and access arrangements.
- 13 It is my opinion that the incorporation of Lot 96 and the associated works are capable of being considered under regulations 17 of the DAP Regulations and do not require a fresh Form 1 development application.
- 14 As outlined above, the test in regulation 17(1)(c) is whether 'the development approved' would be substantially changed. Properly construed, the statutory question is qualitative and directed at the approved development as a whole and not at the cadastral lot boundaries of, or the individual lots comprising, the land over which the approval was granted. Nothing in regulation 17 confines a permissible amendment to works physically located within the originally-approved lots. To read

the provision otherwise would be inconsistent with settled principles of statutory construction and would preclude routine outcomes such as reconfiguring car parking or landscaping across a lot boundary, even where the essential character, use and scale of the approved development remain unchanged.

- 15 Regulation 17(1) confers the right to seek an amendment on “an owner of land in respect of which a development approval has been granted by a DAP pursuant to a DAP application”. The Proponents are the registered owners of the land the subject of the existing development approval (Lots 93, 94 and 95) and are equally the registered owners of the adjoining Lot 96, which they have acquired. The amended development site (Lots 93 to 96) is accordingly in common ownership, and the application is made by the requisite owner within the meaning of regulation 17(1).
- 16 Applying the first stage of the analysis in *Milem*, whether a proposed amendment would substantially change the development approved is a question of fact and degree, directed at the approved development as a whole. The incorporation of additional land used only for ancillary vehicle manoeuvring, car parking and landscaping in service of the same approved Motor Vehicle Repair use, introducing no new or intensified land use and no additional gross floor area, does not effect a substantial change to the development approved.
- 17 In my opinion, the works on Lot 96 are therefore properly dealt with within the existing Form 2 (regulation 17) framework and do not necessitate the requirement for a new development application. The mere fact that the amended site includes additional land does not, of itself, convert the amendment into a substantial change; to treat a change in site area as decisive would elevate a single feature above the statutory question, which is directed at the development as a whole.

The DAP's power to grant the application

- 18 The City notes in the RAR that the Form 2 application does not change the land use classification approved under the Existing Approval.
- 19 Whilst the approved ‘Motor Vehicle Repair’ land use remains an ‘A’ use in the ‘Mixed Use’ zone under the *City of Belmont Local Planning Scheme No. 15 (LPS15)*, the RAR also notes that the Property is subject to the draft *Redcliffe Station Precinct Improvement Scheme No. 1 (Improvement Scheme)* under which the ‘Motor Vehicle Repair’ land use is identified as an ‘X’ use.
- 20 Without expressing any concluded view on the weight to be given to the current or future planning framework, the DAP has power under the DAP Regulations to approve the Form 2 application, as it is not legally bound by the land use considerations in LPS15 or the draft Improvement Scheme in making its determination.
- 21 The DAP's power to determine a Form 2 application is conferred by regulations 17(1)(c) and 17(4) of the DAP Regulations, the latter of which provides:

The relevant DAP may determine the application under sub-regulation (1) by

—

(a) approving the application with or without conditions; or

(b) *refusing the application.*

- 22 Regulation 17(3) provides that, unless otherwise provided, regulations 10 to 13 apply to a Form 2 application as if it were a DAP application. Notably:
- 22.1 regulations 10 to 13 concern procedural matters and do not contain anything requiring the DAP to apply a local planning scheme; and
 - 22.2 regulation 17(3) does *not* pick up regulations 8 or 16, which *do* require the DAP to apply the relevant planning instrument as if it were the responsible authority when determining a Form 1 DAP application.
- 23 For completeness:
- 23.1 Regulation 8(1) requires a DAP to determine a DAP application (Form 1) as though it were the responsible authority under the relevant planning instrument.
 - 23.2 Regulation 16 similarly provides that the provisions of the *Planning and Development Act 2005 (PD Act)* and the planning instrument apply to the making and notification of the DAP's determination of a DAP application as if the DAP were the responsible authority.
 - 23.3 Section 171A(2) of the PD Act refers to regulations providing for a "development application" to be determined by a DAP "as if the DAP were the responsible authority under the relevant planning instrument". Section 171A(3) provides that, unless otherwise provided, a determination by a DAP of a "development application" is to be regarded as if it were a determination of the responsible authority.
 - 23.4 The term "DAP application" is defined as a development application of a class or kind prescribed under regulation 6 in respect of which the applicant has made an election under regulation 7.
- 24 Regulation 17(4) contains no requirement conditioning approval on the DAP reaching any level of satisfaction as to compliance with the underlying planning scheme. Accordingly, a regulation 17 determination is not conditioned on the DAP applying LPS15 development standards or having due regard to the draft Improvement Scheme, as is required for a Form 1 application under regulations 8, 16 and section 171A of the PD Act.
- 25 I note, however, that compliance with LPS15 and the zoning changes contemplated by the draft Improvement Scheme is not in issue in the present case, because the City supports the proposal on its planning merits in any event.
- 26 The jurisdictional prerequisites under regulation 17(4) are satisfied:
- 26.1 there is an existing DAP development approval (granted 19 February 2026);
 - 26.2 the applicants are the owners of the relevant land;
 - 26.3 the application has been duly lodged and accepted;

- 26.4 relevant referrals have been undertaken (Main Roads Western Australia supporting the proposal subject to conditions; the Department of Planning, Lands and Heritage has been consulted); and
- 26.5 the DAP need only be satisfied, applying the first stage of the *Milem* analysis, that the proposed amendments would not substantially change the development approved, a conclusion the City has already reached in the RAR.
- 27 This conclusion is consistent with the Supreme Court's reasoning in *Milem*.

Conclusion

- 28 For these reasons, it is my opinion that:
- 28.1 there is power for the DAP to approve the Form 2 amendment application for the Property;
- 28.2 the proposed amendments, including the incorporation of Lot 96 and the associated works, do not substantially change the development approved and does not trigger a requirement for a new development application.
- 29 Accordingly, I concur with the City's recommendation and invite the DAP to resolve to:
- 29.1 accept that our clients' Form 2 application is appropriate for consideration in accordance with regulation 17 of the DAP Regulations; and
- 29.2 approve the Form 2 amendment application, consistent with the City's recommendation.
- 30 Lavan is instructed to present an online deputation at the forthcoming DAP meeting on 22 September 2026 and will be available to answer any questions that the panel members may have.

Yours sincerely



Craig Wallace
Partner

Please notify us if this communication has been sent to you by mistake. If it has been, any privilege between solicitor and client is not waived or lost and you are not entitled to use it in any way.

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted **at least** 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

Before requesting to present to a DAP please review the Responsible Authority Report that has been published on the DAP website and consider whether any previous comments have been adequately addressed.

Your request will be determined by the Presiding Member based on relevance to the subject application, individual merit, other requests raising the same issues and likely contribution to the DAP's consideration and determination of the application.

Deputations are not to exceed **3 minutes**, unless otherwise approved by the Presiding Member. The Presiding Member may agree to or require combined deputations where the deputations are considered complementary to each other and would assist the efficiency and effectiveness of the DAP meeting.

In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your deputation request **must** be accompanied with a document setting out the deputation content.

Handouts or power points will not be accepted on the day.

In accordance with Clause 3.6.9 of the *DAP Standing Orders*, if your deputation request is not approved, the submitted content will be circulated to the DAP and published on the DAP website as a written submission.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Andra Biondi
Company (if applicable)	Urbanista Town Planning
Relationship to proposed development	Applicant
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/25/02949
Property Location	Lots 93, 94, 95 & 96 (411-417) Great Eastern Highway, Redcliffe

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> • Thank you Presiding Member and Panel Members. I appear as the applicant in support of the City's recommendation for approval. • By way of brief background, the original Form 1 application across Lots 93, 94 and 95 was approved by the DAP in February this year. • As part of that application, we sought to retain a crossover from Central Avenue. A condition was ultimately imposed requiring that access to be removed. We challenged that position at the time, however it was upheld by the DAP and we accept that outcome (Cond. 11). • At the same time, the landowner had been seeking to acquire the adjoining Lot 96, but was unable to complete that acquisition in time for it to form part of the original application. • Lot 96 has now been acquired and its incorporation has allowed us to effectively open up the site and substantially improve how vehicles circulate, manoeuvre and move on and off the property. The City similarly recognises that the additional land improves the overall functionality of the approved development. • This is particularly important for this business because it services trucks and needs to safely accommodate safe
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	vehicle movements. • The revised arrangement provides additional manoeuvring space and better separation between trucks, light vehicles and pedestrians using the parking areas. The City's assessment confirms these improvements are supported by the revised swept path analysis. • Importantly, the proposal remains entirely consistent with the development already approved by the DAP. It is also wholly related to the approved DAP application and as such does not represent a new or materially different development, but rather a refinement to improve the functionality and operation of the development. • The Motor Vehicle Repair use is unchanged, there is no increase in gross floor area and the approved built form is substantially unchanged. • Parking has also improved, increasing from 19 to 23 bays, providing three bays above the City's assessed requirement. • Main Roads has reviewed the revised access arrangements and supports the proposal subject to conditions. • Overall, we consider this to be a positive and beneficial improvement to the existing approval. It retains the approved use and built form while providing a much more functional and spacious site layout. • It should also be noted that the DAP has previously approved a similar Form 2 application for Bunnings, Maddington. Specifically, in a City of Gosnells / DAP matter for a Bunnings development at Albany Highway, Maddington, the original approval covered a series of identified lots. The subsequent amendment added Lot 8 (2095 Albany Highway), which was not within the original approved site, to accommodate an access driveway. The applicant expressly argued that adding Lot 8 did not alter the overall intent of the approval and therefore constituted a minor amendment. The Form 2 documentation included the title and landowner consent for the additional land. A copy of this DAP Agenda Item and Minutes can be viewed at the following links: Agenda: https://www.planning.wa.gov.au/docs/default-source/daps/agenda---no-103---part-c---city-of-gosnells.pdf?sfvrsn=5a3c8475_1 Minutes: https://www.planning.wa.gov.au/docs/default-source/daps/minutes---no-103---city-of-rockingham---
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	city-of-gosnells---city-of-mandurah.pdf?sfvrsn=8d817d0d_1 • We therefore respectfully ask the Panel to support the City's recommendation for approval.
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Click or tap here to enter text.

Direction for Services from the Responsible Authority

Regulation 13(1)

Guidelines

Regulation 13 of the DAP regulations allows the DAP executive director to direct a responsible authority to provide further information to an application. The DAP executive director may do that directly using this form.

A DAP Member who wishes to request further information (e.g. technical advice and assistance or information in writing) from the Responsible Authority must also complete this form and submit to daps@dplh.wa.gov.au.

The request will be considered by the DAP Executive Director and if approved, the Responsible Authority will be directed to provide a response to DAP Secretariat within the form.

It is important to note that **the completed form containing the query, response and any accompanying documentation will be published on the DAP website** as an addendum to the meeting agenda.

DAP Application Details

DAP Name	Metro Inner
DAP Application Number	DAP/25/02949
Responsible Authority	City of Belmont
Property Location	Lots 93, 94, 95 & 96 (411 - 417) Great Eastern Highway, Redcliffe

Nature of technical advice or information required

1	DAP query	Please provide a response to the deputation requests made by Aaron Lohman of Cornerstone Town Planning, and Dr John Marriott (attached).
	Response	<u>Response to Cornerstone Town Planning's Written Deputation</u> The City is satisfied that the application is capable of consideration under regulation 17(1)(c). The following has been considered: • Regulation 17(1)(c) requires the DAP to determine whether the proposed amendment would substantially change the development approved. • It is noted that there is also no provision within regulation 17 which confines an amendment to the cadastral boundaries forming part of the original approval. Such an interpretation would introduce a matter that is not expressed in regulation 17(1)(c). The relevant reference point is the development approved. • 'Substantial change' is not defined in the DAP Regulations. The relevant test, drawn from <i>Milem Pty Ltd v Metro Central Joint Development Assessment Panel</i> [2019] WASC 207, is whether the amended development remains materially the same as the approved development, or retains the same essence. • The current DAP Practice Notes adopt the same approach. They state that the comparison is not merely between individual physical

* Any Alternative to the responsible authority recommendation sought does not infer a pre-determined position of the panel.

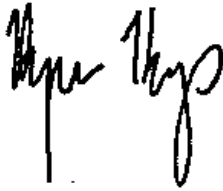
		components of a development, but requires consideration of whether the proposed development remains essentially or materially the same as that currently approved. • In this case, the development approved by the DAP remains substantively unchanged. Noting: - o It remains a Motor Vehicle Repair development. - o There is no change to the approved land use - o no increase in gross floor area and no expansion of the approved workshop or servicing activities proposed. • Lot 96 is principally incorporated to provide additional vehicle manoeuvring, car parking and landscaping and to facilitate revised access arrangements. • The incorporation of Lot 96 therefore does not materially change the development itself. The additional land facilitates the operation and circulation of the Motor Vehicle Repair development already approved by the DAP rather than introducing a different development or materially increasing its scale or intensity. • Accordingly, while the amended proposal extends onto Lot 96, it does not alter the substance of what was approved by the DAP. The development remains, in all material respects, the same Motor Vehicle Repair development. • The City does not consider that Condition 1 provides any basis for confining the matter to Lots 93–95. The condition simply requires the development to be carried out in accordance with the approved plans, while expressly recognising that those plans may subsequently be modified or altered with approval. Whether the proposed amendments can be approved is therefore a matter to be determined under Regulation 17, rather than by reference to Condition 1. On balance, the City considers that the amended proposal is materially the same development as that previously approved, and regulation 17(1)(c) is therefore satisfied. <u>Response to John Marriott's Written Deputation</u> <i>Form 1 Consultation</i> Regarding the Form 1 DAP application and the advertising undertaken for that proposal, I can provide the following background: • The application was advertised in accordance with the consultation requirements of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. • The City sent advertising letters during the week commencing 22 August 2025 to all owners and occupiers of properties in the surrounding locality of the subject site. At that time, a letter was sent to the owner's listed postal address recorded in the City's rates system. • On 8 September 2025, the City received a request from the owner to change the postal address to a different address. The advertising letter was sent to the owner's postal address as recorded in the City's rates system at the time of advertising. The owner did not notify the City of a change to their postal address until 8 September 2025, after the advertising letters had been issued. Accordingly, the City relied on the postal address available to it at the
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		time and had not been advised of any change prior to issuing the correspondence. <i>Visual Bulk and Setback</i> • While the current Form 2 application includes a canopy addition along the south-western side of the approved building, the amendment does not materially alter the previously approved development's relationship with the adjoining residential property. • The approved boundary wall, overall building height and principal built form interface remain substantially unchanged from those previously assessed by the DAP as part of the Form 1 application. • In relation to visual bulk, building scale and future redevelopment potential, these matters were comprehensively assessed during consideration of the Form 1 application. • The DAP accepted the City's assessment that the approved development achieved an appropriate transition to adjoining residential land having regard to the objectives of LPP 20, the recommendations of the Design Review Panel and the anticipated future development context of the locality. • The proposed amendments do not materially alter those considerations. <i>Overshadowing</i> • The canopy addition does not materially increase overshadowing impacts beyond those previously assessed under the Form 1. • The approved development was assessed against the relevant solar access objectives, with the adjoining property retaining access to the majority of outdoor living areas and without overshadowing north-facing major openings. • The City remains satisfied that the approved overshadowing outcome is acceptable. <i>Noise</i> • The City does not consider that an acoustic assessment is required to determine the proposed amendment. • The amendment does not change the approved land use, increase the gross floor area, expand the workshop or increase the approved servicing activity. All vehicle and mechanical servicing continue to be required to occur within the approved workshop. • The amended arrangements alter the location of some vehicle manoeuvring within the site. However, this does not of itself establish a requirement for an acoustic assessment, particularly where the nature and intensity of the approved operation are not proposed to increase. • The operation of the premises remains required to comply with the Environmental Protection (Noise) Regulations 1997 irrespective of whether an acoustic assessment is submitted as part of the planning application. • Operational noise was also considered as part of the original application. The approved Operational Management Plan includes measures relating to operating hours, engine idling, workshop doors and vehicle testing. • The City acknowledges that the Operational Management Plan should reflect the amended vehicle circulation arrangements. If required, this can be addressed through an amendment to the relevant condition requiring an updated Operational Management Plan consistent with the approved Form 2 plans.
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OFFICIAL

		• The City therefore maintains the recommendation contained within the RAR. <i>Stormwater, earthworks and boundary interface</i> • Condition 4 requires stormwater disposal plans to be submitted to and approved by the City prior to the lodgement of a building permit application. The City requires all stormwater generated by the development to be appropriately managed on-site and would not support a design that adversely affects adjoining properties. • Structural and construction matters are assessed through the building permit process. • Condition 7 requires a Construction Management Plan, including a dilapidation report for adjoining properties, prior to commencement of works.
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DAP Executive Director Authorisation

Signature	
Date	17 September 2026
Response Due	21 September 2026; 12 pm (midday)

PART C – CITY OF STIRLING

Applicant
Vadim Boyko (Prekt)
Daniel Paton (Developed)
Michael Stocco (Developed)
Officers/Technical Advisors in Attendance
Sophia Re

1. Declarations of Due Consideration

2. Disclosure of Interests

Please note a standing declaration of interest, if the items on this agenda have been considered at the relevant local government council meeting or having attending a briefing session, the local government DAP members acknowledge that in accordance with section 2.4.5 of the DAP Code of Conduct 2025 they have declared that they had participated in a prior Council meeting in relation an item being determined at this meeting. However, under section 2.1.2 of the DAP Code of Conduct 2025, they acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

3. Form 1 DAP Applications

3.1 Lot 1 (House Number 1-20/6) Anthony Way, Tuart Hill - Six (6) Multiple Dwellings – DAP/26/03074

3.1.1 Deputations

Vadim Boyko (Prekt) speaking in support of the application at Item 3.1. The deputation will address support for the recommendation and available to answer any questions.

Daniel Paton (Developed) speaking in support of the application at Item 3.1. The deputation will address support for the recommendation and available to answer any questions.

Michael Stocco (Developed) speaking in support of the application at Item 3.1. The deputation will address support for the recommendation and available to answer any questions.

The City of Stirling may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

3.1.2 Additional Information

Nil

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

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Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Vadim Boyko
Company (if applicable)	Proekt
Relationship to proposed development	Architect
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/26/03074
Property Location	Lot 1 (HOUSE NUMBER 1-20/ 6), ANTHONY WAY TUART HILL

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Taking question only in support of Item 3.1
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

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Presenter Details

Name	Daniel Paton
Company (if applicable)	Developed
Relationship to proposed development	Proponent
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/26/03074
Property Location	Lot 1 (HOUSE NUMBER 1-20/ 6), ANTHONY WAY TUART HILL

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will your deputation involve a presentation that requires power-point facilities?	YES ☒ NO ☐
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Speaking and taking question in support of Item 3.1
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

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Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Michael Stocco
Company (if applicable)	Developed
Relationship to proposed development	Proponent
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/26/03074
Property Location	Lot 1 (HOUSE NUMBER 1-20/ 6), ANTHONY WAY TUART HILL

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will your deputation involve a presentation that requires power-point facilities?	YES ☒ NO ☐
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Speaking and taking question in support of Item 3.1
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Click or tap here to enter text.



MERITS OF APPROVAL

Conditions all supported

Land use = Permissible

Draft Scheme (LPS4) =
Permissible

Design Variations =
Supported

Strata endorsed

Retention of regulated
trees

ANTHONY COURT

6 ANTHONY WAY, TUART HILL • DEVELOPMENT APPROVAL • ITEM 3.1

PROEKT
Developed

PART D – CITY OF BAYSWATER

Submitters
Jay Hardison Jessica Albrow Ramin Danefaleh Sandra Kift
Applicant
Nik Hidding (Hidding Urban Planning) David Wilkins (I3 Consultants) John Hurley (EAQ Consulting) Martti Warpenius (Reverberate Consulting)
Officers/Technical Advisors in Attendance
Adrian Di Nella

1. Declarations of Due Consideration

2. Disclosure of Interests

Please note a standing declaration of interest, if the items on this agenda have been considered at the relevant local government council meeting or having attending a briefing session, the local government DAP members acknowledge that in accordance with section 2.4.5 of the DAP Code of Conduct 2025 they have declared that they had participated in a prior Council meeting in relation an item being determined at this meeting. However, under section 2.1.2 of the DAP Code of Conduct 2025, they acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

Member	Item	Nature of Interest
Cr Cale Black	3.1	Impartiality Interest – Cr Black provided a deputation against the development at the MIDAP meeting held on 2 October 2025, this deputation was made as a private citizen and prior to becoming an elected DAP Member for the City of Bayswater.

3. Form 1 DAP Applications

3.1 Lots 130 - 131 (No 321) Guildford Road, Bayswater - Proposed Service Station, car wash and drive thru coffee (fast food) – DAP/23/02575

3.1.1 Deputations

Jay Hardison speaking against the application at Item 3.1. The deputation will address concerns regarding the broad range of issues where the application does not meet established criteria for acceptance. While some individual issues of non-compliance may be addressed through conditions, the sum total of non-compliance in this submission is such that it will be impossible to bring the application up to an acceptable standard.

Jessica Albrow speaking against the application at Item 3.1. The deputation will address concerns about the incompatibility of the proposed service station with adjoining residential homes, particularly the potential health impacts and the Department of Health's recommended separation distances.

Ramin Danesfaleh speaking against the application at Item 3.1. The deputation will address the proposed service station, car wash and drive through development immediately adjoining my home, based on serious concerns regarding public health, residential amenity, noise, traffic safety, fuel tanker movements and the fundamental incompatibility of such an intensive development with the surrounding residential area.

Sandra Kift speaking against the application at Item 3.1. The deputation will address the redesign pushes fuel operations closer to homes and a Safe Route to School, creating unacceptable safety, amenity, traffic, and environmental impacts that justify refusal of the proposal.

Dan West speaking against the application at Item 3.1. The deputation will address that the proposed development creates health and safety risks to the surrounding residents negatively impacting their quality of life, provides no improved amenity to residents and is not consistent with orderly and proper planning principles.

Nik Hidding (Hidding Urban Planning) speaking in support of the application at Item 3.1. The deputation will address changes made to the project, the recommendation by the City and seek the Panel's support for the project.

David Wilkins (I3 Consultants) speaking in support of the application at Item 3.1. The deputation will address traffic matters associated with the development and then MRWA response and conditions.

John Hurley (EAQ Consulting) speaking in support of the application at Item 3.1. The deputation will address air quality and health matters raised by the City/DOH.

Martti Warpenius (Reverberate Consulting) speaking in support of the application at Item 3.1. The deputation will address noise matters.

The City of Bayswater may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

3.1.2 Additional Information

The Presiding Member notes a DAP request for services and responsible authority response was published on 21 September 2026. in relation to Item 3.1.

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

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Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Jay Hardison
Company (if applicable)	Click or tap here to enter text.
Relationship to proposed development	A resident of Kenilworth Street, Bayswater
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
---	--

Meeting Details

DAP Name	Metro-Inner Development Assessment Panel
Meeting Date	22/09/2026
DAP Application Number	DAP/23/02575
Property Location	321 Guildford Road, Bayswater

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☐ AGAINST ☒
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Concerns regarding the broad range of issues where the application does not meet established criteria for acceptance. While some individual issues of non-compliance may be addressed through conditions, the sum total of non-compliance in this submission is such that it will be impossible to bring the application up to an acceptable standard.
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Click or tap here to enter text.

A peer review (attached) of the applications' TIA has highlighted a range of significant concerns. These matters principally relate to the future-year traffic assessment, the interaction between different activities within the constrained site, servicing arrangements and consistency between the TIA, development plans and the Operational Management Plan (OPM).

The question of how and when fuel tankers will enter and exit the site is unresolved and seems to be unresolvable. Either they enter and leave during the day, which is not supported by MRWA, or they enter and leave during the evening/night, which isn't supported by the City. This is a significant issue which can't be waved away as an operational concern.

If this were the only issue of concern, it might be considered a price that has to be paid to support the overall planning outcomes originally envisaged for the site.

However, further to the identified shortcomings of the TIA, the application raises several other significant concerns. These are:

- the 200-metre separation from residential properties as recommended by the DOH and EPA. This can not be dismissed as operational or addressed with a condition. The site either is or isn't 200 metres away from a residential property, and it isn't;
- the operational mitigation measures necessary to satisfy the *Environmental Protection (Noise) Regulations 1997*. The proposed measures are not considered to be adequate and there is a lot of reliance on conditions and the OPM; and
- a reliance on 3.0m - 4.0m high masonry and precast concrete walls to address a broad range of operational concerns. This can not be considered to be an appropriate interface with a suburban surrounding.

In conclusion, this application has serious deficiencies on all of the identified issues. Any one of these should be a matter of concern to the DAP. The cumulative effect of this range of issues can not be addressed through a revised OPM or a handful of planning conditions.

This application should be refused.



urbii

Sustainable Transport. Safe Solutions

321 Guildford Road, Bayswater

Proposed Service Station, Car Wash and Drive Through

Traffic Engineering Peer Review



Prepared for:
Local Resident Action Group

August 2026

321 Guildford Road, Bayswater

Prepared for: Local Resident Action Group
Prepared by: Paul Ghanous
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1 Executive summary

Urbii has undertaken a peer review of the revised Transport Impact Assessment (TIA) and associated development documentation for the proposed service station, convenience store, drive-through facility and car wash at 319–321 Guildford Road, Bayswater.

The revised TIA and development layout respond to a number of the concerns identified in Urbii's previous peer review. Notwithstanding these improvements, Urbii considers that several traffic engineering and operational matters remain unresolved:

- **Traffic generation and assignment:** The revised TIA includes useful sensitivity testing based on higher traffic generation and a lower proportion of pass-by traffic. However, the assignment of the additional primary development traffic is difficult to independently verify from the information presented.
- **Future traffic conditions:** No ten-year post-development assessment is provided. The TIA asserts that Guildford Road has no realistic capacity for further traffic growth. However, this appears inconsistent with the SIDRA Degree of Saturation outputs, which generally indicate green operating conditions. A future-year assessment should therefore be provided.
- **Internal circulation:** The approximately 4.9 m separation between the convenience store parking bays and the fuel canopy creates overlapping manoeuvring areas. The TIA does not adequately demonstrate the interaction between vehicles manoeuvring within the parking bays and vehicles departing the fuel canopy.
- **Fuel tanker access:** The revised 19 m fuel tanker arrangement is substantially improved. However, the demonstrated tanker exit relies on a right turn onto Guildford Road, while the TIA acknowledges that future road modifications may restrict right-turn movements. A viable future servicing arrangement should be demonstrated for this scenario.
- **Non-fuel deliveries:** The TIA shows an MRV servicing from the eastern side of the site, whereas the Operational Management Plan (OMP) states that delivery vehicles will park adjacent to the control building. It is unclear where this vehicle would park without affecting customer parking or drive-through circulation. A consistent loading arrangement should be identified and demonstrated by swept path analysis.
- **Operational management:** Several aspects of the development rely upon active management, including deliveries, service vehicle movements, drive-through queues and delayed orders. The TIA, development plans and OMP should be coordinated so that they describe a single, workable operational strategy.
- **Bicycle parking:** The TIA states that parking for two bicycles will be provided near the convenience store entrance. However, this does not appear to be shown on the development plans. Bicycle parking should be shown on the approved plans or secured through a condition of approval.

Overall, the revised proposal represents a material improvement over the previous application. However, Urbii considers that the outstanding matters identified in this peer review should be satisfactorily addressed prior to determination, particularly those relating to the future-year traffic assessment, internal circulation and servicing arrangements.

Other minor operational matters may be capable of being appropriately addressed through conditions of development approval.

2 Introduction

Urbii has been engaged to undertake an independent traffic engineering peer review of the revised development application for the proposed service station, convenience store, drive-through facility and car wash at Lots 130 and 131 (319–321) Guildford Road, Bayswater.

The development application was previously considered by the Development Assessment Panel and subsequently deferred. Urbii prepared a peer review of the previous proposal, which identified a number of concerns relating to traffic generation and distribution, road network impacts, access arrangements, internal vehicle circulation, servicing, drive-through operation and road safety.

The proposal has since been revised and readvertised for public comment. Updated development plans, a revised Transport Impact Assessment (TIA) and supporting documentation have been prepared in response to the previous assessment process and stakeholder feedback.

This peer review considers the revised proposal, with particular emphasis on whether the traffic and transport matters previously identified have been adequately addressed and whether any residual or new issues arise from the revised development. The review focuses on the technical adequacy of the revised TIA and the proposed traffic generation and assignment, road network assessment, vehicle access, internal circulation, parking, drive-through operation, servicing arrangements, active transport and operational management measures.

The purpose of this report is not to reproduce the analysis contained within the TIA, but to identify material traffic engineering matters that should be considered by the determining authority in its assessment of the revised development application.



3 Scope and background

3.1 Previous peer review

Urbii previously undertook an independent traffic engineering peer review of the development application and associated Transport Impact Assessment (TIA). The review identified a number of matters requiring further consideration, including the adopted traffic generation and pass-by assumptions, distribution and assignment of development traffic, traffic modelling, access arrangements, internal circulation, drive-through queuing, fuel tanker movements and servicing arrangements.

Of particular concern was whether the traffic generation methodology adequately represented the combined operation of the service station and drive-through components and whether the proportion of pass-by traffic had been appropriately justified. The previous review also identified limitations in the assessment of internal vehicle conflicts and the operation of service and fuel delivery vehicles within the constrained site.

The development application was subsequently deferred, and the proposal and supporting traffic assessment have since been revised.

3.2 Revised development proposal and documentation

The revised proposal comprises a three-bowser service station providing six fuel filling positions, together with a convenience store/control building, drive-through coffee and grocery facility, automatic car wash, vacuum cleaning bay and associated parking and servicing facilities. Vehicle access is proposed from both Guildford Road and Kenilworth Street.

The revised application is supported by an updated TIA which includes additional traffic analysis, revised swept path assessments and responses to matters raised through the previous assessment process, including the Urbii peer review, City of Bayswater and Main Roads WA comments.

This peer review has therefore been undertaken primarily as a review of the revised proposal and updated TIA, rather than a repetition of the previous assessment. Where an issue raised previously has been adequately addressed, no further detailed commentary is considered necessary. The following sections focus on matters that remain unresolved, require clarification, or arise from the revised development and supporting documentation.

4 Traffic generation and network assessment

4.1 Trip generation and pass-by traffic

The previous Urbii peer review identified concerns with the traffic generation methodology adopted for the development, particularly the service station trip rates and the assumption that 70% of development traffic would comprise passing trade. The previous review considered that the methodology had the potential to underestimate both the overall traffic generation of the development and the proportion of additional traffic introduced to the surrounding road network.

The revised TIA has undertaken additional work in response to these concerns, including surveys of comparable service stations and drive-through facilities. The revised assessment forecasts a total development traffic generation of approximately 131 vehicles per hour during the critical peak period.

Importantly, the revised TIA also includes a sensitivity assessment based on the more conservative assumptions identified through the previous Urbii peer review. This assessment adopts a higher total traffic generation of 166 vehicles per hour and reduces the passing trade proportion from 70% to 50%. The sensitivity assessment therefore provides a useful test of whether the conclusions of the TIA are dependent upon the applicant's preferred traffic generation and pass-by assumptions.

Urbii considers that the inclusion of this sensitivity assessment substantially addresses the previous concern regarding the absolute magnitude of development traffic. The remaining issue is therefore not principally whether 131 or 166 vehicle trips per hour represents the most appropriate forecast, but whether the additional traffic generated under the sensitivity scenario has been appropriately distributed and assigned to the surrounding road network.

4.2 Trip distribution and assignment

The previous peer review also identified concerns with the distribution of development traffic. In particular, Urbii considered that passing trade and primary development trips should be treated separately, as these trips have fundamentally different characteristics.

Passing trade generally comprises traffic already travelling along the adjacent road network which diverts into the development before continuing its journey. Primary development trips, by comparison, represent additional trips attracted specifically to the development and should be distributed according to the likely development catchment and surrounding road network.

The revised TIA continues to rely upon a relatively complex assignment methodology which incorporates the removal and reintroduction of passing traffic movements on Guildford Road. The resulting traffic distribution diagrams are difficult to independently interpret and audit, particularly where positive and negative changes to through movements are presented together with development access movements.

This distinction becomes particularly important for the sensitivity assessment. Increasing the development traffic generation and reducing the passing trade proportion to 50% necessarily increases the number of primary or diverted trips attracted to the site. Those additional trips should not simply inherit the directional characteristics of passing traffic on Guildford Road.



Accordingly, the revised TIA should clearly demonstrate how passing trade, diverted trips and primary development trips have each been distributed and assigned to the road network. The sensitivity assessment is only meaningful if the additional primary traffic generated under the more conservative scenario has been appropriately allocated to the relevant Guildford Road, Kenilworth Street and Darby Street movements.

4.3 Traffic modelling and network performance

The revised TIA includes SIDRA modelling of the Guildford Road/Kenilworth Street/Darby Street intersection and development access arrangements. The modelling indicates that the development is not expected to materially alter the overall operation of the surrounding road network, including under the higher traffic generation sensitivity scenario.

The additional sensitivity testing is an improvement over the previous TIA and provides greater confidence that relatively modest variations in the adopted development traffic generation assumptions would not, in isolation, fundamentally change the reported network performance.

Notwithstanding this, the reliability of the sensitivity modelling remains dependent upon the underlying traffic assignment discussed in Section 4.2. If the additional primary trips associated with the lower pass-by assumption have not been appropriately assigned to the surrounding network, the sensitivity assessment may not represent the more conservative scenario that it purports to test.

The revised TIA also continues to rely substantially on historical base traffic data rather than establishing conventional opening-year and future-year traffic demands. This issue should be considered when interpreting the SIDRA results, particularly given the development is proposed on Guildford Road, where existing traffic volumes and intersection performance are already significant.

4.4 Future year traffic assessment

The revised TIA does not provide a conventional future-year traffic assessment for the development. In particular, no assessment is presented for the typical ten-year post-development horizon, which would be approximately 2037 assuming an opening year of around 2027.

The TIA acknowledges the requirement for consideration of future traffic conditions but argues that application of a background traffic growth rate would not provide a realistic representation of future conditions on Guildford Road. The basis of this position is that Guildford Road is considered to be operating at or near capacity during peak periods, with limited practical capacity to accommodate further traffic growth. On this basis, the TIA effectively assumes that existing traffic volumes provide an appropriate basis for assessing future conditions.

Urbii does not consider that this reasoning has been adequately demonstrated. In particular, the assertion that the surrounding road network has no realistic capacity to accommodate further traffic growth appears inconsistent with the SIDRA Degree of Saturation outputs presented within the TIA. The Degree of Saturation diagrams generally indicate **green conditions across the modelled approaches and movements**, rather than conditions indicative of widespread capacity constraint.

Degree of Saturation is a fundamental measure of the extent to which available intersection capacity is being utilised. While the performance of individual movements must be considered in conjunction with delay, queueing and other operational measures, the SIDRA outputs

presented in the TIA do not appear to demonstrate a network that is comprehensively at capacity. There is therefore an apparent inconsistency between the narrative justification for excluding future traffic growth and the operational modelling presented elsewhere in the same report.

Furthermore, constrained historical traffic growth does not necessarily demonstrate that future traffic demand will remain unchanged. Future development, changes in travel patterns and broader network conditions may influence traffic demand over the assessment period. Where the TIA seeks to depart from the conventional future-year assessment approach on the basis that the road network cannot accommodate further growth, that proposition should be clearly supported by the traffic modelling.

Accordingly, Urbii considers that the TIA has not adequately justified the omission of a ten-year post-development assessment. The SIDRA results presented in the report appear to contradict the assertion that there is no capacity for future traffic growth. A future-year assessment should therefore be provided, including an appropriately justified background traffic growth assumption and assessment of the development approximately ten years after opening.



5 Site access and internal circulation

5.1 Guildford Road and Kenilworth Street access

The revised development retains vehicle access from both Guildford Road and Kenilworth Street. The Guildford Road crossover accommodates general customer movements and forms the exit route for the 19 m fuel tanker, while the Kenilworth Street crossover provides an alternative access to the site and forms the entry route for fuel deliveries.

The revised TIA provides additional assessment of the Guildford Road crossover, including sight distance and swept path analysis. In particular, the revised fuel tanker arrangement represents a substantial improvement over the previous proposal. The tanker can approach the Guildford Road crossover at a considerably more perpendicular orientation, improving the driver's ability to observe approaching traffic before entering Guildford Road.

Notwithstanding these improvements, the site remains relatively compact and accommodates several overlapping traffic functions, including customer parking, fuel sales, drive-through activity, car wash movements and commercial servicing. The adequacy of the access arrangements therefore needs to be considered together with the internal circulation system rather than solely on the basis that individual swept path movements can be geometrically achieved.

5.2 Internal vehicle circulation and parking manoeuvres

A particular concern relates to the interaction between the parking bays immediately in front of the convenience store and vehicles circulating through the fuel canopy.

The separation between the front of these parking bays and the fuel canopy is estimated from the development plan to be approximately **4.9 m**. This is a constrained manoeuvring area and vehicles entering or reversing from the parking bays would be expected to encroach approximately one metre or more into the circulation area associated with the fuel canopy.

The submitted B99 swept path assessment demonstrates a number of individual vehicle movements through the forecourt. However, the assessment does not clearly demonstrate vehicles departing the fuel positions in combination with vehicles manoeuvring into or out of the convenience store parking bays. In particular, the potential interaction between a vehicle reversing from a parking bay and another vehicle departing the adjacent fuel canopy has not been adequately demonstrated.

This is important because swept path assessments undertaken for individual vehicles in isolation do not necessarily demonstrate satisfactory operation of a high-turnover site. Under normal operating conditions, parking manoeuvres and movements through the fuel canopy will occur simultaneously. The relatively small separation between these activities creates a shared manoeuvring area and increases the potential for low-speed conflicts, obstruction and driver hesitation.

The TIA does not adequately discuss this aspect of the revised layout or the implications of the compact forecourt arrangement. Further consideration should therefore be given to the interaction between parking manoeuvres and vehicles entering and departing the fuel canopy.

5.3 Fuel tanker access and future right-turn restrictions

The revised swept path assessment adopts a **19 m semi-trailer fuel tanker**, representing a substantial improvement over the smaller design vehicle assessed in the previous application. The tanker entry, internal manoeuvring and exit orientation are also considerably improved.

The current fuel delivery strategy involves the tanker entering the site from Kenilworth Street, undertaking the fuel delivery within the forecourt and subsequently exiting by **turning right onto Guildford Road**.

This arrangement should, however, be considered in the context of the TIA's discussion regarding the future operation of Guildford Road. The TIA refers in several locations to the potential for future road modifications to result in restrictions on right-turn movements at the development crossover. It also discusses the concerns raised by the City of Bayswater and Main Roads WA regarding right-turn movements and illustrates potential treatments that could physically restrict these movements in the future.

There is therefore an apparent vulnerability in the proposed servicing strategy. The demonstrated fuel tanker movement is dependent upon a right-turn exit movement which the TIA itself acknowledges may ultimately be prohibited.

The TIA does not appear to demonstrate whether a 19 m fuel tanker could satisfactorily service the development if the Guildford Road crossover were converted to left-in/left-out operation. No alternative tanker exit route or alternative servicing arrangement is demonstrated.

It is acknowledged that the timing and ultimate configuration of future Guildford Road improvements are uncertain. Nevertheless, given that the potential restriction of right-turn movements is specifically contemplated within the TIA, it would be appropriate to demonstrate that the development has a viable long-term fuel servicing arrangement should this occur. This is particularly relevant for a service station, where ongoing tanker access is fundamental to the operation of the approved land use.

5.4 Service vehicle access and deliveries

The revised TIA includes swept path assessment for a Medium Rigid Vehicle (MRV) undertaking deliveries to the convenience store. The swept paths indicate that the MRV can enter the site and occupy a loading position adjacent to the eastern boundary.

While the geometric ability of the MRV to reach this position is demonstrated, the assessment does not adequately consider the complete servicing operation. The loading position is located a considerable distance from the convenience store, and the TIA does not identify how goods would be transferred between the stationary delivery vehicle and the store.

Delivery personnel may therefore be required to move goods over a relatively long distance through areas used by customer vehicles. Depending on the actual route adopted, this has the potential to create interaction between delivery personnel, trolleys or goods and vehicles circulating through the site. A safe and practical goods transfer route should be identified as part of the servicing assessment.

There is also a potential conflict associated with the MRV departure movement. The swept path indicates that the vehicle loops around the fuel canopy before exiting the site. The swept envelope appears to conflict with, or pass very close to, the operating area associated with **fuel position 6**. If a customer vehicle is occupying this position, the MRV departure movement may not be achievable as illustrated.



The servicing arrangement therefore appears to rely on fuel position 6 being vacant, or temporarily closed, when the MRV undertakes its departure manoeuvre. If this is necessary, it should be expressly recognised within the operational arrangements for the development rather than relying on the swept path being available under idealised conditions.

The TIA should demonstrate a practical servicing operation from arrival through to departure, including the unloading and goods-transfer activity and any temporary management of the fuel canopy required to accommodate service vehicle movements.

6 Parking, drive-through and active transport

6.1 Car parking

The revised development provides 10 on-site car parking bays associated with the convenience store and other customer activities. The revised TIA assesses the proposed parking provision and does not identify a significant parking shortfall.

The parking supply should, however, be considered in conjunction with the operational requirements of the drive-through facility. The submitted Operational Management Plan indicates that where preparation of a drive-through order is delayed, staff may direct the customer to a vacant parking bay so that following vehicles can continue through the drive-through lane.

Urbii considers this to be a reasonable operational measure in principle. However, the arrangement means that the general customer parking supply also performs a secondary function as drive-through waiting space. During busy periods, when the likelihood of delayed orders and drive-through queuing is greatest, demand for the general parking bays may also be elevated.

No dedicated drive-through waiting or pull-forward bay is provided. The successful operation of the proposed arrangement therefore relies on at least one of the general parking bays being available when required. The TIA does not appear to assess the combined occurrence of parking demand and delayed drive-through orders.

This issue is not considered to represent a fundamental deficiency in the development layout, but the proposed use of general parking bays for drive-through waiting should be clearly recognised within the parking and operational assessment and appropriately addressed through the Operational Management Plan.

6.2 Drive-through queuing and operation

The revised drive-through arrangement represents a substantial improvement over the previous proposal. The revised layout provides a longer dedicated drive-through lane and the TIA identifies queue storage for six vehicles behind a vehicle positioned at the service window.

The revised TIA also provides additional justification for the proposed queue storage based on surveys of comparable drive-through facilities. This represents a meaningful response to concerns raised in the previous Urbii peer review regarding the limited queue storage and absence of supporting queuing analysis.

Notwithstanding this improvement, the operational performance of the drive-through remains dependent upon effective management of unusually long service events. A customer with a large or delayed order can remain at the service window for substantially longer than the average service time and prevent following vehicles from progressing through the system. The Operational Management Plan seeks to address this by allowing staff to direct such customers into an available parking bay.

As discussed in Section 6.1, no dedicated waiting bay is provided. The effectiveness of this arrangement therefore depends upon the availability of a general customer parking bay and the ability of the delayed customer to leave the drive-through lane and safely manoeuvre into that bay.



The revised layout and additional queue storage substantially reduce the concern identified in the previous peer review. Nevertheless, the Operational Management Plan should clearly establish the procedure for managing delayed orders and queue exceedance, including the circumstances in which customers are directed to wait elsewhere within the site.

The drive-through queue should also be monitored following commencement of operations. Should queues regularly extend beyond the dedicated storage area or interfere with other site circulation, additional operational measures should be implemented.

6.3 Bicycle parking

The TIA states in several locations that the development will provide a bicycle parking rail adjacent to the control building/convenience store entrance, capable of securely accommodating up to two bicycles.

Urbii supports the provision of bicycle parking at this location. While formal end-of-trip facilities such as showers and lockers are not considered necessary given the relatively small number of staff, this does not remove the need to provide convenient bicycle parking.

The bicycle parking may be used by staff but is also relevant to customers making short local trips to the convenience store. This could include school-aged customers and other local residents travelling by bicycle rather than car. Providing convenient bicycle parking near the building entrance is therefore appropriate for the proposed land use.

However, the bicycle parking facility described and relied upon within the TIA does not appear to be identified on the current advertised development plans. There is therefore an inconsistency between the TIA and the drawings proposed for approval.

This is readily addressed and is not considered a significant impediment to approval. The bicycle parking rail described within the TIA should be clearly shown on the approved development plans and its provision secured as a condition of development approval.

7 Operational management plan

The revised TIA places considerable reliance on operational management measures to support the safe and efficient operation of the development. Section 24 of the TIA recommends that a site-specific Traffic Management Plan or Operational Management Plan (OMP) be prepared prior to occupation and identifies a range of matters to be addressed, including fuel delivery procedures and timing, drive-through and car wash queuing, parking management, service vehicle access and staff procedures.

However, an OMP has already been prepared and submitted as part of the current development application. There is therefore an apparent inconsistency between the TIA recommendation that an OMP be prepared at a later stage and the documentation currently submitted for approval.

The TIA does not clearly establish whether its assessment and recommendations have been prepared having regard to the contents of the submitted OMP, or whether the submitted OMP satisfies all of the operational controls considered necessary by the TIA. This is important because several aspects of the proposed development rely upon active operational management rather than being resolved entirely through the physical layout.

The TIA states that the OMP should address fuel delivery procedures and delivery timing restrictions where practicable. Fuel tanker movements are a particularly important consideration given the substantial footprint occupied by the 19 m semi-trailer within the site. Although the revised swept path assessment demonstrates that the tanker can physically enter, manoeuvre within and exit the site, its presence during fuel delivery will affect the availability of internal circulation space and its interaction with normal customer activity should be appropriately managed. The final OMP should therefore clearly establish the permitted fuel delivery arrangements, including appropriate scheduling to minimise interaction with periods of high customer and drive-through activity.

There is also an apparent inconsistency between the non-fuel servicing arrangements demonstrated within the TIA and those specified within the submitted OMP. The TIA swept path assessment shows the 8.8 m MRV positioned adjacent to the eastern boundary of the site during servicing. In contrast, Section 6(b) of the OMP states that non-fuel delivery vehicles will position themselves adjacent to the control building.

The intended loading position adjacent to the control building is not clearly identified on the development plans or within the OMP. Based on the current site layout, there does not appear to be a clearly defined loading area adjacent to the control building capable of accommodating an 8.8 m MRV without affecting other site operations. The eastern side of the building contains customer parking and associated manoeuvring areas, while the northern side interfaces directly with the drive-through lane and pick-up area. A delivery vehicle positioned adjacent to the building therefore appears likely to occupy or obstruct either customer parking/manoeuvring areas or part of the drive-through circulation system.

This issue is particularly relevant because a delivery vehicle will not simply undertake a continuous swept path movement through the site. The vehicle will remain stationary while goods are unloaded and transferred into the convenience store, potentially for a substantial period. Any obstruction associated with the loading position may therefore affect site circulation for considerably longer than would be apparent from swept path analysis demonstrating only the vehicle's entry and departure movements.



The TIA does not appear to provide swept path analysis demonstrating an MRV entering the site, positioning itself adjacent to the control building and subsequently departing from that position. The servicing arrangement described within the OMP has therefore not been demonstrated geometrically. Conversely, if the loading position adjacent to the eastern boundary shown within the TIA is intended to be used, the OMP should be amended to reflect that arrangement and should address the practical transfer of goods between the stationary delivery vehicle and the convenience store.

As discussed in Section 5.4, the MRV departure movement demonstrated within the TIA also appears to rely upon sufficient clearance being available around the southern end of the fuel canopy, potentially including fuel position 6 being vacant. If temporary closure of a fuel position is required to accommodate service vehicle movements, this should be expressly identified and managed through the OMP rather than relying upon the required area being coincidentally available when a delivery vehicle is ready to depart.

The OMP also has an important role in managing the drive-through facility. The revised arrangement provides substantially greater queue storage than the previous proposal. However, no dedicated waiting bay is provided for customers experiencing unusually long order preparation times. The proposed operational response is to direct these customers into an available general parking bay so that following vehicles can continue through the drive-through lane. This is a reasonable management measure in principle, but its effectiveness relies upon an appropriate parking bay being available and staff actively managing the drive-through operation. The final OMP should clearly establish the procedure for delayed orders, queue monitoring and response to any queue extending beyond the dedicated storage area.

Overall, Urbii considers that the TIA, development plans and OMP should present a single, consistent and demonstrably workable operational strategy. At present, there are differences between the servicing arrangements described within the OMP and those assessed within the TIA, while several operational measures relied upon by the TIA are not clearly established within the submitted OMP.

The OMP should therefore be reviewed and updated prior to approval so that it is consistent with the TIA and development plans. In particular, the final OMP should clearly identify the loading position and unloading arrangements for non-fuel deliveries, demonstrate the associated MRV movements, address any temporary restrictions required to accommodate service vehicle movements, establish appropriate fuel delivery procedures and timing, and document the management of delayed drive-through orders and queue spillback.

The final OMP should form part of the approved development documentation so that the operational measures relied upon in support of the traffic assessment are secured and implemented.

8 Conclusions and recommendations

Urbii has reviewed the revised TIA and associated development documentation with particular regard to the matters identified in the previous peer review. The revised TIA contains a number of substantive improvements and responds to several of the concerns previously raised. In particular, additional traffic generation sensitivity testing has been undertaken, the drive-through queue storage has been increased, the fuel tanker assessment now adopts a 19 m semi-trailer, and the tanker access and exit geometry has been substantially improved.

Notwithstanding these improvements, Urbii considers that several matters remain insufficiently resolved or demonstrated. These matters principally relate to the future-year traffic assessment, the interaction between different activities within the constrained site, servicing arrangements and consistency between the TIA, development plans and OMP.

The revised TIA includes sensitivity testing using higher development traffic generation and a lower proportion of pass-by traffic. This provides greater confidence that the surrounding network is capable of accommodating variations in the adopted development traffic assumptions. However, the assignment of primary and pass-by traffic remains difficult to independently verify from the diagrams presented in the TIA. The sensitivity assessment should clearly demonstrate how the additional primary development traffic has been distributed and assigned to the surrounding road network.

The TIA also does not provide a ten-year post-development traffic assessment. The justification for omitting this assessment is principally that Guildford Road is already at or near capacity and therefore has no realistic capacity for further traffic growth. This assertion appears inconsistent with the SIDRA Degree of Saturation outputs presented in the TIA, which generally indicate green operating conditions on the modelled approaches. The modelling presented within the report therefore does not appear to substantiate the proposition that no further background traffic growth can occur. Urbii considers that an appropriate ten-year post-development assessment should be provided.

The revised internal layout remains relatively constrained. In particular, the approximately 4.9 m separation between the convenience store parking bays and the fuel canopy results in overlapping manoeuvring requirements. The swept path assessment does not adequately demonstrate vehicles departing the fuel canopy concurrently with vehicles manoeuvring into and out of the adjacent parking bays. Further assessment of these interacting movements is warranted.

The revised fuel tanker arrangement represents a significant improvement over the previous proposal. However, the demonstrated 19 m fuel tanker exit relies upon a right-turn movement onto Guildford Road. This should be considered in the context of the TIA acknowledgement that future modifications to Guildford Road may restrict right-turn movements at the crossover. A viable servicing strategy should be demonstrated for the potential future left-in/left-out access arrangement.

There are also unresolved issues associated with non-fuel deliveries. The TIA demonstrates an MRV loading position adjacent to the eastern boundary, whereas the OMP states that non-fuel delivery vehicles will park adjacent to the control building. The location and operation of the latter arrangement have not been clearly demonstrated and appear capable of conflicting with customer parking or drive-through circulation. The TIA, plans and OMP should identify a single loading arrangement, supported by appropriate swept path assessment and operational controls.



The revised drive-through arrangement substantially addresses the principal queuing concern identified in the previous peer review. Nevertheless, no dedicated waiting bay is provided for delayed orders, with the OMP instead relying upon available customer parking bays. This arrangement should be clearly documented and monitored through the OMP. Similarly, the bicycle parking described within the TIA does not appear to be shown on the advertised development plans and should be secured through the approved plans or an appropriate condition of approval.

Overall, Urbii considers that the revised proposal represents a material improvement over the development previously reviewed. However, the revised TIA does not yet provide sufficient information to satisfactorily resolve all of the outstanding traffic engineering and operational matters identified in this peer review.

Urbii recommends that the outstanding matters identified above be addressed prior to determination of the application, or where appropriate and capable of being satisfactorily resolved without further modification to the fundamental site layout, through clearly defined conditions of development approval.

In particular, matters relating to the future-year traffic assessment and the geometric feasibility of servicing and internal vehicle movements should be demonstrated before approval rather than deferred solely to subsequent operational management.

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

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Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Jessica Albrow
Company (if applicable)	Click or tap here to enter text.
Relationship to proposed development	Directly impacted neighbouring homeowner
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/23/02575
Property Location	LOTS 130 – 131 (NO. 321) GUILDFORD ROAD BAYSWATER

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☐ AGAINST ☒
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> My concerns about the incompatibility of the proposed service station with adjoining residential homes, particularly the potential health impacts and the Department of Health's recommended separation distances.
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Thank you for the opportunity to address the Panel.

My name is Jessica, and I live with my family in one of the homes directly adjoining this site.

I want to acknowledge from the beginning that the land on which this development is proposed is zoned to allow a service station.

But our homes were also built on land lawfully zoned for residential use.

These homes were approved. Families were allowed to build here, buy here, raise children here and make this community their home.

To me, this is the most concerning aspect of the proposal.

At some point, two land uses have been allowed to exist immediately beside each other that simply should never have been placed this close together.

If a service station operating beside family homes presents enough of a health concern that the Department of Health recommends substantial separation between them, then surely these two uses were never truly compatible in the first place.

Something has gone wrong in the planning and zoning of the land.

Perhaps this land should have been rezoned years ago. Perhaps homes should never have been approved immediately beside land intended for this type of development.

But neither of those decisions was made by my family.

And yet, if this development is approved, we will be the ones who live with the consequences.

My family lives and sleeps only metres from this site.

We will be the ones living beside the petrol vapours, tanker deliveries, traffic, noise, car wash, vacuum bays and constant activity that come with this development.

The applicant, OTR, forms part of a large corporate group with a national network of fuel and convenience businesses. If this particular development does not proceed, that is ultimately a commercial outcome.

For my family, the consequences are very different.

If the health concerns prove justified, they are personal and potentially permanent.

And once this development is built, there is no going back.

The State's own health authority has reviewed this proposal and does not support placing it this close to residential homes. It continues to recommend physical separation as the precautionary and enduring way of protecting public health.

Families like mine will be forced accept a health risk that the Department of Health itself is not satisfied has been adequately resolved.

The community has also made its position clear. The City of Bayswater does not support this development. The Department of Health does not support it.

So I ask the Panel not to make local families bear the consequences of a planning anomaly we did not create and cannot correct.

The fact that a service station is a permitted use should not outweigh the equally legitimate right of established families to live safely in homes that were also lawfully approved beside it.

Please put the people who already live here first, apply the precautionary approach, and refuse this application.

Thank you.

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

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Presenter Details

Name	Ramin Danesfaleh
Company (if applicable)	Click or tap here to enter text.
Relationship to proposed development	Directly impacted neighbouring homeowner
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/23/02575
Property Location	LOTS 130 – 131 (NO. 321) GUILDFORD ROAD BAYSWATER

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☐ AGAINST ☒
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> My deputation opposes the proposed service station, car wash and drive through development immediately adjoining my home, based on serious concerns regarding public health, residential amenity, noise, traffic safety, fuel tanker movements and the fundamental incompatibility of such an intensive development with the surrounding residential area
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Good morning, my name is Ramin, and I live close to this development.

Let me be clear: I am not against development. I am against the wrong development in the wrong place and this is exactly that.

After two deferrals and repeated redesigns, it is shocking that this fundamentally incompatible proposal is still before you.

A service station, drive through and car wash does not belong immediately beside family homes. This is a major intensification of the site, bringing persistent vehicle movements, noise, fumes and late-night activity into a residential neighbourhood.

Here, the nearest bowser would be about 14 metres from a residential boundary.

Fourteen metres.

That is not a minor variation. It abandons the precautionary approach to fuel vapours, benzene and long-term exposure.

The proposal does not even make operational sense. Main Roads would allow tanker movements only between 9 pm and 5 am, while the applicant's documents rely on daytime deliveries. A later 5 am to 11 pm operating proposal does not resolve that contradiction.

The proposed three-to-four-metre concrete walls are not a solution. They are an admission that this use does not belong here. You do not protect residents by boxing them behind concrete walls and calling that acceptable amenity.

The community has spoken: 277 of 288 submissions opposed this proposal.

This is not good planning. Residents' homes should not become the buffer zone that this development cannot provide. Please support the City's recommendation and refuse this application.

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

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Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Sandra Kift
Company (if applicable)	Click or tap here to enter text.
Relationship to proposed development	Resident, 11 Kenilworth Street
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/23/02575
Property Location	321 Guildford Road

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☐ AGAINST ☒
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> The redesign pushes fuel operations closer to homes and a Safe Route to School, creating unacceptable safety, amenity, traffic, and environmental impacts that justify refusal of the proposal.
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Click or tap here to enter text.

Thank you for the opportunity to speak. The applicant's redesign — locating the bowzers and the fuel tank about 40 metres deeper into the site — fundamentally changes the proposal. It pushes fuel operations between the garden café outdoor area and the bedrooms of adjacent family homes.

From a planning perspective, the redesign fails key tests.

First, it increases harm to nearby homes. State Planning Policy and EPA guidance require fuel stations to manage emissions, noise, and late-night activity by maintaining distance from residential areas. Moving the bowzers closer does the opposite. Risk is not reduced — it is shifted towards homes. Fuel-related benzene emissions, a cancer-causing pollutant, would sit immediately beside children's bedrooms.

Second, the proposed access from Kenilworth Street introduces fuel-related traffic, queuing, and tanker movements onto a narrow residential street never designed for this purpose. This conflicts with planning objectives for residential amenity, pedestrian safety, and professional planning practice.

Third, the redesign conflicts with the City's Safe Routes to School program. Kenilworth Street is a recognised pedestrian corridor for children walking to Maylands Peninsula Primary School. Fuel-related traffic and tanker movements on this route undermine established child-safety objectives. It also heightens vulnerability for the social-housing complex at the railway end of the street. Our area already experiences petty theft and opportunistic crime. Late-night fuel operations and increased vehicle movements would further erode safety and residential amenity.

A more suitable small- to mid-scale residential or mixed-use development would align with the neighbourhood context, support the Safe Routes corridor, and deliver stronger financial and environmental outcomes for the site. If the applicant does not want such an outcome, selling the land to a residential or mixed-use developer may be the more practical path.

This proposal does not meet the requirements for approval. I respectfully ask the panel to refuse it.

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

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Presenter Details

Name	Daniel West
Company (if applicable)	Click or tap here to enter text.
Relationship to proposed development	Nearby Resident
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	MIDAP/154
Meeting Date	22/09/2026
DAP Application Number	DAP/23/02575
Property Location	Lots 130 - 131 (No 321) Guildford Road, Bayswater - Proposed Service Station, car wash and drive thru coffee (fast food)

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☐ AGAINST ☒
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☐ Online ☒

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> That the proposed development creates health and safety risks to the surrounding residents negatively impacting their quality of life, provides no improved amenity to residents and is not consistent with orderly and proper planning principles.
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Click or tap here to enter text.
Deputation attached.

Objection to Proposed Service Station, Car Wash and Drive-Through Development at 321 Guildford Road, Bayswater

I strongly oppose the proposed service station, car wash and drive-through development at Lots 130–131, No. 321 Guildford Road, Bayswater. The proposal should be refused because it presents unresolved and unacceptable risks to public health, traffic and pedestrian safety, environmental quality, residential amenity and orderly and proper planning. The City of Bayswater's Responsible Authority Report recommends refusal under Clause 68 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and identifies material conflicts with the planning framework, including clauses 67(2)(m), (n), (q), (r), (t), (y) and (za), as well as the City of Bayswater Town Planning Scheme No. 24 and relevant local planning policies.

The proposal is not a modest reuse of a former service station site. It is an intensified, multi-use commercial development comprising fuel retailing, a drive-through food and beverage outlet, an automated car wash, vacuum facilities, heavy vehicle servicing, illuminated signage and extended operations immediately adjoining established residential properties. The applicant's supporting material does not resolve the fundamental incompatibility between these uses and the adjoining sensitive residential interface. Conditions cannot cure these deficiencies without creating further operational uncertainty or transferring risk to nearby residents.

1. Public health impacts are unresolved and unacceptable

The strongest basis for refusal is the unresolved public health risk associated with placing a fuel retail facility and associated vapour-emitting infrastructure directly beside homes. The Department of Health does not support the proposal and states that the submitted emissions assessment does not demonstrate compliance with the Department's requirements for separation between a 24-hour service station and sensitive land uses. The Department's position is that separation distance remains the primary and precautionary planning control because it provides enduring protection over the life of the development, rather than relying on modelling assumptions, operating controls and ongoing equipment maintenance.

- The proposed bowzers and operational fuel infrastructure are located far closer to dwellings than the recommended separation distances for service stations and sensitive receptors.
- The Department of Health identifies unresolved issues including benzene cancer-risk calculation, background and cumulative exposure, sensitivity testing

for vapour recovery failure, odour impacts, fuel throughput controls, and mechanisms for investigating odour or health complaints.

- The proposal relies on predictive modelling rather than demonstrating a precautionary, robust and enforceable public health outcome.

These issues go directly to clause 67(2)(r) of the Deemed Provisions, which requires consideration of the suitability of the land having regard to risks to human health and safety. On the evidence before the decision-maker, the land has not been demonstrated to be suitable for the proposed intensified use.

2. Traffic, servicing and pedestrian safety risks remain fundamental

The proposal has not demonstrated safe and efficient access and servicing arrangements. Main Roads Western Australia's conditional support depends on fuel and service delivery vehicles entering and exiting only between 9:00pm and 5:00am, and using specific movements through Kenilworth Street and Guildford Road. This conflicts with the applicant's own Noise and Operational Management Plans, which rely on daytime fuel deliveries to manage amenity impacts. The result is an unresolved operational contradiction: the development either creates unacceptable heavy vehicle movements at night beside homes, or relies on daytime servicing arrangements that Main Roads has not supported.

- Fuel tanker movements through Kenilworth Street and onto Guildford Road present avoidable safety risks at an already constrained and offset intersection involving Darby Street, Kenilworth Street and Guildford Road.
- The proposal increases vehicle turning movements across pedestrian paths used by residents, families and children accessing local schools, parks and community facilities.
- Future changes to the Guildford Road corridor may further compromise the practicality of right-turn movements and heavy vehicle access.
- The site layout combines fuel bowzers, customer parking, a drive-through lane, car wash queuing, service vehicle access and pedestrian movements within a constrained area, increasing the likelihood of internal conflicts.

These concerns are directly relevant to clauses 67(2)(q), (s) and (t), which require consideration of access, egress, vehicle manoeuvring, traffic generation, traffic flow and safety. The proposal does not achieve a safe or practical servicing solution and should be refused on this basis alone.

3. Environmental impacts and residential amenity impacts are excessive

The development would impose an unacceptable environmental and amenity burden on adjoining residents. The proposal includes 24-hour convenience store and fuel operations, extended car wash and vacuum operations, delivery vehicles, refrigeration plant, waste collection, illuminated signage, canopy lighting, customer vehicles, speaker systems and idling vehicles immediately beside sensitive residential land uses.

- The Acoustic Report relies on substantial 3.0m to 4.0m masonry or precast boundary walls as primary mitigation. This is not a good planning outcome; it confirms the underlying incompatibility of the use with the residential interface.
- The proposed walls create a defensive, visually dominant and poor-quality edge to adjoining homes and the public realm.
- Noise, odour, vapour emissions, late-night activity, lighting and vehicle movements would materially erode residential amenity.
- While lighting modelling may indicate technical compliance, technical compliance does not overcome the broader cumulative amenity impact of a high-intensity vehicle-based commercial operation immediately adjoining dwellings.

These impacts engage clause 67(2)(m), which concerns the compatibility of the development with its setting, and clause 67(2)(n), which concerns the amenity of the locality, including environmental impacts, character and social impacts. The proposal also fails to provide an appropriate transition or buffer to the residential interface and would cause undue negative impacts for surrounding residents.

4. The proposal fails to demonstrate good planning principles

The proposed development is inconsistent with orderly and proper planning. Although the land is currently zoned Service Station under Town Planning Scheme No. 24, permissibility does not remove the need to assess suitability, compatibility, safety, amenity and public health under clause 67 of the Deemed Provisions. A permitted use can still be refused where the form, intensity, operating model and site-specific impacts are unacceptable.

The City's emerging planning framework also points away from the proposal. The Local Planning Strategy and draft Local Planning Scheme No. 25 identify a future transition toward a Local Centre outcome, with objectives focussed on local convenience needs, development compatible with surrounding residential areas, pedestrian-dominant streetscapes, public realm quality, safety, amenity, walking, cycling and public transport access. The proposed development is instead car-dominant, hardstand-

heavy, operationally intensive and reliant on high boundary walls to manage land use conflict.

The Design Review Panel also identified significant shortcomings in the original proposal, including site planning, context response, landscape quality, excessive hardstand, pedestrian amenity, sustainability, blank walls and the need for a more cohesive design response. While the revised layout relocates the control building to the corner, it does not resolve the fundamental operational, health, environmental and amenity issues that arise from placing this intensity of use directly against homes.

5. Community impacts and objections are material planning considerations

Community concern is overwhelming and materially relevant. The City received 288 written submissions across consultation periods, with 277 objections. The recurring issues—traffic safety, pedestrian safety, vehicle access, health impacts, fuel vapours, noise, lighting, odour, late-night activity, land use compatibility and residential amenity—are not merely expressions of preference. They are planning matters squarely related to clause 67(2)(m), (n), (q), (r), (t), (y) and (za).

The proposal would provide no net community benefit when there are existing service stations and retail options in the broader locality. Any convenience benefit is outweighed by the permanent transfer of health, safety, environmental and amenity risks to immediately adjoining residents.

Conclusion

The development should be refused. It has not demonstrated that it can operate safely, protect public health, avoid unacceptable environmental impacts, preserve residential amenity or satisfy the principles of orderly and proper planning. The proponent's reliance on technical reports, operational controls and high boundary walls does not resolve the fundamental incompatibility of the proposal with its sensitive residential context.

For the reasons above, the decision-maker should give significant weight to the Department of Health's non-support, the City's Responsible Authority Report, the unresolved Main Roads servicing conditions, the scale of community objection and the cumulative impacts on nearby residents. The proposal is unsuitable for this site and should not be approved.

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

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Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Nik Hidding
Company (if applicable)	Hidding Urban Planning
Relationship to proposed development	Applicant
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/23/02575
Property Location	Lot 130 & 131 (#321) Guildford Road, Bayswater

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> The changes made to the project, the recommendation by the City and seek the Panel's support for the project.
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Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Thank you for the opportunity to make a presentation and provide a written submission.

Hidding Urban Planning acts for OTR 337 Pty Ltd, owner of Lots 130-131 (#321) Guildford Road, Bayswater.

The proposed development involves a new service station, convenience store, car wash and drive thru coffee outlet associated with the convenience store component.

Zoning & Land Use Matters

The subject land is zoned "Service Station" in the City of Bayswater Local Planning Scheme No. 24, which is a designated zone for a Service Station and associated uses. Out of all of the possible land uses set out in the Zoning Table (of which there are 82), only 14 uses are capable of approval in the "Service Station" zone. Service Station and Car Wash uses are "P" Permitted Uses in this zone and Convenience Store is a "D" Discretionary use. It is also the only zone in which a Service Station is a "P" Permitted Use.

This site is where a service station and the normally associated uses are supposed to go, and where the City has recognised a specific service station site. We are aware of another Service Station zone which has been recently developed for a Vibe service station at 168 Walter Road West, Bedford (within City of Bayswater) which sits directly adjacent to residential dwellings, and which was approved by the DAP (in 2019) and trades 24/7.

The subject land was previously used as a service station and has existing infrastructure which dates back to the 1960/70s, and was likely the basis for the City to allocate the site with its own service station zoning.

Notwithstanding the City's advice that draft LPS25 proposes to rezone the land, LPS25 is in draft form only and has not been given consent to advertise. It is therefore, not a seriously entertained planning proposal. At the date of the MIDAP's consideration, the subject land is a "Service Station" zone must be determined on this basis.

Proposal Modified Since Last Consideration

The layout of the proposed development has been amended since the MIDAP deferred the application in March 2026. The amended plans at Attachment 1 of the RAR show a repositioned control building / convenience store to the intersection corner, responding primarily to previous design review panel recommendations and providing an improved street interface, safer environment for pedestrians (allowing direct entry to the convenience store) and responding to previous matters raised by the City to do with interface to the public realm and traffic circulation/access.

Improved landscaping areas are proposed, comprising 422m² (or 15% of the total site area, with deep soil areas comprising half of that – 211m² or 7.5% of the total site area).

Further, a key operational change has been made, in that the proposed development will now no longer trade 24/7. The proposal will now operate between 5:00am and 11:00pm, seven days a week. The City was advised of this prior to the finalisation of the RAR. This has been a deliberate change to respond to amenity concerns through the nighttime period, even though it is considered that trading 24/7 would be possible in a compliant manner. The proponent is therefore, giving further concession to assist the Panel in its deliberation on the matter. The applicant would accept a condition of development approval limiting the hours of operation to between 5:00am and 11:00pm, seven (7) days a week.

A revised TIA was produced assessing a 19.0m fuel tanker as required by MRWA, and we note importantly, that MRWA (now) has no objections to the proposal. David Wilkins, i3 Consultants will address the DAP in respect of MRWA's conditions and traffic matters.

(As a side note, it would have beneficial for a full applicant response to be made to community

consultation, Department of Health response and MRWA response, however, we were only notified of the outcomes of these on 31 August and the City submitted its RAR on 10 September. So, there was not a lot of time left for the applicant to provide a meaningful response and for that to be considered by the City in preparing the RAR. Due to the deferral date requirements, there was not a possibility to extend timeframes further to engage consultants to respond to the issues raised prior to the RAR being submitted, as would normally be the case. However, as this submission will show, the consultants have been able to (as of 18 September) review the material and provide their responses. So instead of submitting these responses to the Responsible Authority, they are being attached to presentation requests, for the Panel to consider.)

Accordingly, our collective submissions will be lengthy, but it is hoped that the Panel will have all of the information at hand to make an informed decision.

Responsible Authority Recommendation

We have reviewed the Responsible Authority Report and note with disappointment that the City recommends refusal. In email correspondence, the City advise that “concerns from the City are primarily operational”. Our submissions will address those operational matters, and we believe that the reasons for refusal are satisfactorily addressed, such that they can be set aside in favour of an Alternate Recommendation for Approval.

Reason 1

Reason 1 relates to ‘safe and efficient vehicle access and egress’. We note Main Roads referral response of no objection with conditions, so the matter of safe and efficient vehicle access and egress should not be a fundamental issue such that it warrants the refusal of the development.

David Wilkins will address the Panel on this matter, and will demonstrate that this issue can be set aside and that the MRWA conditions can be addressed.

Reason 2

Reason 2 relates to Clause 67(2)(r) which relates to ‘suitability of the land for the development taking into account the possible risk to human health or safety’.

The suitability of the land has been demonstrated with its very specific and targeted “Service Station” zoning, such that there are not many other uses that are permissible on the land. Matters of human health or safety are fully assessed.

Reason 2 is further described by the City with ‘public health risks arising from 24-hour service station facility immediately abutting residential properties’. As mentioned previously, the proposed development has been amended to not be a 24-hour facility, so the basis of this reason for refusal (citing risks from 24 hour operations) appears flawed.

Further, John Hurley of EAQ Consulting has prepared a Technical Response document, responding to issues raised by Department of Health and will address the DAP separately. What John will demonstrate is that the proposed development can be operated in a compliant manner, such that this Reason can be set aside.

As with many other service station developments operating adjacent to residential land, operations are able to comply with all of the regulatory requirements.

Reason 3

Martti Warpenius will address the panel in respect of noise, however, the assessment prepared demonstrates that the operations of the proposed development, now confined to hours between 5:00am and 11:00pm, complies with the Noise Regulations.

Reason 3 also references vapour emissions, however, John Hurley addresses this in his Technical Response.

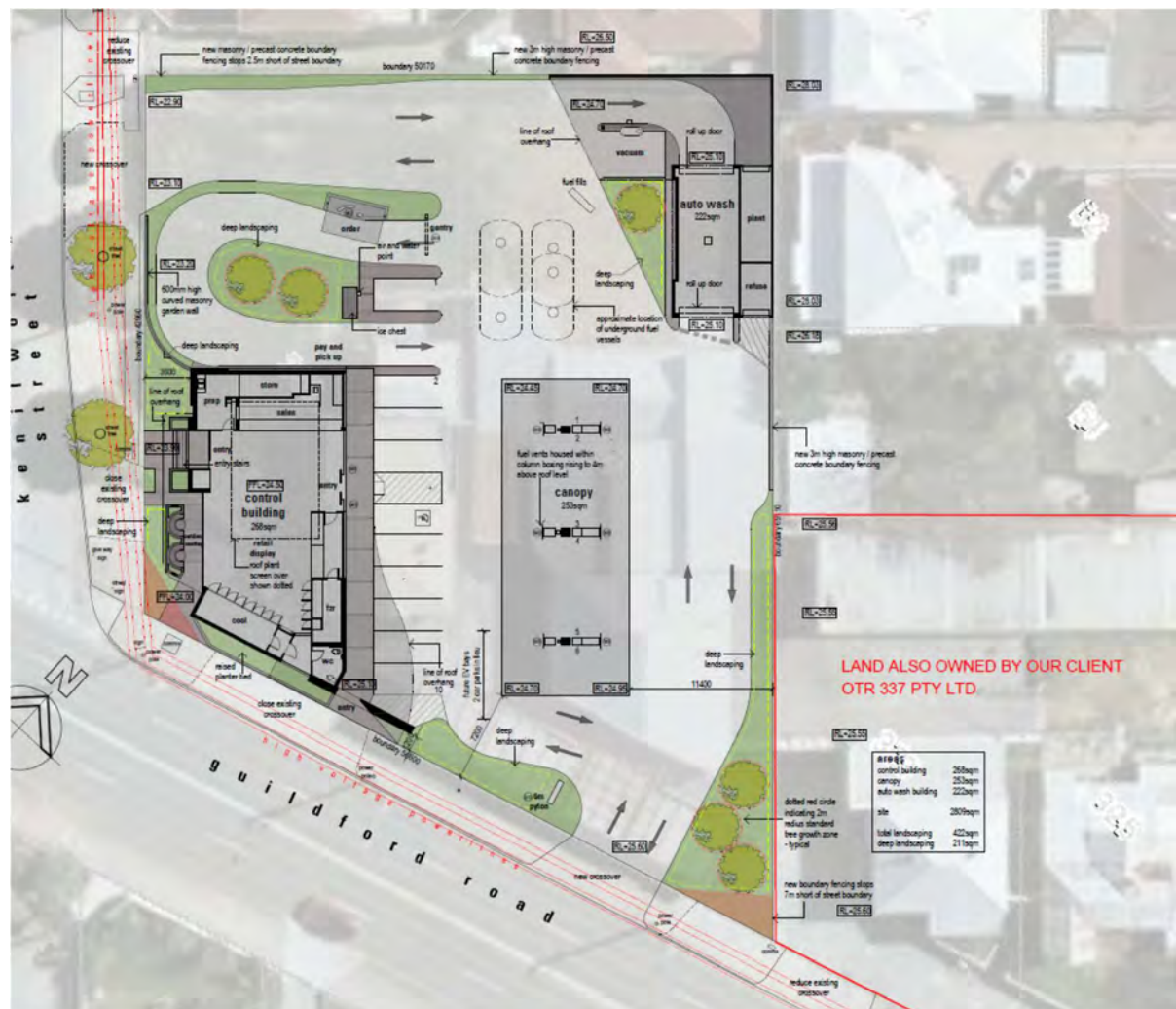
We do not believe that there are critical matters associated with noise and vapour emissions that result in the development not being approvable, particularly now that amended hours of operation are proposed.

Reason 4

Reason references 'unacceptable amenity impacts' from proposed 24-hour operations, however, the proposal has been amended to operate between 5:00am and 11:00pm, so the basis of this reason appears flawed. Amenity through the critical nighttime period is fully protected through the proponent's concession to amend hours of operation, and there are certainly not many service station operators that have been prepared to do that.

Reason 4 also suggests that the proposal does not provide an adequate transition or buffering to the neighbouring residential interface. It is useful to provide some further clarification around this issue, as we have done in the past.

Our client also owns the adjacent three (3) lots along Guildford Road, so a large proportion of the proposed development, including boundary walls, interfaces with our client's own properties (refer image below).



Further, while the proposed development involves large boundary wall heights, it should be noted that the subject land is cut into the land, as the contours of the area rise in a northerly

direction, and the impact of the proposed boundary walls on neighbours should be no more than a standard fence. This is illustrated in the Elevation drawings. The RL of the development site in the northern part is proposed between 24.70 and 25.10. It can be seen from the drawings that the RL on the neighbour's side ranges between 26.50 (49A Kenilworth Street) to 28.03 (50A, 52A Grosvenor), meaning the development is already 2-3m below the neighbour's retained level.

For example, the site photo below looking north-east from Kenilworth Street clearly shows the subject land below neighbours, with existing retaining walls retaining the neighbour's land much higher. So, the proposed boundary walls at the ground level of the subject land will mean that there is no impact of the boundary walls on the neighbours. In addition, the proposed development involves single storey height, so there is really no bulk and scale impacts that are evident.



It is also quite normal and apparent through the Perth Metropolitan Area of service station developments occurring adjacent to residential land, and the DAP has certainly approved many. The technical information provided supports the proposed operation, the zoning has been in place for many years for the exact purpose that is being applied for, and the history of land demonstrates a historic similar use.

It is considered that Reason 4 is addressed and can be set aside.

Reason 5

Reason 5 is based upon Clause 67(za) – which is due regard being had to any comments from a public authority. It is assumed that this is in relation to the comments from Department of Health.

The City discusses in the RAR that the proposed development does not achieve the recommended (default) separation distance for 24-hour service station developments (even though the hours of operation have been amended) and that the development doesn't align with the DoH's Position Statement which prioritises precautionary separation distances over technical modelling. Our consultant John Hurley disagrees with this stance, and previous determinations for service stations have relied on site-specific modelling and assessment over generic published separation distances.

The revised assessment prepared by Mr Hurley provides site-specific quantitative information with which the potential air-quality and public-health implications of the proposed development can be considered, rather than relying solely upon generic separation distance as a surrogate

for exposure. When considered together with the revised operating arrangements, VR1 and VR2 vapour controls and associated operational requirements, the assessment provides a technical basis for the decision-maker's consideration of the proposal against the public-health objectives underlying the DoH separation framework.

This consideration would align with the DAP's consideration of other service station developments over the years (with which we have had plenty of experience, being involved in no less than 50 service station developments in WA).

Accordingly, we consider that Reason 5 can be set aside, in favour of the site-specific assessment undertaken by Mr Hurley.

Conclusion

We believe the proposed development is worthy of approval. The proposal has been amended to respond to design matters raised, and believe the final design outcome is superior, with a high-quality, pedestrian focused interface at the intersection corner, as the DRP recommended.

Operationally, the proposal has been assessed by qualified consultants and found to be compliant with the relevant requirements.

Main Roads WA has no objection to the proposed development, meaning the development is functionally and operationally compliant with MRWA's (high threshold) requirements. We note some conditions have been recommended by MRWA, however it is up to the DAP to determine what conditions are imposed. As Mr Wilkins submits, there are other possible fuel delivery times that are able to work in off-peak times during the day-time period, so it is believed that this (fuel delivery) issue is resolvable.

Given the service station zoning, the land use permissibility of the proposed uses and the technical assessments which have been prepared, it is our firm belief that the application is worthy of the DAP's approval.

We look forward to the DAP's deliberation, and I thank the DAP for the opportunity to make these submissions and present at the DAP Meeting.

As a concluding point, we also respectfully request that an Alternate Recommendation be requested of the City, to assist the Panel in considering the matter for approval.

Thank you

Nik Hidding
Hidding Urban Planning

Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

Before requesting to present to a DAP please review the Responsible Authority Report that has been published on the DAP website and consider whether any previous comments have been adequately addressed.

Your request will be determined by the Presiding Member based on relevance to the subject application, individual merit, other requests raising the same issues and likely contribution to the DAP's consideration and determination of the application.

Deputations are not to exceed **3 minutes**, unless otherwise approved by the Presiding Member. The Presiding Member may agree to or require combined deputations where the deputations are considered complementary to each other and would assist the efficiency and effectiveness of the DAP meeting.

In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your deputation request must be accompanied with a document setting out the deputation content.

Handouts or power points will not be accepted on the day.

In accordance with Clause 3.6.9 of the *DAP Standing Orders*, if your deputation request is not approved, the submitted content will be circulated to the DAP and published on the DAP website as a written submission.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	David Wilkins
Company (if applicable)	I3 Consultants
Relationship to proposed development	Consultant for the proponent
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/23/02575
Property Location	Lot 130 & 131 (#321) Guildford Road, Bayswater

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Traffic matters associated with the development and the MRWA response and conditions.
--	--

Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Thank you for the opportunity to make a presentation and provide a written submission.
Please find **attached** Written Response and Presentation Content

Thank you

David Wilkins
Director and Senior Traffic and Road Safety Engineer
i3 Consultants

Response to Responsible Authority Report

Lots 130 - 131 (No 321) Guildford Road, Bayswater - Proposed Service Station, car wash and drive thru coffee (fast food) - DAP/23/02575

Prepared for PC Infrastructure Pty Ltd
Prepared by David Wilkins, Director and Senior Traffic and Road Safety Engineer
Date 15 September 2026
Subject Traffic response to Reason for Refusal 1 and related servicing matters

Thank you for the opportunity to present to the Metro Inner Development Assessment Panel and submit this written submission in respect of the proposed Service Station, Motor Vehicle Wash and Drive Through Coffee (Fast Food) Development for the site at Lots 130-131 (#321) Guildford Road, Bayswater.

i3 consultants Pty Ltd has been acting for the proponent and has prepared the final Transport Impact Assessment dated 2 June 2026 for the proposed development. I have reviewed the Responsible Authority Report for the DAP meeting on 22 September 2026, including the Responsible Authority Recommendation and the traffic, access, parking and servicing assessment.

I understand that the proposed operating hours have been revised (by the operator) to between 5:00 am to 11:00 pm, seven days a week. This change does not increase the traffic assessed in the TIA. The weekday road-network peaks used in the TIA remain within the revised operating hours, so the peak-hour modelling and sensitivity testing remain applicable.

I note importantly that Main Roads WA no longer objects to the revised proposal. The outstanding traffic and servicing matters can be resolved through detailed design and an approved Delivery Management Plan. In my professional opinion, Reason for Refusal 1 does not provide a traffic engineering basis for refusing the application and my following submissions will demonstrate this.

Documents considered

- ▶ Responsible Authority Report for DAP/23/02575, including the Responsible Authority Recommendation and officer assessment
- ▶ i3 consultants WA Transport Impact Assessment 31810-TIA-F, Final, dated 2 June 2026
- ▶ Main Roads WA referral response dated 24 August 2026
- ▶ Applicant correspondence confirming revised operating hours and the fuel delivery periods identified by the acoustic consultant
- ▶ Main Roads WA detailed crash history for Guildford Road between First Avenue and Tonkin Highway, 1 January 2021 to 31 December 2025

Reason for Refusal 1

The stated Responsible Authority Recommendation with respect to traffic and transport impacts is:

That the Metro Inner OAP resolves to REFUSE OAP Application reference DAP/23/02575 for a proposed Service Station, Car Wash and Drive Thru Coffee (Fast Food) at Lot 130 and 131 (No. 321) Guildford Road, Bayswater, in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of the City of Bayswater Town Planning Scheme No. 24, for the following reasons:

Pursuant to Clauses 67(2)(q) and (t) of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposal fails to demonstrate safe and efficient vehicle access and egress, as the proposed operation of the service station relies on fuel tanker deliveries, recommended by Main Roads Western Australia occurring between 9:00PM and 5:00AM, however the proposal has not adequately demonstrated that these heavy vehicle movements can be undertaken safely and efficiently within the site and surrounding road network, or without adverse impacts on nearby sensitive land uses from vehicle operations. The reliance on overnight fuel deliveries represents a fundamental operational deficiency of the proposal and demonstrates that key servicing requirements cannot be satisfactorily accommodated.

Response to Reason for Refusal 1

Main Roads WA position

Main Roads WA's position has materially changed from its earlier referral advice. Its formal response of 24 August 2026 states that it has no objection to the proposal, subject to recommended conditions and advice notes. Those conditions deal with detailed crossover design, delivery management, parking restrictions on Kenilworth Street and routine approvals for works, drainage, land requirements and signage.

A no-objection response subject to conditions is not evidence that the development cannot be serviced safely. It shows that Main Roads WA considers the remaining road access and servicing matters capable of being controlled through approval conditions. The City's disagreement with the proposed overnight delivery window does not reverse Main Roads WA's no-objection position, particularly when the delivery-hours condition can be modified to meet its stated road safety and network-efficiency purpose.

Traffic generation and network performance

The TIA forecasts up to 116 vehicle trips in the weekday morning peak hour and 87 trips in the afternoon road-network peak hour. After allowing for pass-by traffic, the forecast additional traffic is 35 and 26 trips respectively, which is a moderate impact under the WAPC Transport Impact Assessment Guidelines.

The Guildford Road access is forecast to operate at a very good level, with a degree of saturation below 0.6. The Darby Street, Kenilworth Street and Guildford Road intersection is forecast to operate at a similar level to the existing intersection. The additional development traffic is not forecast to require road-network improvements, and the assessed maximum increase in average delay for a vehicle leaving Kenilworth Street is about two seconds.

The TIA also tested the more conservative peer-review assumptions. That scenario increased the forecast weekday peak-hour traffic to 166 vehicles and reduced the pass-by allowance from 70 per cent to 50 per cent. The access and adjacent intersection still operated acceptably. The sensitivity test therefore supports the conclusion that the network assessment is not dependent on optimistic traffic assumptions.

Access and road safety

The revised design removes two existing wide crossovers to Guildford Road and replaces them with one narrower crossover located farther from the Kenilworth Street intersection. It also removes the crossover on Kenilworth Street nearest Guildford Road and uses the northern access. These changes reduce the number of access conflict points and move them away from the intersection.

Safe Intersection Sight Distance at the proposed Guildford Road access is more than 300 m in each direction, compared with the 140 m requirement adopted at Main Roads WA's request. The available sight distance at the Kenilworth Street access also meets the assessed requirement, including from the 2.4 m driver-eye height used for heavy vehicles.

The five-year crash review found no injury crashes associated with right turns into or out of Kenilworth Street. One property-damage-only crash involved a vehicle turning right out of Kenilworth Street. Restricting right turns at the Guildford Road crossover is unlikely to remove those movements from the road network because drivers could make them at Kenilworth Street instead. A restriction at the site access should therefore not be assumed to produce a better overall safety outcome.

Heavy vehicle access and internal circulation

The revised development was designed and assessed for a standard 19 m semi-trailer fuel tanker, replacing the smaller non-standard tanker considered in the previous proposal. The TIA includes swept paths for the 19 m tanker, an 8.8 m medium rigid service vehicle and B99 cars, using a 500 mm clearance envelope. The assessed tanker route is right-in from Kenilworth Street and right-out through the eastern Guildford Road crossover.

The revised layout uses the full site and provides defined circulation routes, a loading embayment, 10 marked parking bays, six drive-through queue spaces and six car wash queue spaces. The City's engineering officers have described the revised internal movements as acceptable, while identifying minor operational concerns when a tanker is on site. Those concerns are appropriately managed through a Delivery Management Plan rather than refusal.

The Delivery Management Plan should require booked tanker arrivals, confirmation that the route and unloading area are clear, no waiting on Guildford Road or Kenilworth Street, driver instructions, and temporary management of customer movements that may conflict with the tanker while unloading. It should also include incident reporting and periodic review. These controls directly respond to the City's concern about concurrent movements.

Five year truck crash evidence

The Main Roads WA detailed crash history records 651 crashes on Guildford Road between First Avenue and Tonkin Highway during 2021 to 2025. Twenty-eight crashes, or 4.3%, involved a recorded truck, compared with 483 crashes, or 74.2%, confidently classified as involving light vehicles only. The remaining 140 crashes involved other road users or incomplete vehicle-type records. These counts do not indicate disproportionate truck involvement.

Crash classification	Entire record	5:00 am to 9:00 pm	9:00 pm to 5:00 am	Weekday peaks
All crashes	651	618	33	196
Truck involved	28	28	0	5
Light vehicles only	483	458	25	147

Source: Main Roads WA detailed crash history. Weekday peak periods are 7:30 am to 9:00 am and 3:00 pm to 5:00 pm.

Among the 1,133 motor vehicles with a known type, 29 were trucks, or 2.6%. Including buses and a tractor increases the heavy-vehicle share to 3.5%. Project traffic counts report heavy vehicles at approximately 4.5% of the nearby 2023 daytime traffic and 5.8 to 6.7% weekday 24-hour traffic at corridor count sites. The recorded crash involvement is not above that exposure. The comparison remains indicative because 138 vehicle-unit records do not state a vehicle type.

All 28 recorded truck crashes occurred between 5:00 am and 9:00 pm, but approximately 95% of weekday heavy-vehicle traffic at the corridor count sites also occurs in that window. Trucks were involved in 2.6% of crashes during the proposed weekday peak restrictions, compared with 5.1% at other times. Statistical testing found no discernible association between truck involvement and either time period.

Eight of the 28 truck crashes involved the recorded truck turning, and two occurred during the proposed weekday peak restrictions. Of the 16 crashes at Darby Street and Kenilworth Street, only one involved a truck: a 9:30 am crash at Darby Street. No truck crash was recorded at Kenilworth Street. The record does not establish a truck-specific risk requiring overnight-only deliveries.

Delivery hours and revised operating hours

Main Roads WA's stated reason for limiting deliveries is to reduce road safety impacts and disruption during peak periods. The crash analysis does not identify an elevated truck crash rate or a truck-specific concentration during those peaks. The proposed 9:00 pm to 5:00 am window therefore appears to be a precautionary response to the swept-path interaction and potential network disruption, rather than an established crash pattern. The TIA identifies the weekday road-network peaks as 7:45 to 8:45 am and 3:30 to 4:30 pm. A peak-period restriction is more closely aligned with the stated traffic purpose and avoids directing heavy-vehicle activity to the hours most sensitive to nearby residents.

I understand from the applicant that its acoustic consultant has identified fuel-delivery periods of 7:00 to 7:30 am, 9:00 am to 3:00 pm and 5:00 to 7:00 pm on weekdays; 7:00 am to 7:00 pm on Saturdays; and 9:00 am to 7:00 pm on Sundays and public holidays. From a traffic engineering perspective, these periods avoid the measured weekday road-network peaks. The relevant acoustic report and Operational Management Plan should be updated by their authors to confirm and implement those periods.

The revised 5:00 am to 11:00 pm operating hours do not undermine the TIA because the assessed weekday peaks remain unchanged. Instead, the revised hours remove the assumed 24-hour operation that underpins several statements in the RAR. Once the delivery condition and management plans are aligned with the revised hours, there is no inherent inconsistency between the traffic assessment, servicing arrangements and operating hours.

Crossover design

Main Roads WA recommends that the Guildford Road crossover be modified before the Building Permit stage to allow lane-correct simultaneous entry and exit movements without kerb encroachment. From a traffic engineering perspective, this is an appropriate detailed-design condition. Main Roads WA has retained approval control over the amended design and the works in the road reserve. The condition should be imposed and resolved through that approval process; it is not a fundamental reason to refuse the land use.

Pedestrian access and parking

The revised plans provide a direct pedestrian path from Guildford Road to the convenience-store entrance. Paths exist on both sides of Guildford Road and Kenilworth Street, and a median-refuge crossing is located approximately 76 m east of Kenilworth Street. The crash review found no reported crashes at that crossing during the five-year review period. The reported pedestrian injury crash at the intersection involved a person crossing away from the available refuge.

The RAR identifies a planning-scheme parking shortfall. The TIA addresses operational demand rather than treating drive-through users as parked vehicles. It concludes that the 10 marked bays are adequate when considered with the separate six-vehicle queues for the drive-through retail facility and car wash. The parking calculation is a matter for planning discretion, but it does not demonstrate unsafe access, egress or internal circulation. Parking and queue performance can also be monitored and managed through the Operational Management Plan.

I continue to recommend No Stopping Road or Verge restrictions on both sides of Kenilworth Street between Guildford Road and the northern limits of the relevant access driveways. This protects sight lines and the approved heavy-vehicle route and is consistent with Main Roads WA's recommended condition.

Guildford Road widening

The RAR refers to the possibility that the future Guildford Road Corridor Widening Project may alter right-turn movements. The project is not funded and has no confirmed construction timeframe. The TIA nevertheless reviewed the available corridor information and concluded that the development is not expected to compromise the broader cadastral widening concept. The application has appropriately been assessed against the existing road network while recognising the protected future corridor.

Recommended approval conditions

The following condition framework addresses the traffic matters raised in the RAR. Final wording can be settled with Main Roads WA and the City of Bayswater.

Matter	Recommended condition and traffic purpose
Guildford Road crossover	1. Before issue of a Building Permit, modify the Guildford Road crossover to provide lane-correct simultaneous entry and exit without kerb encroachment, to Main Roads WA's approval. Implement the design through the required road-reserve works approval.
Fuel deliveries	2. Fuel deliveries by a 19 m semi-trailer are to use the right-in movement from Kenilworth Street and the right-out movement through the eastern Guildford Road crossover. 3. The tanker must not enter or exit the site during the weekday network peak periods of 7:30 am to 9:00 am and 3:00 pm to 5:00 pm, unless otherwise agreed in writing by Main Roads WA. 4. Fuel deliveries must also occur only during the delivery periods supported by the approved acoustic report and specified in the approved Delivery Management Plan. Any variation to those acoustic delivery periods must be supported by updated acoustic advice and approved in writing by the City of Bayswater.
Other service deliveries	5. Other service vehicles are to use the designated loading facilities and follow the approved Delivery Management Plan. Delivery vehicles must not queue, stand or wait on Guildford Road or Kenilworth Street. This applies controls proportionate to the vehicle and manoeuvre.
On site management	6. The Delivery Management Plan is to include booked arrivals, route-clearance checks, driver instructions, temporary separation of conflicting customer movements during tanker unloading, signage and line marking, incident reporting, and periodic review. This manages the concurrent-movement concern identified by the City.
Kenilworth Street	7. Install and maintain No Stopping Road or Verge restrictions on both sides of Kenilworth Street over the extent required to protect access sight lines and the heavy-vehicle swept path. This keeps the approved route unobstructed and protects sight distance.

Professional opinion

The revised proposal has been assessed using current plans, a standard 19 m fuel tanker, swept paths, sight distance, SIDRA modelling, the updated five-year crash review and conservative sensitivity testing. The assessment demonstrates safe and efficient access and acceptable traffic and road-safety performance, subject to the recommended conditions and management plans.

The principal issue is Main Roads WA's proposed overnight delivery condition, rather than a demonstrated failure of the access or network. The corridor crash record shows neither disproportionate truck involvement nor a peak-period concentration. The condition can instead exclude the actual network peaks, align with the operating and acoustic controls, and preserve Main Roads WA's approval role. The remaining crossover and parking-restriction matters can also be resolved by conditions.

In my professional opinion, Reason for Refusal 1 is satisfactorily addressed. The Metro Inner Development Assessment Panel can set aside that reason and approve the proposed development subject to appropriate traffic, access and delivery-management conditions.



David Wilkins
Director | Senior Traffic & Road Safety Engineer

Main Roads WA Accredited: Senior Road Safety Auditor | RTM | AWTM | BWTM | TC | PTCB | Trainer & Assessor

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Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

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Presenter Details

Name	John Hurley
Company (if applicable)	EAQ Consulting
Relationship to proposed development	Consultant for the proponent
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/23/02575
Property Location	Lot 130 & 131 (#321) Guildford Road, Bayswater

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☐ Online ☒

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Air quality and health matters raised by the City/DoH
--	--

Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Thank you for the opportunity to make a presentation and provide a written submission.

Please find **attached** Technical Response document

Thank you

John Hurley
Principal Consultant / Director
EAQ Consulting



Environment | Air Quality

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17 September 2026

Andrew Caspar

General Manager - Planning

Peregrine

270 The Parade, Kensington SA 5068

By email: A.Caspar@peregrine.com.au

Technical Response – Development Application (DA23-0365) AND DAP/23/02575

EAQ Project Reference: EAQ26036-(DA23-0365+DAP-2302575)_Technical Response_20260918

Document Author: John Hurley (Principal Scientific Consultant)

Environmental & Air Quality Consulting Pty Ltd (EAQ) has prepared this Technical Response on behalf of Peregrine in relation to the proposed service station development at Lots 130–131 (No. 321) Guildford Road, Bayswater, being Development Application DA23-0365 and Development Assessment Panel application DAP/23/02575.

The response has been prepared following consideration of the matters raised by the City of Bayswater and referral advice provided by the Western Australian Department of Health (DoH), including the public-health concerns that informed the City's recommendation for refusal in the Responsible Authority Report (RAR) prepared for the Metro Inner Development Assessment Panel.

The Technical Response accompanies the revised air-dispersion assessment and addresses the revised operating arrangements, vapour-recovery controls, benzene exposure and health-risk framework, separation distances, background and cumulative exposure, odour and amenity, sensitivity considerations, and associated operational controls relevant to the proposal.

This Technical Response should be read together with the revised air-dispersion modelling assessment prepared for the proposal.



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1 Purpose and Scope

EAQ Consulting (EAQ) has prepared this technical response in relation to the proposed service station development at Lots 130–131 (No. 321) Guildford Road, Bayswater (the Site). The response has been prepared having regard to matters raised by the City of Bayswater (City) and the Western Australian Department of Health (DoH), including those documented in the Responsible Authority Report (RAR) prepared for the Metro Inner Development Assessment Panel.

The principal public health matter raised by DoH relates to potential chronic exposure of nearby sensitive land uses to gaseous emissions from the proposed service station, particularly benzene and other volatile organic compounds (VOCs). This is consistent with the DoH *Position statement: Service stations and sensitive land uses* (Position Statement), which identifies gaseous emissions, specifically benzene and other VOCs, as its principal public-health concern associated with the proximity of service stations to sensitive land uses. The Position Statement separately identifies noise, light and odour as matters ordinarily considered by other relevant technical disciplines.

This response has therefore been prepared to address the health and air-quality matters raised by the City and DoH and to provide the technical basis for a revised assessment of the proposal. In particular, it addresses:

- the applicability and purpose of the separation distances identified by the DoH Position Statement;
- the distinction between generic precautionary separation guidance and a site-specific quantitative assessment of emissions and exposure;
- potential incremental benzene exposure and the DoH excess lifetime cancer-risk benchmarks;
- existing background concentrations and cumulative exposure;
- the identification of sensitive receptors and the spatial relationship between emission sources and surrounding assessment locations;
- the role and effectiveness of Stage 1 and Stage 2 vapour recovery (VR1 and VR2);
- model uncertainty and sensitivity considerations relating to fuel throughput, concurrent operations and VR2 failure;
- the revised operating and fuel-delivery arrangements;
- potential odour impacts associated with petrol vapour emissions; and
- operational, monitoring, maintenance and complaints-management measures that may be applied to the development.

A revised air dispersion modelling assessment was undertaken concurrently with this response. That assessment incorporates the revised operating arrangements and mitigation measures described below, together with the actual spatial relationship between the principal emission sources and surrounding assessment locations, and supersedes the operating assumptions adopted for the previous assessment.

Accordingly, this response should not be interpreted as seeking to demonstrate that the previous assessment, without modification, is sufficient to address the matters subsequently raised by the City and DoH. Rather, those matters have informed a revised assessment framework directed specifically toward the public-health issues identified through the referral and assessment process.



2 Revised Proposal and Assessment Basis

2.1 Revised operating arrangements

Since preparation of the previous air-quality assessment, the proposed operating arrangements for the development have been revised.

The service station is now proposed to operate between 5:00 am and 11:00 pm, seven days per week, equivalent to a maximum of 126 operating hours per week. The proposal is therefore no longer a 24-hour service station.

This change is material to the assessment of potential emissions and exposure. Vehicle refuelling emissions are activity-dependent and occur when petrol is dispensed. The revised assessment therefore considers emissions according to the proposed operating schedule rather than assuming continuous retail operation throughout all 168 hours of the week.

The RAR acknowledges this change, noting that the applicant advised the City on 9 September 2026 that it would consider modifying the proposal from 24/7 operation to potentially limited operating hours of 5:00 am to 11:00 pm, seven days per week.

For the revised assessment, the 5:00 am to 11:00 pm operating period is treated as a defined operational constraint rather than merely an indicative operating scenario.

Within the revised dispersion modelling, vehicle-refuelling emissions have been represented throughout each hour of the proposed 5:00 am to 11:00 pm operating period. The modelling therefore does not attempt to predict intermittent periods of actual bowser utilisation within those hours but conservatively allows vehicle-refuelling emissions to occur throughout the full operating period.

2.2 Vapour recovery

The revised proposal will incorporate both Stage 1 vapour recovery (VR1) and Stage 2 vapour recovery (VR2) for petrol operations. VR1 controls petrol vapour displaced from underground storage tanks during tanker unloading, while VR2 controls vapour displaced from vehicle fuel tanks during petrol refuelling. These systems therefore address the two principal activity-related petrol-vapour emission pathways associated with normal service-station operation.

The significance of VR2 is expressly recognised by DoH. The Position Statement notes that vapour recovery technology has significantly reduced VOC emissions from service stations and states that, although VR2 is not presently mandated in Western Australia, its application may be considered a mitigating feature where a reduced separation distance is being considered.

For the purposes of the revised assessment, VR1 and VR2 have therefore been treated as integral components of the proposed development and not as optional mitigation measures. Appropriate installation, commissioning, testing, maintenance, fault-response and record-keeping requirements can consequently be incorporated into conditions of approval or an operational management framework.

The emission-control performance attributable to VR1 and VR2 is incorporated within the source-emission estimates adopted for the revised dispersion modelling.



3 Department of Health Position Statement and Separation Distances

3.1 Purpose and application of the separation distances

EAQ acknowledges the Department of Health (DoH) *Position statement: Service stations and sensitive land uses* and the precautionary public-health basis upon which the recommended separation distances have been established.

The Position Statement recommends minimum separation distances of 50 m for service stations operating during normal business hours and 100 m for 24-hour service stations, while noting that there is insufficient evidence to support the former 200 m distance for non-freeway 24-hour service stations. DoH recommends that these distances be maintained in the absence of evidence that would justify a reduced distance.

The revised proposal would operate between 5:00 am and 11:00 pm and therefore does not correspond precisely with either the normal-business-hours or 24-hour operating categories identified in the Position Statement. The revised assessment does not seek to assign the proposal to either generic separation category solely on the basis of its revised operating hours. Rather, the reduced operating period is treated as a defined site-specific operating constraint and is incorporated directly into the revised emissions assessment.

The Position Statement is therefore appropriately understood as providing a precautionary planning framework, rather than establishing a concentration-based air-quality standard or defining a distance at which a particular level of exposure or health risk necessarily occurs.

This distinction is important. DoH acknowledges that the separation distances originally contained within the 2005 EPA guidance did not include or cite the evidence supporting the published distances and, being approximately 20 years old, may not reflect current exposure circumstances. The current DoH distances have instead been informed by a review of available international literature and application of the precautionary principle. The Position Statement expressly concludes that the recommended distances are based upon the available data “and applying the precautionary principle”.

Accordingly, exceedance or non-achievement of a recommended separation distance should not, in itself, be interpreted as demonstrating that an unacceptable health impact will occur. Conversely, achievement of a generic separation distance does not itself quantify the actual exposure experienced at a particular sensitive receptor. Separation provides a precautionary means of reducing the potential for exposure where site-specific exposure information is unavailable.

3.2 Separation distance as a proxy for potential exposure

The principal public-health issue identified by DoH is not separation distance itself, but potential exposure to gaseous emissions, particularly benzene and other volatile organic compounds (VOCs). The Position Statement identifies gaseous emissions as the main public-health concern and recognises that concentrations surrounding an individual service station vary considerably depending upon fuel throughput and composition, fuel temperature, vapour recovery systems, meteorological conditions and surrounding topography.



Consequently, two service stations located at the same distance from a sensitive receptor do not necessarily produce the same emissions, ambient concentrations or potential exposure.

This is particularly relevant to the revised proposal. The potential emission profile is influenced by identifiable and controllable site-specific factors, including:

- the location of the bowzers, underground storage infrastructure and tank vents relative to surrounding sensitive receptors and other off-site assessment locations;
- the quantity of petrol dispensed;
- the proposed 5:00 am to 11:00 pm operating period;
- the frequency and timing of bulk fuel deliveries;
- implementation of VR1 during underground tank filling; and
- implementation of VR2 during vehicle refuelling.

These factors can be specifically defined, assessed and, where appropriate, incorporated into enforceable operating requirements.

The relevance of emission-source location is also expressly recognised by DoH. Although the generic separation is conventionally measured boundary-to-boundary, the Position Statement acknowledges that service-station emission sources are unlikely to be situated on the property boundary and provides for consideration of the actual relationship between emission sources and sensitive land uses, particularly where future relocation or expansion of those sources can be prevented.

This distinction is directly relevant to the Site. The principal vehicle-refuelling emission sources are located internally within the development rather than at the Site boundary. The discrete off-site locations included within the revised dispersion assessment range from approximately 24 m to approximately 100 m or more from the nearest bowser. The closest of these, Receptor 7 (S of Bowzers), is located on the road verge/footpath immediately south of the Site and approximately 24 m from the nearest bowser, with residential land situated immediately beyond the receptor. The dispersion modelling therefore explicitly represents the actual spatial relationship between the emission sources and surrounding locations rather than treating the property boundary itself as the emission source.

3.3 Evidence underlying the DoH precautionary position

The literature reviewed by DoH demonstrates that service stations can influence nearby concentrations of benzene and other VOCs. However, the Position Statement also identifies substantial variability in the magnitude and spatial extent of those effects.

For example, DoH reports international studies in which the estimated contribution of service stations to annual benzene concentrations at 50 m ranged from 0 to 4 $\mu\text{g}/\text{m}^3$, while other studies reported comparatively small differences between residences close to and further removed from service stations. DoH also identifies studies reporting distances of influence ranging from approximately 50 m to 150 m or greater depending upon throughput and other circumstances.

DoH consequently acknowledges that there is “great variation” in both reported concentrations and distances of impact, that the presence or absence of vapour recovery technology was not always



identified, and that there are no recent Western Australian or Australian monitoring data describing benzene and other VOC concentrations around service stations.

This is significant when interpreting the epidemiological evidence relied upon by the Position Statement.

The Position Statement expressly acknowledges that exposure in the epidemiological studies was characterised by residential proximity to service stations rather than quantified benzene or VOC exposure concentrations. The definition of proximity also varied between studies.

The epidemiological literature therefore provides a legitimate basis for a precautionary planning response to uncertain exposure but does not establish that every service station within 50 m or 100 m produces a common concentration of benzene, nor that a particular separation distance represents a defined threshold between acceptable and unacceptable health risk.

This distinction is relevant to the present proposal because its emissions, source configuration, throughput, operating hours and vapour-recovery controls can be specifically characterised rather than inferred solely from proximity.

3.4 Role of a site-specific technical assessment

EAQ acknowledges that DoH expresses reservations regarding the use of air dispersion modelling to justify reductions in generic separation distances. The Position Statement identifies uncertainty in model inputs and limitations associated with steady-state plume modelling in the near field and consequently states that dispersion modelling should not, in isolation, be used as the basis for reducing separation distances.

These limitations should be recognised in the interpretation of modelling results. A dispersion model is not a direct measurement of future ambient concentration and should not be represented as providing absolute certainty as to the concentration that will occur at a particular location and time.

However, there is an important distinction between recognising modelling uncertainty and concluding that quantitative modelling provides no useful information regarding the relative magnitude of emissions or potential exposure.

The Position Statement itself states that, where the generic separation distance is not achieved, a scientific study based on site- and industry-specific information may be presented to demonstrate that a lesser distance will not result in unacceptable impacts. It then identifies the relevant health-risk consideration in terms of the contribution of the service station to benzene concentrations above background at sensitive land uses.

The accompanying literature review further states that determination of health risk requires an estimate of exposure and that air quality may be characterised through monitoring and/or modelling.

At the same time, DoH notes that there are no available Western Australian monitoring data around service stations suitable for supporting site-specific studies and that recent background VOC monitoring data for Perth are also unavailable.



EAQ therefore considers that the appropriate response to these limitations is not to treat dispersion modelling as deterministic evidence of the precise future exposure at a receptor, but equally not to disregard quantitative assessment altogether. Rather, modelling can form one component of a broader weight-of-evidence assessment incorporating conservative emissions estimation, actual source-to-receptor and source-to-assessment-location geometry, vapour-recovery technology, defined operating restrictions, sensitivity testing, available background information and enforceable operational controls.

This approach also permits the uncertainties identified by DoH to be explicitly examined rather than implicitly absorbed into a generic separation distance.

3.5 Relevance of vapour recovery technology

The applicability of the historical evidence to a contemporary service station also requires consideration of emission-control technology.

DoH acknowledges that vapour recovery technology has significantly reduced VOC emissions from service stations. It identifies VR1 as controlling emissions from underground storage tanks during tanker filling and VR2 as controlling emissions displaced from vehicle tanks during refuelling. Importantly, DoH notes that VR2 was less likely to have been present during the relevant periods considered by the epidemiological literature and expressly identifies VR2 as a potential mitigating feature when considering a reduced separation distance.

The revised proposal incorporates both VR1 and VR2.

Accordingly, the emissions characteristics of the revised proposal should not be assumed to be directly equivalent to those of service stations represented by epidemiological studies based principally upon proximity, particularly where the historical configuration and effectiveness of vapour recovery were unknown.

This does not invalidate the precautionary basis of the DoH Position Statement. Rather, it supports consideration of the actual emissions-control measures incorporated into the proposal when determining whether the public-health objective underlying the generic separation distance can be achieved through a site-specific alternative approach.

3.6 Application to the revised proposal

EAQ does not propose that the revised assessment should demonstrate compliance with the DoH Position Statement merely by predicting a concentration below a selected criterion, nor that dispersion modelling should be regarded as overriding the precautionary separation guidance.

Instead, the revised assessment quantifies the potential incremental exposure attributable to the proposed development, having regard to the actual configuration and committed operating envelope of the proposal.

The assessment considers the proposal as an integrated package comprising reduced operating hours, defined maximum fuel throughput, VR1 and VR2, controlled tanker-delivery arrangements, actual emission-source, sensitive-receptor and off-site assessment locations, conservative emissions estimation, and enforceable operational controls.



The purpose of the assessment is to provide the decision-maker with substantially more site-specific information than can be obtained from separation distance alone and to enable the predicted incremental contribution of the proposal to be considered within the public-health framework established by the DoH Position Statement.

3.7 Background Concentrations and Cumulative Exposure

DoH has requested that the assessment provide measured or appropriately justified background concentrations and consideration of cumulative exposure. The City's Health Services has subsequently identified this as one of the matters requiring further consideration. EAQ acknowledges this request; however, there are significant limitations on the extent to which either background concentrations or cumulative exposure can presently be quantified for the Site.

There are presently insufficient representative monitoring data from which a reliable numerical background concentration of benzene or other relevant VOCs can be assigned to the sensitive receptors surrounding the Site. This limitation is expressly recognised in the DoH Position Statement, which identifies that there are no recent Western Australian monitoring data for benzene and other VOC concentrations in the vicinity of service stations, nor recent data describing background VOC concentrations in Perth.

In the absence of representative contemporary monitoring data, EAQ does not consider it technically appropriate to assign a numerical background concentration derived from historical Perth monitoring, monitoring undertaken at another locality, international datasets, or a generic urban background concentration. Such an approach would introduce a numerical assumption that cannot be demonstrated to represent the existing ambient environment at the Site or surrounding sensitive receptors.

It is also **important to distinguish ambient background concentration from cumulative personal exposure**. Even if representative outdoor ambient monitoring data were available, a fixed outdoor monitoring location would not comprehensively characterise an individual's lifetime exposure to benzene. Personal exposure occurs across multiple environments and activities, potentially including outdoor and indoor residential environments, workplaces, travel in motor vehicles, vehicle refuelling and time spent at other locations. The relative contribution of these exposure environments will vary substantially between individuals.

Accordingly, a quantitative estimate of total cumulative lifetime benzene exposure for occupants of individual sensitive receptors surrounding the Site cannot reasonably be derived from the information presently available. Doing so would require assumptions regarding both ambient background concentrations and individual exposure patterns that cannot be verified.

This limitation is particularly relevant to interpretation of the DoH risk-based concentrations. The DoH Position Statement refers generally to published urban benzene concentrations ranging from less than 1 $\mu\text{g}/\text{m}^3$ to approximately 10 $\mu\text{g}/\text{m}^3$. This range provides general contextual information and does not represent a measured or adopted background concentration for Perth, Bayswater or the Site. Indeed, DoH separately acknowledges the absence of recent background VOC concentration data for Perth.



The broad range cited by DoH also illustrates the difficulty in assigning a generic numerical background concentration to an individual urban receptor. Ambient benzene concentrations are spatially and temporally variable and may be influenced by road traffic, combustion sources, commercial and industrial activities and other local and regional sources. The general urban range cited by DoH therefore cannot reasonably be adopted as a surrogate background concentration for the Site.

Importantly, DoH separately identifies $0.17 \mu\text{g}/\text{m}^3$ as the incremental service-station contribution above background corresponding to its generally adopted 1-in-1,000,000 excess lifetime cancer-risk benchmark. The $0.17 \mu\text{g}/\text{m}^3$ value should therefore not be interpreted as an ambient-air quality criterion or as a concentration below which the total ambient concentration of benzene is required to remain. Such an interpretation would be inconsistent with both the DoH description of the criterion as a contribution *above background* and its acknowledgement that benzene is already present in urban air at concentrations that may exceed $0.17 \mu\text{g}/\text{m}^3$.

The relevant quantitative consideration for the proposed development is therefore its incremental contribution. The revised dispersion assessment estimates the incremental outdoor benzene and VOC concentrations attributable specifically to the proposed service station within the receiving environment. These predictions can then be considered against the DoH risk-based incremental concentrations, subject to the limitations and exposure assumptions discussed subsequently in this response.

A further distinction is required between cumulative exposure from all existing environmental sources, which cannot presently be quantified reliably, and the combined contribution of emission sources and activities associated with the proposed development, which can be assessed.

The revised assessment considers the combined contribution of the relevant service-station emission sources and allows those sources to operate concurrently where their respective modelled operating periods overlap. Vehicle-refuelling emissions are represented throughout the proposed service-station operating period, while storage-tank vent emissions are assessed across every hour of the day.

Bulk fuel-transfer emissions (i.e., bulk fuel deliveries) are also represented during the applicable delivery periods and, where those periods overlap with service-station operating hours, are represented concurrently with the other applicable emission sources.

Accordingly, background and cumulative exposure can be addressed qualitatively and transparently having regard to the limitations of the available evidence, rather than through numerical values that cannot be demonstrated to be representative. The quantitative assessment focuses upon the component that can reasonably be attributed to and controlled by the proposal; that is, the incremental contribution of the proposed service station to ambient concentrations at surrounding sensitive receptors and other relevant off-site assessment locations.



4 Benzene Health-Risk Framework

4.1 Nature of the DoH Benzene Risk Criterion

DoH has requested that the assessment provide a transparent benzene cancer-risk calculation using the DoH benchmark. In responding to this request, it is important to distinguish between an ambient air-quality criterion and a risk-based concentration derived from an assumed lifetime exposure.

The DoH Position Statement identifies benzene as a non-threshold carcinogen and states that there is no known threshold below which carcinogenic effects have not been observed. However, DoH also recognises that at the relatively low concentrations encountered in the general environment, the associated risk of disease is low. The Position Statement states that lifetime exposure to benzene in air at a concentration of $1 \mu\text{g}/\text{m}^3$ corresponds to an estimated excess leukaemia risk of approximately 6 in 1,000,000.

On this basis, DoH generally defines an unacceptable carcinogenic risk as greater than 1 in 1,000,000 (1×10^{-6}), although it notes that 1 in 100,000 (1×10^{-5}) has also been used. The Position Statement translates these risk levels into incremental benzene concentrations of approximately $0.17 \mu\text{g}/\text{m}^3$ and $1.7 \mu\text{g}/\text{m}^3$, respectively, and states that service stations should not contribute concentrations exceeding these values above background concentrations at a sensitive land use.

The $0.17 \mu\text{g}/\text{m}^3$ and $1.7 \mu\text{g}/\text{m}^3$ values are therefore risk-based incremental concentrations. They are not presented by DoH as ambient air-quality standards applicable to the total concentration of benzene in the surrounding atmosphere. Rather, they represent concentrations attributable to the service station which, under the lifetime exposure assumptions inherent in the underlying cancer-risk relationship, correspond approximately to theoretical excess lifetime cancer risks of 1×10^{-6} and 1×10^{-5} .

This distinction is important when interpreting dispersion modelling results. The revised modelling predicts the incremental ambient concentration attributable to the proposed service station. It does not predict an individual's total personal benzene exposure, nor does it attribute existing background benzene concentrations to the proposal.

4.2 Relationship Between Modelled Concentration and the DoH Lifetime-Risk Benchmark

DoH has requested that the assessment provide a transparent benzene cancer-risk calculation using the risk benchmarks identified in the DoH Position Statement.

The revised dispersion assessment predicts a maximum annual-average incremental benzene concentration of $1.55 \mu\text{g}/\text{m}^3$ at Receptor 7 (S of Bowers). This assessment location is situated on the road verge/footpath immediately south of the proposed service station and approximately 24 m from the nearest bowser. It is not itself a residential sensitive receptor, although residential land is situated immediately beyond this location.

At the identified residential receptors, predicted annual-average incremental benzene concentrations are lower. The highest identified residential concentration is $1.12 \mu\text{g}/\text{m}^3$ at the north-western houses (Receptor 2), while the eastern house (Receptor 4) is predicted at $0.56 \mu\text{g}/\text{m}^3$.



The DoH Position Statement identifies benzene as a non-threshold carcinogen and states that lifetime exposure to benzene in air at a concentration of $1 \mu\text{g}/\text{m}^3$ corresponds to an estimated excess risk of leukaemia of approximately 6 in 1,000,000. DoH consequently identifies incremental benzene concentrations of approximately $0.17 \mu\text{g}/\text{m}^3$ and $1.7 \mu\text{g}/\text{m}^3$ above background as corresponding to theoretical excess lifetime cancer risks of approximately 1 in 1,000,000 and 1 in 100,000, respectively.

Applying the concentration-risk relationship cited by DoH to the maximum predicted annual-average incremental concentration gives:

Theoretical excess lifetime risk = $1.55 \mu\text{g}/\text{m}^3 \times 6 \times 10^{-6}$ per $\mu\text{g}/\text{m}^3$

= 9.3×10^{-6}

Applying the DoH concentration-risk relationship to this maximum off-site assessment result gives a theoretical excess lifetime risk equivalent of approximately 9.3 in 1,000,000, or approximately 1 in 108,000. The maximum predicted annual-average incremental concentration of $1.55 \mu\text{g}/\text{m}^3$ is therefore below the $1.7 \mu\text{g}/\text{m}^3$ concentration corresponding to the 1-in-100,000 risk level, but above the $0.17 \mu\text{g}/\text{m}^3$ concentration corresponding to the 1-in-1,000,000 risk level identified by DoH.

It is important, however, to distinguish this calculation from a prediction of actual lifetime cancer risk experienced by an individual. Receptor 7 is a road-verge/footpath assessment location rather than a residential sensitive receptor. Application of the DoH lifetime concentration-risk relationship at this location therefore represents a conservative screening comparison that assumes continuous lifetime exposure at the modelled annual-average incremental concentration, notwithstanding that the location is not occupied continuously as a residence.

More generally, the dispersion model predicts annual-average incremental outdoor ambient concentrations at fixed assessment locations. It does not calculate an individual's lifetime benzene exposure or absorbed dose. Actual personal exposure would depend upon factors including residential duration, time spent at and away from a residence, indoor penetration of outdoor benzene, time spent in other indoor and outdoor environments, and changes in service-station operations, fuel composition, emission-control technology and other exposure conditions over time.

The calculated value of 9.3×10^{-6} should therefore be interpreted as a DoH-equivalent theoretical risk metric. It represents the risk corresponding to an assumed continuous lifetime exposure at the modelled annual-average incremental concentration, using the concentration-risk relationship cited by DoH. It does not demonstrate that an individual will actually experience a continuous lifetime incremental exposure of $1.55 \mu\text{g}/\text{m}^3$ attributable to the proposed service station.

The calculation is nevertheless useful for the purpose for which DoH has requested it: it provides a transparent means of expressing the modelled incremental benzene concentration within the risk framework adopted in the Position Statement. On that basis, the maximum predicted annual-average concentration of $1.55 \mu\text{g}/\text{m}^3$ corresponds to a theoretical risk of approximately 1 in 108,000 and remains below the 1-in-100,000 concentration benchmark also identified by DoH, while exceeding DoH's generally adopted 1-in-1,000,000 benchmark.



[Table 4-1](#) applies the DoH concentration-risk relationship consistently to each discrete assessment location included in the revised dispersion modelling report.

Table 4-1: DoH-equivalent theoretical excess lifetime cancer-risk comparison at assessed locations

Modelling I.D	Description	Annual-average incremental benzene ($\mu\text{g}/\text{m}^3$)	DoH-equivalent theoretical risk (per million)	Approximate equivalent risk
1	W Boundary	1.23	7.38	1 in 135,500
2	NW Houses	1.12	6.72	1 in 148,800
3	N Corner	0.78	4.68	1 in 213,700
4	E House	0.56	3.36	1 in 297,600
5	SE Verge	0.43	2.58	1 in 387,600
6	SSE Verge	1.05	6.30	1 in 158,700
7	S of Bowsers	1.55	9.30	1 in 107,500
8	SW Verge	0.89	5.34	1 in 187,300
9	N 100m	0.16	0.96	1 in 1,041,700
10	W 100m	0.20	1.20	1 in 833,300
11	E 100m	0.16	0.96	1 in 1,041,700
12	S 100m	0.17	1.02	1 in 980,400
n/a	DoH 1-in-100,000 benchmark	1.70	~10.0	1 in 100,000
	DoH 1-in-1,000,000 benchmark	0.17	~1.0	1 in 1,000,000

The calculated values in [Table 4-1](#) range from approximately 0.96 to 9.30 excess cases per million.

The highest modelled annual-average incremental benzene concentration of $1.55 \mu\text{g}/\text{m}^3$ occurs at Receptor 7 (S of Bowsers), an off-site road-verge/footpath assessment location, and corresponds to a DoH-equivalent theoretical excess lifetime risk of approximately 9.3 in 1,000,000, or approximately 1 in 107,500. At the identified residential receptors, the highest result occurs at Receptor 2 (NW Houses), where $1.12 \mu\text{g}/\text{m}^3$ corresponds to approximately 6.72 in 1,000,000, or approximately 1 in 148,800.

All assessed concentrations are below the $1.7 \mu\text{g}/\text{m}^3$ concentration corresponding to the 1-in-100,000 risk level identified by DoH.

The 100 m receptors are approximately at the DoH 1-in-1,000,000 level, with predicted annual-average incremental concentrations ranging from 0.16 to $0.20 \mu\text{g}/\text{m}^3$. As discussed above, these values represent theoretical risk equivalents derived by applying the DoH concentration-risk relationship to modelled annual-average incremental ambient concentrations; they should not be interpreted as predictions of actual individual lifetime cancer risk.

4.2.1 Interpretation of the Calculated Lifetime Risk

The assessment-location-specific calculations presented in [Table 4-1](#) provide a transparent application of the concentration-risk relationship identified by DoH. They also provide important context regarding the magnitude and interpretation of the theoretical risk associated with the modelled service-station contribution.

The highest predicted annual-average incremental benzene concentration is $1.55 \mu\text{g}/\text{m}^3$ at Receptor 7 (S of Bowsers), corresponding under the DoH relationship to a theoretical excess lifetime risk of



approximately 9.3 in 1,000,000, or approximately 1 in 107,500. As noted above, this location is a road verge/footpath rather than a residential sensitive receptor.

At the identified residential receptors, the highest predicted concentration is $1.12 \mu\text{g}/\text{m}^3$ at Receptor 2 (NW Houses), corresponding to approximately 6.72 in 1,000,000, or approximately 1 in 148,800.

All assessed locations therefore remain below the 1-in-100,000 risk level also identified in the DoH Position Statement, while several near-field assessment locations closer to the proposed service station exceed the more precautionary 1-in-1,000,000 level. At approximately 100 m from the Site, predicted incremental concentrations of $0.16\text{--}0.20 \mu\text{g}/\text{m}^3$ correspond approximately to the 1-in-1,000,000 risk level.

These results should, however, be interpreted having regard to the assumptions inherent in converting a modelled ambient concentration into a lifetime-risk metric. The dispersion assessment predicts annual-average incremental outdoor concentrations at fixed assessment locations. The subsequent cancer-risk calculation does not independently determine lifetime exposure; rather, it assumes, for the purpose of applying the DoH relationship, that the modelled annual-average incremental concentration is representative of continuous exposure over the relevant lifetime period.

Accordingly, the calculated value of approximately 1 in 107,500 at Receptor 7 should not be interpreted as a prediction of actual individual lifetime cancer risk. The location is a road verge/footpath rather than a residential sensitive receptor, and the calculation applies the DoH lifetime concentration-risk relationship to the modelled annual-average concentration at that fixed outdoor location. The calculation is therefore most appropriately regarded as a screening comparison within the DoH risk framework. It converts a predicted annual-average incremental ambient concentration into the theoretical risk metric nominated by DoH; it is not a site-specific epidemiological prediction or a direct measurement of individual lifetime exposure. In particular, the calculation necessarily assumes that the modelled annual-average incremental concentration is representative of continuous exposure over the relevant lifetime period, whereas actual individual exposure would be influenced by the range of factors identified above.

The maximum predicted result remains below the 1-in-100,000 risk level identified by DoH, and the theoretical risk reduces with distance from the emission sources. At approximately 100 m, the modelled project contribution of $0.16\text{--}0.20 \mu\text{g}/\text{m}^3$ is approximately equivalent to the DoH 1-in-1,000,000 risk level.

These findings provide site-specific information regarding potential incremental exposure at locations within the generic precautionary separation distance. The modelling enables the predicted incremental contribution of the proposal to be quantified and considered within the risk framework identified by DoH. At the more highly affected near-field assessment locations, the calculated theoretical risks fall between the two risk levels identified in the Position Statement, while at approximately 100 m they reduce to approximately the 1-in-1,000,000 level. When considered together with the proposed VR1 and VR2 vapour controls, restricted operating hours and additional operational and management controls, the modelling provides relevant site-specific evidence regarding the magnitude of the



proposal's incremental contribution rather than relying solely upon distance as a surrogate for exposure.

The modelling results are also broadly consistent with the precautionary basis of the DoH separation framework. At approximately 100 m, the predicted incremental annual-average benzene concentrations correspond approximately to the DoH 1-in-1,000,000 theoretical risk level. The site-specific assessment therefore does not seek to invalidate the precautionary separation framework; rather, it provides additional quantitative information regarding the magnitude of the predicted contribution at sensitive receptors and other assessment locations within that generic distance. The results demonstrate an increase in theoretical risk with proximity to the emission sources.

The maximum assessed annual-average concentration of $1.55 \mu\text{g}/\text{m}^3$ corresponds to approximately 9.3 in 1,000,000 (approximately 1 in 107,500), compared with the 10 in 1,000,000 (1 in 100,000) risk level also identified by DoH.

4.3 Vapour Recovery and Emission Controls

The revised dispersion modelling assessed the proposed service station incorporating both Stage 1 Vapour Recovery (VR1) and Stage 2 Vapour Recovery (VR2) as integral emission-control measures. Accordingly, the predicted concentrations presented in the revised assessment represent the proposed development operating with both vapour-recovery systems in place.

VR1 controls vapour displacement emissions associated with the transfer of fuel from road tankers to the underground storage tanks, while VR2 controls petrol vapours displaced from vehicle fuel tanks during vehicle refuelling. The revised modelling therefore accounts for vapour controls applied to two of the principal petrol-vapour emission pathways associated with operation of the service station.

The relevance of these controls is recognised within the DoH Position Statement. DoH acknowledges that vapour recovery technology has significantly reduced VOC emissions from service stations, identifies the respective functions of VR1 and VR2, and specifically acknowledges that VR2 may be considered as a mitigating feature when considering reduced separation distances.

This is particularly relevant when considering the literature underpinning the DoH separation framework. DoH notes that the epidemiological studies considered in developing its position do not explicitly identify the vapour-recovery systems employed and that VR2 was less likely to have been implemented during the relevant study periods. The emission characteristics represented by those historical proximity-based studies therefore cannot necessarily be assumed to be directly representative of a contemporary service station incorporating both VR1 and VR2.

Importantly, the revised assessment has not relied upon VR1 and VR2 merely as qualitative mitigation measures. Their emission-control performance was incorporated into the emission calculations used by the dispersion model and is therefore reflected directly in the predicted incremental benzene concentrations and theoretical lifetime-risk calculations presented in Sections [4.2](#) and [4.2.1](#).

The revised modelling consequently provides a quantitative assessment of the development as proposed, including the vapour-recovery controls that will form part of its normal operation. Continued operation and maintenance of VR1 and VR2 can be secured through appropriate operational



requirements, thereby ensuring that the emissions-control measures represented within the revised assessment are maintained throughout operation of the service station.

4.4 Odour and Amenity

The revised dispersion modelling also assessed the potential for petrol-vapour emissions to result in off-site odour-related amenity effects through the assessment of styrene as a chemical odorant within the petrol-vapour mixture. Rather than treating service-station vapour as a conventional olfactometric odour source expressed in odour units (OU), styrene was used as a quantitative indicator of potential petrol-vapour odour.

This approach is supported by the Queensland [Odour Impact Assessment from Developments](#) guideline, which provides specific guidance for assessing odour associated with individual chemical species. The guideline distinguishes the assessment of individual odorants from that of complex odour mixtures expressed in OU and identifies air-quality objectives for individual odorous pollutants as an appropriate basis for assessment. It further recognises that dispersion models typically provide 1-hour average concentrations and provides for these concentrations to be converted to the shorter averaging period applicable to an individual chemical criterion.

Styrene is particularly useful for this purpose because the [Queensland Environmental Protection \(Air\) Policy 2019](#) establishes a styrene air-quality objective of $76 \mu\text{g}/\text{m}^3$ averaged over 30 minutes specifically for the protection of the aesthetic environment. The basis of this objective is therefore distinct from a health-based exposure criterion and provides a quantitative benchmark against which the potential for styrene-containing vapour emissions to result in an odour-related amenity effect can be considered.

The revised dispersion modelling predicted a maximum 1-hour styrene concentration of $0.39 \mu\text{g}/\text{m}^3$ across all assessment locations. At the identified residential receptors, the predicted 1-hour concentrations were lower, being $0.21 \mu\text{g}/\text{m}^3$ at the north-western houses and $0.15 \mu\text{g}/\text{m}^3$ at the eastern house.

To allow comparison with the 30-minute Queensland aesthetic objective, the modelled 1-hour concentrations were converted to equivalent shorter-term concentrations using the Turner Power Law, consistent with the averaging-period conversion approach identified in the Queensland odour guideline. Application of a power-law exponent of 0.38 results in a 1-hour to 30-minute conversion factor of approximately 1.30. The maximum predicted 1-hour concentration of $0.39 \mu\text{g}/\text{m}^3$ therefore corresponds to an estimated 30-minute concentration of approximately $0.51 \mu\text{g}/\text{m}^3$.

The resulting comparison is presented in [Table 4-2](#).

Table 4-2: Comparison of Predicted Styrene Concentrations with Queensland Odour-Based Aesthetic Objective

Assessment location	Modelled 1-hour styrene ($\mu\text{g}/\text{m}^3$)	Estimated 30-minute styrene ($\mu\text{g}/\text{m}^3$)	Queensland 30-minute aesthetic objective ($\mu\text{g}/\text{m}^3$)	% of objective
Maximum assessed location – W Boundary	0.39	0.51	76	0.67%
NW Houses	0.21	0.27	76	0.36%
E House	0.15	0.20	76	0.26%



The maximum predicted concentration is therefore approximately 1/150th of the Queensland short-term aesthetic objective, even after adjustment of the modelled 1-hour concentration to the shorter 30-minute averaging period. At the identified residential receptors, the predicted concentrations are lower again, representing 0.36% and 0.26% of the aesthetic objective at the north-western and eastern residences, respectively.

This provides a quantitative basis for concluding that routine petrol-vapour emissions from the proposed service station are not predicted to approach concentrations associated with an adverse odour-related amenity effect. This finding is also consistent with the incorporation of both VR1 and VR2 within the revised assessment, which directly control the principal petrol-vapour emission pathways associated with bulk fuel transfer and vehicle refuelling.

DoH identifies gaseous emissions, particularly benzene and other VOCs, as the principal public-health concern associated with service stations, while identifying odour separately as an amenity consideration. The results of the revised assessment indicate that predicted concentrations of the representative chemical odorant are substantially below the applicable odour-related aesthetic objective.

Accordingly, odour is not identified by the revised assessment as a material amenity constraint to the proposed development. Potential odour associated with abnormal events, such as a fuel spill or equipment malfunction, is more appropriately addressed through normal operational and incident-management procedures and does not alter the assessment of odour associated with routine operation of the proposed development.



5 Sensitivity Assessment

DoH requested sensitivity testing addressing increased fuel throughput, concurrent operations and failure of the Stage 2 Vapour Recovery (VR2) system.

The existence of uncertainty in near-field dispersion modelling does not, of itself, render the modelling unsuitable for assessment. Rather, model uncertainty is ordinarily addressed through appropriate model selection, conservative emission assumptions, representative meteorological data, transparent characterisation of inputs and, where warranted, sensitivity analysis. This distinction is particularly relevant for annual-average benzene concentrations, where the assessment integrates emissions and meteorological conditions across the full modelling year rather than relying upon prediction of an individual short-duration event.

In this context, the sensitivity matters identified by DoH have been considered having regard to the assumptions incorporated within the revised dispersion modelling and the physical and operational characteristics of the proposed development. As discussed below, increased throughput and concurrent operations are already bounded by the operating assumptions adopted within the revised modelling, while VR2 failure represents an abnormal equipment condition requiring operational intervention rather than an alternative routine operating scenario.

5.1 Increased Fuel Throughput

Vehicle-refuelling emissions within the revised assessment are based on the maximum practical refuelling activity capable of being accommodated by the proposed bowser configuration. Refuelling emissions have been applied throughout the proposed operating period of 5:00 am to 11:00 pm, seven days per week.

The adopted throughput therefore represents an upper operational envelope for the proposed facility rather than an average or typical utilisation scenario. A further increase in throughput would require vehicle-refuelling activity beyond the practical servicing capacity represented by the proposed bowser configuration and the operating assumptions adopted in the model.

Accordingly, applying an arbitrary percentage increase to fuel throughput would not represent a physically achievable or reasonably foreseeable operating condition of the proposed development and would not provide a meaningful test of the sensitivity of predicted concentrations under the proposed operating configuration.

5.2 Concurrent Operations

The revised dispersion modelling does not assume that the principal vapour-emission pathways operate independently or at mutually exclusive times.

Vehicle-refuelling emissions from the bowzers have been modelled throughout the proposed operating hours of 5:00 am to 11:00 pm. Emissions from the underground fuel-storage ventilation system have separately been assessed across every hour of the day, including periods coinciding with vehicle-refuelling activity.



Consequently, the modelling inherently allows emissions from vehicle refuelling and storage-tank ventilation to occur concurrently. A separate sensitivity scenario involving simultaneous operation of these emission pathways would therefore duplicate conditions already represented within the modelling.

Bulk fuel-transfer emissions have also been represented during the applicable delivery periods and, where those periods overlap with service-station operating hours, are represented concurrently with the other applicable emission sources.

5.3 VR2 Failure

VR2 is an integral emission-control component of the proposed development and has been incorporated into the emission estimates used within the revised dispersion modelling. The assessment therefore does not treat VR2 as an optional mitigation measure, but as part of the operating configuration of the proposed service station.

Failure or malfunction of VR2 would represent an abnormal equipment condition rather than an alternative routine operating scenario. The appropriate response to such a condition is therefore operational control rather than continued operation of affected dispensing equipment without vapour recovery.

As an operational requirement, identification of a VR2 failure or malfunction should result in removal of the affected dispensing equipment from service until the VR2 system has been repaired, tested and confirmed to be operating correctly. On this basis, a sensitivity scenario assuming sustained vehicle refuelling with an inoperative VR2 system would represent operation contrary to the proposed control framework rather than a reasonably foreseeable normal operating condition.

The installation, commissioning, testing, maintenance, fault-response, repair and verification requirements for VR2 can be secured through appropriate operational and/or approval requirements.

5.4 Sensitivity Assessment Conclusion

The operational sensitivities identified by DoH have therefore been considered within the revised assessment. Increased fuel throughput beyond that assessed would exceed the practical refuelling capacity represented by the adopted operating assumptions; concurrent vehicle-refuelling and storage-tank emissions are already inherently represented within the temporal configuration of the dispersion model; and sustained operation with failed VR2 would constitute an abnormal equipment condition requiring cessation of the affected dispensing operation rather than an alternative routine operating scenario.

Accordingly, additional hypothetical dispersion-modelling scenarios are not considered necessary to further characterise the sensitivity of the predicted impacts to the operational matters identified by DoH. The revised assessment instead incorporates conservative operating assumptions that bound reasonably foreseeable normal operations, while equipment malfunction is addressed through defined operational controls.



6 Response to Other Matters Raised by DoH and the City

The preceding sections address the principal technical matters raised by DoH and the City concerning the application of the generic separation-distance framework, benzene exposure and lifetime cancer risk, background and cumulative exposure, vapour-recovery controls, odour and amenity, and the operational sensitivity matters identified by DoH.

A number of additional matters were also identified relating principally to the operational characteristics and management of the proposed development. These matters are addressed for completeness in [Table 6-1](#), having regard to the revised operating arrangements and the basis adopted within the revised dispersion modelling.

Table 6-1: Response to Other Matters Raised by DoH and the City

Matter raised	Response
Operating hours	The proposed service-station operating hours have been revised from 24-hour operation to 5:00 am to 11:00 pm, seven days per week. The revised dispersion modelling assessed vehicle-refuelling emissions throughout these proposed operating hours.
Fuel delivery times	Fuel deliveries will be undertaken in accordance with the approved Delivery Management Plan and the applicable restrictions on fuel service and delivery vehicle movements. The revised assessment adopts the delivery arrangements applicable to the proposed development.
VR1 and VR2	The revised dispersion modelling assessed the development incorporating both Stage 1 Vapour Recovery (VR1) and Stage 2 Vapour Recovery (VR2). Both systems therefore form part of the assessed proposal and are not relied upon merely as additional or optional mitigation measures. Installation, commissioning, testing, maintenance, fault-response and ongoing operation of these systems can be secured through appropriate approval and operational requirements.
Sensitive receptor and assessment-location distances	The revised assessment identifies the relevant sensitive receptors and other off-site assessment locations and their spatial relationship to the principal service-station emission sources. The dispersion modelling therefore provides a site-specific assessment of predicted concentrations at these locations rather than relying solely upon generic property-boundary separation distance as a proxy for potential exposure.
Background and cumulative exposure	Background and cumulative exposure are addressed in Section 3.7. The assessment explains the limitations associated with establishing a representative contemporary background concentration for the Bayswater locality and distinguishes background and cumulative exposure from the incremental contribution attributable to the proposed service station. The revised dispersion modelling quantifies the project-attributable incremental contribution, consistent with the manner in which DoH expresses its benzene risk-based concentrations as a contribution above background.
Odour and amenity	Odour and amenity are addressed quantitatively in Section 4.4. Predicted concentrations of styrene, assessed as a chemical indicator of potential petrol-vapour odour, are substantially below the adopted Queensland short-term aesthetic objective, including at the identified residential receptors.
Complaints and incident response	Complaints relating to fuel vapour or odour will be recorded and investigated through the Site operational management procedures. Where warranted, investigation will include consideration of operating conditions, spills or incidents and the operation of vapour-recovery equipment, with corrective action undertaken where required.

7 Closing

EAQ has prepared this Technical Response and the accompanying revised dispersion assessment having regard to the matters raised by the City of Bayswater and DoH. The revised assessment reflects the proposed operating hours of 5:00 am to 11:00 pm, incorporation of both VR1 and VR2, the proposed fuel throughput and delivery arrangements, and the actual spatial relationship between the principal emission sources, surrounding sensitive receptors and other relevant off-site assessment locations.

The revised assessment provides a quantitative basis for considering the incremental contribution of the proposed service station within the benzene health-risk framework identified by DoH. The maximum predicted annual-average incremental benzene concentration occurs at an off-site road-verge/footpath assessment location rather than a residential sensitive receptor. At the identified residential receptors, predicted concentrations are lower. The assessment also demonstrates that predicted concentrations reduce with distance from the emission sources and are approximately equivalent to the DoH 1-in-1,000,000 theoretical risk level at approximately 100 m.

The assessment further demonstrates that predicted concentrations of styrene, assessed as a quantitative indicator of potential petrol-vapour odour, are substantially below the adopted short-term aesthetic objective. The operational sensitivity matters identified by DoH have also been considered, with the revised modelling representing the maximum practical refuelling activity and concurrent emission sources, while abnormal failure of VR2 is addressed through operational controls requiring affected dispensing equipment to be removed from service until the vapour-recovery system is restored.

Overall, the revised assessment provides site-specific quantitative information with which the potential air-quality and public-health implications of the proposed development can be considered, rather than relying solely upon generic separation distance as a surrogate for exposure. When considered together with the revised operating arrangements, VR1 and VR2 vapour controls and associated operational requirements, the assessment provides a technical basis for the decision-maker's consideration of the proposal against the public-health objectives underlying the DoH separation framework.

Regards



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EMISSIONS IMPACT RE-ASSESSMENT OF PROPOSED OTR SERVICE STATION

**321 GUILDFORD ROAD, BAYSWATER
WESTERN AUSTRALIA**

Emissions Impact Re-Assessment of Proposed OTR Service Station

321 Guildford Road, Bayswater Western Australia

Prepared for: Peregrine

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This document presents the outcomes of a Desktop Emissions Modelling Assessment. All emissions inputs into the model were sourced from industry specific emissions' factor publications, previous site-specific measurements, and/or from peer reviewed public domain data except where detailed otherwise herein. EAQ has not attempted to verify externally sourced data beyond its use herein. The modelling assessment has been prepared using the best available information provided by the Client and in conjunction with regulatory guidance from the appropriate regulatory jurisdiction(s). EAQ has exercised its diligence and due-care in delivering the outcomes of the assessment according to accepted assessment practices and techniques. EAQ disclaims any and all liability and responsibilities for damages of any nature, to any party, which may be caused from misapplication or misinterpretation by third parties of this assessment



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Executive Summary

Environmental & Air Quality Consulting Pty Ltd (EAQ) was engaged by Peregrine Corporation (Peregrine) to undertake a revised Air Emissions Impact Assessment (the Re-Assessment) for the proposed Service Station (the Station) at Lot 130, 321 Guildford Road, Bayswater, Western Australia.

EAQ previously prepared an Air Emissions Impact Assessment in November 2025 in support of the Development Application for the proposed Station (City of Bayswater reference DA23-0365). Following consideration of the proposal by the City of Bayswater and the Western Australian Department of Health (DoH), aspects of the proposed Station and its operating arrangements have subsequently been revised. The Re-Assessment has therefore been undertaken to reflect the revised proposal and to provide an updated quantitative assessment of potential off-site air-quality impacts.

The revised proposal comprises operation of the Station between 5:00 am and 11:00 pm, seven days per week, together with Stage 1 Vapour Recovery (VR1) for the underground petrol-storage system and Stage 2 Vapour Recovery (VR2) at vehicle refuelling positions dispensing unleaded petrol. The proposed Station comprises three individual bowsers providing six vehicle refuelling positions.

Atmospheric dispersion modelling was undertaken using AERMOD to predict ground-level concentrations of the principal volatile organic compounds associated with petrol-vapour emissions, including benzene, toluene, ethylbenzene, xylenes, cyclohexane, n-hexane and styrene. Particular consideration was given to benzene because of its relevance to the public-health matters identified by DoH.

Vehicle-refuelling emissions were represented throughout the proposed 5:00 am to 11:00 pm operating period using an hourly metropolitan service-station activity profile. The adopted peak refuelling activity was 72 vehicles per hour across the six vehicle refuelling positions, corresponding to a peak petrol throughput of 3,240 L/hr based on an average refuelling volume of 45 L per vehicle. Application of the adopted temporal profile results in an emissions-assessment throughput of approximately 48,574 L/day. This represents a conservative modelling assumption and should not be interpreted as a forecast of actual daily fuel sales.

Emissions from the underground storage-tank vent system were represented continuously throughout the assessment year. A baseline vent emission was applied during every meteorological hour, with elevated emissions applied during modelled bulk fuel-delivery periods. The elevated delivery periods were staggered across different hours and weekdays to assess bulk fuel-transfer emissions under a range of meteorological conditions and are not intended to represent the forecast number or timing of actual fuel deliveries.

The modelling predicts that concentrations of the assessed pollutants at the surrounding assessment locations are below the conventional health-based air-quality criteria adopted in the Re-Assessment. For benzene, the maximum predicted 1-hour and 24-hour concentrations at the assessed off-site locations were substantially below the respective adopted short-term assessment criteria.

The maximum predicted annual-average incremental benzene concentration was $1.55 \mu\text{g}/\text{m}^3$ at Assessment Location 7, situated on the road verge/footpath immediately south of the Station. At the identified residential receptors, the maximum annual-average benzene concentration was $1.12 \mu\text{g}/\text{m}^3$ at the NW Houses, while $0.56 \mu\text{g}/\text{m}^3$ was predicted at the E House. At assessment locations approximately 100 m from the Station, predicted annual-average benzene concentrations ranged from approximately 0.16 to $0.20 \mu\text{g}/\text{m}^3$.

When considered within the benzene risk framework identified by DoH, the maximum annual-average concentration of $1.55 \mu\text{g}/\text{m}^3$ corresponds to a theoretical excess lifetime cancer risk of approximately 9.3 in 1,000,000 (approximately 1 in 107,500), assuming continuous lifetime exposure at the modelled annual-average concentration. The maximum concentration occurs at a road-verge/footpath assessment location rather than at a residential sensitive receptor. The predicted concentrations represent the incremental contribution attributable to the proposed Station and do not include existing background benzene concentrations from other urban emission sources.

Potential petrol-vapour odour was also considered quantitatively using styrene as a chemical indicator. The maximum predicted 1-hour styrene concentration was $0.39 \mu\text{g}/\text{m}^3$, with lower concentrations predicted at the identified residential receptors. When converted to the applicable 30-minute averaging period, the predicted concentrations remain substantially below the adopted Queensland aesthetic objective of $76 \mu\text{g}/\text{m}^3$.

Overall, the Re-Assessment provides a conservative, site-specific quantification of the incremental air emissions attributable to the proposed Station under the revised operating arrangements and with both VR1 and VR2 incorporated as integral emission-control measures. The results provide a quantitative basis for consideration of potential short-term air-quality, long-term benzene exposure and odour-related amenity impacts at surrounding assessment locations.

1 Background & Scope

Environmental & Air Quality Consulting Pty Ltd (EAQ) was engaged by Peregrine Corporation (Peregrine) to undertake a revised Air Emissions Impact Assessment (the Re-Assessment) for the proposed Service Station (the Station) at Lot 130, 321 Guildford Road, Bayswater, Western Australia.

EAQ previously prepared an Air Emissions Impact Assessment in November 2025, having been engaged by Hiding Urban Planning (Hiding), in support of the Development Application for the proposed Station (City of Bayswater reference DA23-0365). The development application was subsequently considered by the Metro Inner Development Assessment Panel under DAP reference DAP/23/02575.

Following consideration of the proposal by the City of Bayswater and the Western Australian Department of Health (DoH), and the subsequent refusal of the development application, aspects of the proposed Station and its operating arrangements have been revised. Peregrine subsequently engaged EAQ directly to reassess the potential air emissions associated with the revised proposal and to address the air-quality and public-health matters raised through the assessment process.

The revised proposal includes operation of the Station between 5:00 am and 11:00 pm, seven days per week, together with the implementation of Stage 1 Vapour Recovery (VR1) and Stage 2 Vapour Recovery (VR2). The Assessment has therefore been revised to incorporate these operating arrangements and emission controls and to provide an updated quantitative assessment of potential off-site impacts.

The Station will comprise three individual refuelling bowzers beneath the main refuelling canopy, providing a total of six vehicle refuelling positions.

This Re-Assessment considers the principal toxic volatile organic compounds associated with petrol vapour emissions, with particular consideration of benzene. Atmospheric dispersion modelling has been undertaken to quantify short-term and annual-average concentrations attributable to the proposed Station at surrounding assessment locations and to provide a basis for consideration of potential short- and long-term health impacts.

1.1 Scope of Re-Assessment

The Re-Assessment was undertaken to update the November 2025 Air Emissions Impact Assessment to reflect the revised operating arrangements and emission-control measures proposed for the Station.

Consistent with the original Assessment, the Re-Assessment quantifies the potential off-site impacts associated with petrol vapour emissions from the proposed Station and considers the potential for health and amenity impacts at surrounding sensitive receptors and other relevant assessment locations.

Atmospheric dispersion modelling was undertaken using AERMOD and its associated pre- and post-processors to predict ground-level concentrations (GLCs) of the principal pollutants associated with petrol vapour emissions. The modelling considered emissions associated with the storage, transfer and dispensing of fuel under the revised operating conditions.

The underlying emission-estimation methodology remains consistent with the original Assessment. Pollutant emission rates were developed using established Australian and international service-station emission estimation methodologies, including guidance published by the National Pollutant Inventory (NPI), the California Air Pollution Control Officers Association (CAPCOA) and Brisbane City Council (BCC). The BCC methodology was used to inform hourly fuel-throughput profiles representative of metropolitan service-station activity.

Predicted pollutant concentrations were assessed at the Site boundary and surrounding assessment locations and compared with the relevant health- and amenity-based assessment criteria.

1.1.1 Assessment Conservatism

Consistent with the original Assessment, the Re-Assessment adopts a conservative approach to the representation of vehicle refuelling activity. The hourly refuelling profile is based on peak metropolitan traffic and service-station activity, with the resulting hourly throughput profile applied throughout each day of the proposed 5:00 am to 11:00 pm operating period.

This approach assumes that the adopted daily refuelling profile occurs consistently throughout the assessment year. In practice, service-station activity varies between days of the week and in response to factors including traffic demand, fuel-price cycles and other temporal variations in consumer behaviour. Peak refuelling activity would therefore not be expected to occur with the frequency or consistency represented by the modelling.

The Re-Assessment consequently provides a conservative representation of long-term refuelling emissions, particularly for the calculation of annual-average pollutant concentrations.

1.1.2 Station Legislative Context

The proposed Station is not a Prescribed Premises for the purposes of regulation by the Western Australian Department of Water and Environmental Regulation (DWER).

The Western Australian Environmental Protection Authority (EPA) Guidance Statement No. 3, *Separation Distances between Industrial and Sensitive Land Uses* (EPA, 2005), provides generic separation distances between potentially emitting land uses and sensitive land uses. For service stations, the Guidance identifies separation distances of 50 m for premises operating during normal hours (0700–1900), 100 m for freeway service stations operating 24 hours and 200 m for other service stations operating 24 hours.

The EPA Guidance establishes generic separation distances as a planning and environmental-management tool. Where the applicable generic separation distance cannot be achieved, the Guidance provides for site- and industry-specific assessment to determine whether a lesser separation distance may result in unacceptable impacts.

More recently, the Western Australian Department of Health (DoH) has published specific guidance concerning service stations and sensitive land uses.

1.1.3 Department of Health Consideration

The Western Australian Department of Health (DoH) [Position Statement: Service Stations and Sensitive Land Uses \(2024\)](#) provides specific public-health guidance regarding the separation of service stations from sensitive land uses.

DoH recommends a minimum separation distance of 50 m for service stations operating during normal business hours and 100 m for 24-hour service stations. The Position Statement notes that the separation distances contained in the EPA's 2005 Guidance were not supported by cited evidence and may not reflect current exposure circumstances. DoH also concludes that there is presently insufficient evidence to support the former 200 m separation distance for non-freeway 24-hour service stations.

DoH identifies gaseous emissions, particularly benzene and other volatile organic compounds (VOCs), as the principal public-health concern associated with service stations. The Position Statement recognises that emissions and potential exposures are influenced by factors including fuel throughput, fuel composition, meteorological conditions and the use of vapour-recovery technology.

Vapour-recovery technology is specifically recognised by DoH as an emission-control measure. Stage 1 Vapour Recovery (VR1) controls vapour displacement during the transfer of fuel from delivery tankers to underground storage tanks, while Stage 2 Vapour Recovery (VR2) controls petrol vapour displaced from vehicle fuel tanks during refuelling. DoH identifies VR2 as a potential mitigating feature when considering proposals involving reduced separation distances.

The revised proposal incorporates both VR1 and VR2 as integral emission-control measures. The Re-Assessment therefore incorporates the emission reductions associated with these controls in quantifying the potential off-site concentrations attributable to the proposed Station.

The revised operating hours of 5:00 am to 11:00 pm do not correspond precisely with either the normal-business-hours or 24-hour operating categories identified by DoH. Accordingly, the Re-Assessment does not seek to assign the proposed Station to either generic separation category solely on the basis of its operating hours. Instead, the actual proposed operating hours, fuel throughput, emission-source locations and vapour-recovery controls are represented directly in the site-specific dispersion modelling.

The Re-Assessment therefore provides a quantitative, site-specific assessment of the potential off-site concentrations attributable to the proposed Station under its revised operating arrangements.

1.1.4 Station Assessment Substances

The emission sources at the Station comprise the ventilation of the sub-terrain fuel storage tanks, and the petrol refuelling bowzers (3 bowzers, i.e., 6 dispensers). Incidental spills can also be a source of vapour release, albeit minor. Emission sources are primarily headspace purging vapour losses from refilling (storage tanks) and bowser refuelling processes.

Principal chemical compounds (pollutants) typically emitted from service station activities are listed in [Table 1-1](#). These compounds are part of the Total Volatile Organic Compounds (VOCs) emitted, and those

individual pollutant contributions are then derived based on the percentage contribution of those pollutants within the Total VOC emissions.

Table 1-1: Assessment Substances (Vapours)

Benzene	Cyclohexane	ethylbenzene	Styrene
Toluene	n-Hexane	Xylenes	

The proposed Station will comprise the following main features:

- 3 bowser ranks comprising a maximum of 6 refuelling outlets at any one time under the main refueling canopy for retail sales,
- The types of fuel and/or additives proposed are;
 - o Diesel (60 kL),
 - o ULP 91 (40 kL),
 - o PULP 95 (40 kL), and
 - o AdBlue (80 kL) – additive non-VOC emitter.
- Bulk fuel deliveries occur as required in accordance with delivery-management arrangements,
- The peak flow of vehicles during daily peak hour is conservatively estimated at 72 based on a 3-Bowser configuration (i.e., 6 vehicle refuelling positions, per 5-minutes, per hour), and
- Average peak hour fuel refuelling volume daily 3,240 Litres based on an average vehicle fuel-tank capacity of 45 Litres.

Importantly, vehicle refuelling sales represent a peak hour approach which is applied across every day and assumes peak refuelling trends daily. It is well understood however that peak refuelling periods generally follow weekly fuel price cycles, and that peak flows typically do not occur across weekends.

1.1.5 Guidance for Assessing Station Impacts

DWER prescribes maximum ambient concentrations of an array of pollutants and toxic substances. In prescribing these maximum concentrations, DWER has referred to (among others) The National Environment Protection (Air Toxics) Measure (NEPM).

This Assessment has considered WA DWER and has compared against other jurisdictional ambient limits.

For example; the VIC EPA guidelines for benzene are based on an acute minimal risk level to toxic substances and have provided exposure limit recommendations for health effects from short-term exposure based on the Texas Commission on Environmental Quality ([TCEQ](#)) Air Monitoring Comparison Values, where; *“If predicted or measured airborne levels of a constituent do not exceed the comparison level, adverse health or welfare effects would not be expected to result. If ambient levels of constituents in air exceed the comparison levels, it does not necessarily indicate a problem, but rather, triggers a more in-depth review.”*

These maximum ambient concentration exposure limits are listed in [Table 1-2](#).

Table 1-2: Assessment Criteria for Toxic Substances

Substance	Averaging Period	Criteria Source	Ambient Limit		Critical Effect / Addressing Factor
			ppm	µg/m ³ at 25°C	
Benzene	1 hour	EPA VIC, 2025	0.18	580	Haematological
	24 hours		0.009	29	
	Annual		0.003	9.6	
	1 hour	Draft DWER, 2019	0.009	29	-
	Annual		0.003	9.6	-
	Annual	QLD, 2019	0.002	5.4	Health and Wellbeing
Toluene	24 hours	Draft DWER, 2019	1	3,770	-
	Annual		0.1	377	-
	Annual				
ethylbenzene	1 hour	EPA VIC, 2025	20	86,000	Ototoxicity
	24 hours		5	21,712	Auditory Capacity
	Annual		0.06	261	Renal Function
	1 hour	Draft DWER, 2019	1.8	8,000	-
	Annual		-	270	-
Xylenes	24 hours	Draft DWER, 2019	0.25	1,080	-
	Annual		0.2	870	-
Cyclohexane	1 hour	EPA NSW 2016	5	190	-
n-Hexane			0.9	3,200	-
Styrene	1 hour	Draft DWER, 2019	70	64	-

1.2 The Station

The Station is proposed to be located at Lot 130, 321 Guildford Road, Bayswater Western Australia. The Locality of the Station, modelling configuration of vapour sources and buildings, and assessed sensitive receptors are illustrated in [Figure 1-1](#), [Figure 1-2](#), and [Figure 1-3](#) respectively.

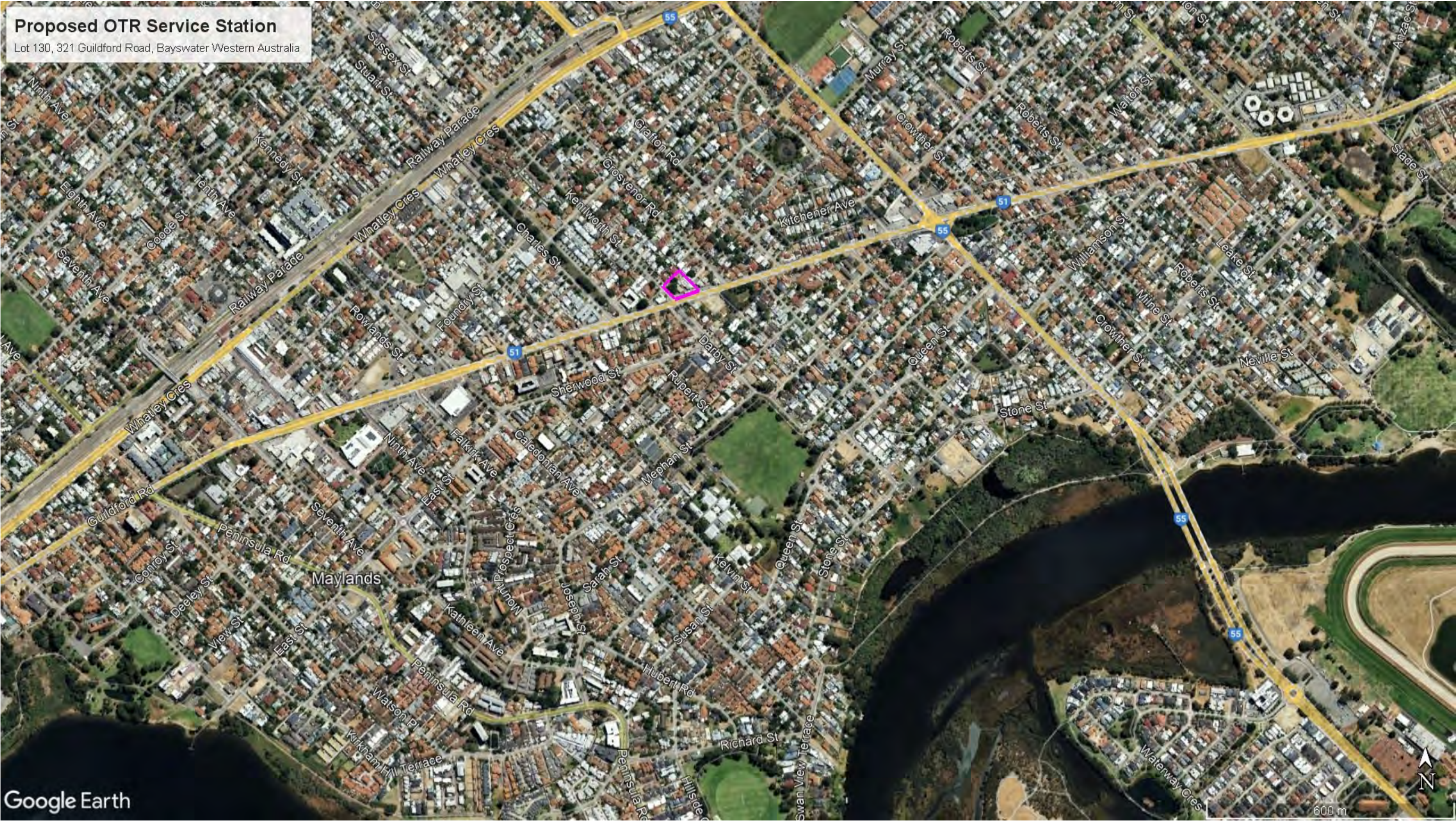


Figure 1-1: Guildford Road, Bayswater – Proposed OTR Service Station (Locality)



Figure 1-2: Modelling Depiction of Proposed Service Station – Blue (Station POS Building & Site Perimeter Brick Walls), Red (Bulk Tank Vents), Yellow (Refuelling Bowsers)



Figure 1-3: Proposed Service Station & Assessed Sensitive Receptors (Green Circles)

2 Service Station Emissions Assessment

2.1 Station Emissions Estimation

Activities at the Station that will produce emissions are related to losses of fuels through vapourisation or spillage and subsequent vapourisation of the spill(s). These specific activities comprise:

- Submerged filling of underground storage tanks;
- Underground tank breathing losses;
- Vehicle refuelling;
- ‘Whoosh’ emissions from removal of vehicle fuel cap; and
- Fuel spills, typically at the bowser.

The widely referenced 2017 Brisbane City Council (BCC) methodology for service stations has been used to estimate hourly emissions at the Station. The BCC methodology has derived traffic flows per hour for a metropolitan service station.

Emission estimates based on specific emission compounds ([Table 1-1](#)) were derived using the NPI, 1999 and CAPCOA, 1997 guidelines for emission estimation factors.

2.1.1 Vehicle Refuelling Movements

Based on the adopted refuelling profile, EAQ assessed a maximum peak-hour refuelling activity of 72 vehicles per hour across the Station, corresponding to a petrol throughput of 3,240 L/hr. Hourly refuelling activity outside the peak period was scaled relative to this maximum using the adopted metropolitan service-station temporal profile, thereby providing a variable hourly throughput and corresponding vapour emission rate for each hour of operation.

For the Re-Assessment, vehicle-refuelling emissions were represented only during the proposed 5:00 am to 11:00 pm operating period. The applicable hourly emission rate within this period was determined from the adopted temporal profile, with the maximum modelled refuelling activity occurring during the peak periods at 72 vehicles per hour.

2.2 Vapour Recovery

Vapour-recovery controls at the Station will comprise both Stage 1 Vapour Recovery (VR1) and Stage 2 Vapour Recovery (VR2).

VR1 will be installed for the underground petrol storage tanks and associated vapour system to control the release of petrol vapours from fuel storage and handling. During bulk fuel delivery, vapour displaced from the underground storage tanks is captured and returned through the vapour-return system to the delivery tanker rather than being released directly to atmosphere. The storage tanks are also fitted with controlled venting arrangements for vapour generated during normal storage and changes in tank vapour-space conditions.

VR2 will be installed at all vehicle refuelling positions dispensing unleaded petrol and will recover petrol vapour displaced from vehicle fuel tanks during refuelling. The Re-Assessment adopts a VR2 vapour-recovery efficiency of 85% for the calculation of vehicle-refuelling emissions.

VR2 is not applicable to diesel dispensing positions, as diesel has substantially lower volatility and does not require equivalent vapour-recovery controls.

2.3 Bulk Deliveries and Emissions

The adopted fuel-throughput and bulk-delivery assumptions used in the Re-Assessment are summarised as follows:

- The estimated maximum peak-hour petrol throughput is 3,240 L/hr, based on a peak-hour refuelling activity of 72 vehicles and an average petrol volume of 45 L per vehicle,
- Applying the adopted hourly refuelling profile over the proposed 5:00 am to 11:00 pm operating period results in a modelled daily petrol throughput of approximately 48,574 L/day, corresponding to approximately 1,086 vehicle refuelling events per day, where;
 - o This represents a conservative emissions-assessment throughput and should not be interpreted as a forecast of actual daily fuel sales.
- The Station will provide 220,000 L of total underground fuel-storage capacity. Bulk fuel deliveries will occur as required to replenish fuel stocks and in accordance with the applicable delivery-management arrangements.

The hourly refuelling profile is referenced to the adopted maximum of 72 vehicles per hour. Refuelling activity during each other operating hour is expressed as a proportion of this peak-hour activity, resulting in a corresponding hourly fuel throughput and vapour emission rate. The same conservative daily profile is applied throughout the assessment period and therefore does not account for days on which actual refuelling activity may be materially lower.

The timing and frequency of actual bulk fuel deliveries will vary according to fuel sales and the volume of fuel requiring replenishment. For dispersion-modelling purposes, bulk fuel-transfer emissions were therefore assessed across the potential delivery hours rather than assigning deliveries only to particular forecast dates and times. This approach allows the dispersion model to assess a bulk delivery under the range of meteorological conditions that may occur during the permitted delivery period.

A bulk fuel-transfer volume of 55,000 L/hr was adopted for each modelled delivery event.

[Table 2-1](#) illustrates the temporal representation of bulk fuel deliveries used for the assessment. The entries in the table represent potential modelled delivery hours and should not be interpreted as a forecast that a 55,000 L delivery will occur during every hour shown.

Table 2-1: Example of Bulk Fuel Delivery Schedule (L/hr)

Time (24 hrs)	Monday	Tuesday	Wednesday	Thursday	Friday
0700	55,000				
0800		55,000			
0900			55,000		
1000				55,000	
1100					55,000
1200	55,000				
1300....2200	55,000	55,000	55,000	55,000	55,000

2.4 VOC Emissions

Of the fuel types proposed ULP contains the higher volatile fraction compared to diesel, as such all emissions in this Assessment have been assumed as ULP. This approach is conservative.

The vapour composition of VOCs in petroleum fuel ([NPI, 1999](#)), are listed in [Table 2-2](#).

The vapour composition of benzene has been revised in accordance with the Australian Government's Federal Register of Legislation, specifically the current [Fuel Quality Standards \(Petrol\) Determination 2019](#), which limits the volume of Benzene in petrol to 1% v/v maximum. Assuming a Benzene density value of 0.8765, the Benzene vapour composition (% weight) is listed in [Table 2-3](#).

Table 2-2: Composition of Petrol (NPI, 1999)

Species	Petrol Liquid (% weight)	Petrol Vapour (% weight)
Cyclohexane	0.2	0.06370
Ethylbenzene	2.0	0.07910
<i>n</i> -Hexane	3.5	1.730
Styrene	0.1	0.00282
Toluene	10.4	1.080
Xylenes	12.2	0.433

Table 2-3: Composition of Petrol (Fuel Standards, 2019)

Species	Petrol Liquid (% weight)	Petrol Vapour (% weight)
Benzene	1.0	0.374

The composition percentages of the compounds listed in [Table 2-2](#) and [Table 2-3](#) were applied to the modelling outcomes of the final time-averaged emission rate GLC estimates (vapour and spill vapour losses) to derive individual pollutant contributions to airborne vapour impacts at the nearest receptor.

2.5 Derived Emission Factors

Emissions generated from activities at the Station have been derived based on those vapour losses published by the NPI and CAPCOA guidance. [Table 2-4](#) lists those emission factors that apply to those processes where vapour losses occur.

Table 2-4: Emissions Factors for Service Stations

Emission Source	NPI, 1999 mg / L throughput	CAPCOA, 1997 Lbs / 1000 Gallons throughput
<i>Underground Tank Filling</i>	-	-
Submerged Filling	880	8.4
Splash Filling	1380	-
Submerged filling with vapour balance (VR1)	40	0.42 (50 mg/L)
Underground tank breathing losses	120 (1.00 Lbs)	0.84
<i>Vehicle Refuelling</i>	-	-
Displacement Losses (uncontrolled)	1320 (11.02 Lbs)	8.4 (1007 mg/L)
Displacement Losses (controlled i.e., VR 2)	132 (1.10 Lbs)	0.74
<i>Spillages</i>	-	-
Uncontrolled	80 (0.67 Lbs)	0.61
Controlled	-	0.41
<i>"Whoosh" Emissions (fuel cap removal)</i>	-	0.26 - 0.66

The refuelling activities and bulk vent emissions are characterised as volume and point emission sources respectively. These have been assessed utilising a combination of the NPI, 1999 and CAPCOA, 1997 emission factors.

2.5.1 Fuel Throughput Trends

To determine the hourly throughputs of fuel dispensing for service stations in accordance with the BCC, 2017 recommendations, the hourly profile of fuel sales daily is derived using the BCC, 2017 published profiles as listed in [Table 2-5](#).

Table 2-5: Representative Fuel Throughputs (BCC, 2017)

Hour	Hourly Profile (%)
1	1.2
2	0.8
3	0.6
4	0.8
5	1.9
6	4.6
7	5.5
8	5.7
9	5.5
10	5.7
11	6.0
12	6.0
13	5.7
14	5.6
15	5.9
16	6.2

17	6.2
18	5.8
19	5.1
20	4.0
21	3.5
22	3.4
23	2.6
24	1.8

In [Table 2-5](#) the peak throughput hour begins at 4-5pm (1600 - 1700 hrs).

Applying the peak-hour petrol throughput of 3,240 L, the emission factors in [Table 2-4](#), and deriving hourly volumes based on [Table 2-5](#), the hourly Total VOC mass emission rates in grams per second (g/s) are developed.

These mass emission rates represent the combined (ALL) number of filling points at any one time, and single bowser (SINGLE) operations, and are listed in [Table 2-6](#). The 'green' highlighted cells in the final column represent the vapour emissions applied during actual operational hours for vehicle refuelling activities.

Table 2-6: Factored Total VOC Emission Rates per Hour (VR1 & VR2)

Hour	Throughput % daily volume/hr	% to Peak Daily Hour	ALL Bowsers Mass Emission Rate (VR1 & VR2) (g/s)	SINGLE Bowser Mass Emission Rate (VR1 & VR2) (g/s)
1	1.2	19.5%	0.249	0.083
2	0.8	13.0%	0.166	0.055
3	0.6	9.8%	0.124	0.041
4	0.8	13.0%	0.166	0.055
5	1.9	30.9%	0.394	0.131
6	4.6	74.8%	0.954	0.318
7	5.5	89.4%	1.141	0.380
8	5.7	92.7%	1.182	0.394
9	5.5	89.4%	1.141	0.380
10	5.7	92.7%	1.182	0.394
11	6.0	97.6%	1.245	0.415
12	6.0	97.6%	1.245	0.415
13	5.7	92.7%	1.182	0.394
14	5.6	91.1%	1.162	0.387
15	5.9	95.9%	1.224	0.408
16	6.2	100.0%	1.276	0.425
17	6.2	100.0%	1.276	0.425
18	5.8	94.3%	1.203	0.401
19	5.1	82.9%	1.058	0.353

20	4.0	65.0%	0.830	0.277
21	3.5	56.9%	0.726	0.242
22	3.4	55.3%	0.705	0.235
23	2.6	42.3%	0.539	0.180
24	1.8	29.3%	0.373	0.124

Fuel vapour emissions from the underground storage-tank vent system were represented continuously throughout the assessment period. A baseline vent emission rate of 0.0335 g/s was applied during all hours, including periods when no bulk fuel delivery was occurring. This provides a conservative representation of storage-tank breathing and other intermittent vapour releases, which in practice would vary substantially and may be negligible during many hours.

During modelled bulk fuel-delivery periods, the storage-tank vent emission rate was increased to 0.134 g/s to represent the higher potential vapour emissions associated with bulk fuel transfer. Bulk-delivery periods were staggered across different hours and weekdays so that elevated emissions were assessed under a range of meteorological conditions rather than being restricted to a single assumed delivery time.

The baseline emission rate of 0.0335 g/s incorporates a 25% venting duty-cycle assumption. A 25% duty cycle is equivalent to approximately six hours of active venting per day; however, rather than applying this emission rate during only six discrete hours, the duty-cycle-adjusted rate was conservatively applied continuously across all 24 hours of each day. Consequently, the model maintains a storage-tank vent emission during every meteorological hour, with the higher bulk-delivery emission rate applied during the nominated delivery periods.

This approach intentionally overestimates the frequency and duration of storage-tank vapour emissions relative to expected operations. Actual emissions would be expected to be more intermittent and dependent upon fuel deliveries, tank conditions, temperature and pressure variations and operation of the vapour-recovery system. The adopted approach therefore provides a conservative representation of both routine tank breathing and higher-rate bulk fuel-transfer emissions. The adopted venting assumptions are summarised in [Table 2-7](#).

Table 2-7: Ventilation Scenarios for Bulk Fuel Storage

Event type	Likely release behaviour	Indicative active release period
Bulk fuel delivery	Higher potential vapour emissions during fuel transfer	Intermittent; associated with delivery events
Vehicle refuelling	Minor storage-tank breathing / vapour imbalance	Intermittent during Station operation
Diurnal breathing	Low vapour losses associated with temperature / pressure variation	May occur throughout the day at low rates
Pressure-vacuum valve relief	Occurs when applicable pressure threshold is reached	Short, intermittent periods

For modelling purposes, a conservative 25% venting duty cycle, equivalent to approximately six hours per day, was incorporated into the derivation of the baseline vent emission rate. As described above, this duty-cycle-adjusted emission rate was subsequently applied continuously throughout all 24 hours.

[Table 2-8](#) presents the temporal emission schedule adopted for the underground storage-tank vent source. The bolded values represent the elevated emission rate applied to modelled bulk fuel-delivery periods, while the remaining values represent the continuously applied baseline vent emission rate. The staggered bulk-delivery periods are a modelling construct used to assess elevated emissions across different hours and meteorological conditions and should not be interpreted as a forecast of the actual number or timing of fuel deliveries to the Station.

Table 2-8: Proposed Station Bulk Storage Emissions including Bulk Fuel-Delivery Periods

Time (24 hrs)	Monday	Tuesday	Wednesday	Thursday	Friday	Sat / Sun
0100	0.0335	0.0335	0.0335	0.0335	0.0335	0.0335
0200	0.0335	0.0335	0.0335	0.0335	0.0335	0.0335
0300	0.0335	0.0335	0.0335	0.0335	0.0335	0.0335
0400	0.0335	0.0335	0.0335	0.0335	0.0335	0.0335
0500	0.0335	0.0335	0.0335	0.0335	0.0335	0.0335
0600	0.0335	0.0335	0.0335	0.0335	0.0335	0.0335
0700	0.134	0.0335	0.0335	0.0335	0.0335	0.0335
0800	0.134	0.134	0.0335	0.0335	0.0335	0.0335
0900	0.0335	0.134	0.134	0.0335	0.0335	0.0335
1000	0.0335	0.0335	0.134	0.134	0.0335	0.0335
1100	0.0335	0.0335	0.0335	0.134	0.134	0.0335
1200	0.0335	0.0335	0.0335	0.0335	0.134	0.0335
1300	0.134	0.0335	0.0335	0.0335	0.0335	0.0335
1400	0.134	0.134	0.0335	0.0335	0.0335	0.0335
1500	0.0335	0.134	0.134	0.0335	0.0335	0.0335
1600	0.0335	0.0335	0.134	0.134	0.0335	0.0335
1700	0.0335	0.0335	0.0335	0.134	0.134	0.0335
1800	0.0335	0.0335	0.0335	0.0335	0.134	0.0335
1900	0.134	0.0335	0.0335	0.0335	0.0335	0.0335
2000	0.134	0.134	0.0335	0.0335	0.0335	0.0335
2100	0.0335	0.134	0.134	0.0335	0.0335	0.0335
2200	0.0335	0.0335	0.134	0.0335	0.0335	0.0335
2300	0.0335	0.0335	0.0335	0.0335	0.0335	0.0335
2400	0.0335	0.0335	0.0335	0.0335	0.0335	0.0335

[Appendix A](#) presents the summary calculations for the derived mass emission rates.

3 AERMOD Dispersion Modelling Methods

3.1 Meteorology

The nearest BoM AWS's to the Locality is the Perth Metro AWS. The past 5 years (calendar) of surface observation data was purchased and sorted to account for any erroneous data. Gap filling was undertaken for small gaps in the 5 year data.

The data was then analysed to derive a single representative annual period to be used for the pollutant dispersion modelling component of the Assessment.

To *complement* the surface data, CSIRO's TAPM data was used to supplement the final met dataset for upper air characteristics only, and the final dataset fed into Airmet for merging and processing.

This final met dataset represents the representative year of meteorology for the location.

The representative year was found to be 2023. A full analysis description of the derivation of this representative year is provided in [Appendix B](#).

The TAPM (v4.0.5) model produces a 3D data tile representative of surface and upper air met characteristics with the following setup:

- 41 grid points (nx, ny);
- Four nests with the outer grid spacing (dx1, dy1) of 30 kms and subsequent nests approximately 1/3rd of the preceding nest (30, 10, 3, and 1 km); and
- 25 vertical grid levels.

The 1.0 km spacing nest was extracted as a 3D tile for the annual met period.

Extracted from the TAPM 2023 dataset were data parameters of Insolation (Watts/m²), Net Radiation (Watts/m²), Mixing Height (metres), U Star surface friction velocity (m/s), and delta T (Temperature).

Profile layers 1 and 2 were extracted to derive the delta Temperature (DT01) values to be used for the Airmet calculations. The change in vertical temperature profile allows the model to derive upper air characteristics accordingly.

The final 2023 representative year windrose of WS and WD, used in the modelling Assessment, is illustrated in [Figure 3-1](#).

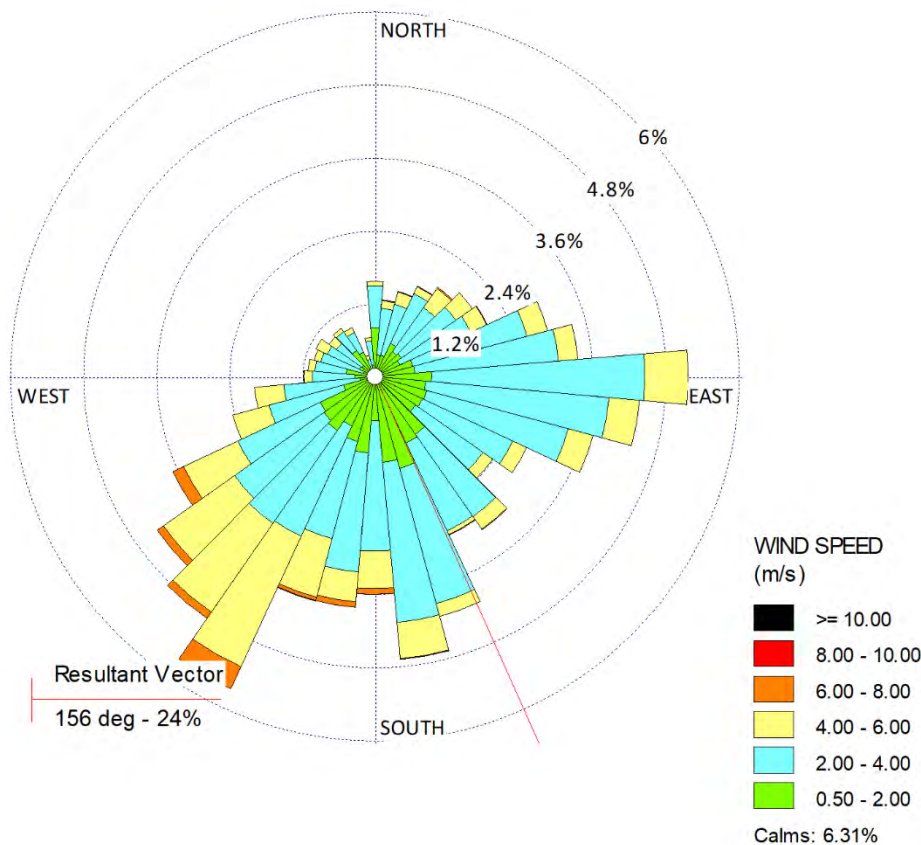


Figure 3-1: Annual Wind Characteristics (Speed & Direction) for Locality.

3.1.1 Sensitive Receptors

Discrete sensitive receptors were placed at locations representative of the Station's boundaries, and at key offsite sensitive locations (refer [Figure 1-3](#)). These receptors were assessed against the vapour emissions and compared against regulatory guidelines.

3.1.2 Building Profile Input Program (BPIP)

Building wake effects occur for those vertical stack emissions, in this case passive ventilation of the storage tank vent. An example of the AERMOD Input File is presented in [Appendix C](#).

3.1.3 Dispersion Modelling Limitations

By definition, air quality models can only approximate atmospheric processes. Many assumptions and simplifications are required to describe real phenomena in mathematical equations. Model uncertainties can result from:

- Simplifications and accuracy limitations related to source data;
- Extrapolation of meteorological data from selected locations to a larger region; and
- Simplifications to model physics to replicate the random nature of atmospheric dispersion processes.

Models are reasonable and reliable in estimating the maximum concentrations occurring on an average basis. That is, the maximum concentration that may occur at a given time somewhere within the model

domain, as opposed to the exact concentration at a point at a given time will usually be within the $\pm 10\%$ to $\pm 40\%$ range (US EPA, 2003).

Typically, a model is viewed as replicating dispersion processes if it can predict within a factor of two, and if it can replicate the temporal and meteorological variations associated with monitoring data. Model predictions at a specific site and for a specific hour, however, may correlate poorly with the associated observations due to the above-indicated uncertainties. For example, an uncertainty of 5° to 10° in the measured wind direction can result in concentration errors of 20% to 70% for an individual event (US EPA, 2003).

3.2 Station Assessment Results & Discussion

The Re-Assessment of the proposed service station at Lot 130, 321 Guildford Road, Bayswater, Western Australia predicts ground-level concentrations (GLCs) of the assessed pollutants — BTEX (benzene, toluene, ethylbenzene and xylenes), cyclohexane, *n*-hexane and styrene — at the nearest sensitive receptors ([Figure 1-3](#)) that are below the adopted air-quality assessment criteria, with both VR1 and VR2 incorporated into the proposed development.

These pollutants were assessed by firstly modelling Total VOCs as a function of emission factors for fuel storage and vehicle dispensing volumes according to those methods in [Section 2](#).

Those Total VOC GLCs projected were then revised to determine the percentage mass emission rate contributions for these pollutants (refer [Table 2-2](#) and [Table 2-3](#)).

[Table 3-1](#) lists each predicted pollutant concentration for each averaging period at those assessed sensitive receptors. These pollutant concentrations are revised based on each compound's vapour contribution to petrol VOC emissions. Additionally, these predicted pollutant concentrations reflect both VR1 and VR2 vapour recovery.

Within [Table 3-1](#) is each pollutant's respective assessment criteria, the projected GLCs from the modelling Assessment and the revised projected GLCs at the nearest sensitive receptor (refer [Figure 1-3](#)) with a Percentage of Exposure Limit Value (%). This value represents the percentage ratio of projected GLCs compared to the assessment criteria for each pollutant.

- All GLC values reported for each sensitive receptor are the maximum, Rank 1 values for all averaging periods; and
- All units of concentration are in $\mu\text{g}/\text{m}^3$ unless stated otherwise.

In reviewing the predicted GLCs for vapours from toxic chemical pollutants in [Table 3-1](#), the pollutant emissions at the nearest existing or future urban sensitive receptors are less than the exposure limits in ambient air when employing VR1 and VR2 vapour recovery.

[Figure 3-2](#) illustrates the predicted 24-hour average ground-level concentrations (GLCs) of benzene with both VR1 and VR2 controls incorporated. The maximum predicted 24-hour average benzene concentration is approximately $12 \mu\text{g}/\text{m}^3$ and occurs within the Site. With the proposed vapour-recovery

controls in place, no exceedance of the adopted 24-hour benzene assessment criterion is predicted within or beyond the Site boundary.

Particular consideration was given to the predicted annual-average benzene concentrations having regard to the risk-based concentrations identified by DoH. DoH identifies incremental annual-average benzene concentrations of approximately $0.17 \mu\text{g}/\text{m}^3$ and $1.7 \mu\text{g}/\text{m}^3$ as corresponding to theoretical excess lifetime cancer-risk levels of approximately 1 in 1,000,000 and 1 in 100,000, respectively. These concentrations are risk-based reference levels rather than ambient air-quality standards.

The maximum predicted annual-average incremental benzene concentration was $1.55 \mu\text{g}/\text{m}^3$ at Assessment Location 7, located on the road verge/footpath immediately south of the Station. This corresponds to a theoretical excess lifetime risk of approximately 9.3 in 1,000,000 (approximately 1 in 107,500), assuming continuous lifetime exposure at the modelled annual-average concentration. At the identified residential receptors, the maximum predicted annual-average benzene concentration was $1.12 \mu\text{g}/\text{m}^3$ at the NW Houses, with a concentration of $0.56 \mu\text{g}/\text{m}^3$ predicted at the E House. At the assessment locations approximately 100 m from the Station, predicted annual-average concentrations ranged from approximately 0.16 to $0.20 \mu\text{g}/\text{m}^3$.

These results quantify the incremental contribution attributable to the proposed Station under the conservative operating assumptions adopted in the Re-Assessment. They do not represent total ambient benzene exposure, which would also include existing background sources unrelated to the proposed development.

Table 3-1: Proposed Service Station - GLCs of Pollutants (VR1 & VR2) @ Assessed Receptor Locations

Receptor Location		Pollutant	Averaging Period	Limit (µg/m3)	Predicted (µg/m³)	% of CF	Pass/Fail	Pollutant	Averaging Period	Limit (µg/m3)	Predicted (µg/m³)	% of CF	Pass/Fail
1	W Boundary	Benzene	1-hour	580	51.50	8.88%	Pass	Benzene	24-hour	29	4.12	14.21%	Pass
2	NW Houses				28.13	4.85%	Pass				4.21	14.53%	Pass
3	N Corner				32.76	5.65%	Pass				3.05	10.50%	Pass
4	E House				19.27	3.32%	Pass				2.32	8.00%	Pass
5	SE Verge				9.17	1.58%	Pass				1.86	6.40%	Pass
6	SSE Verge				25.14	4.34%	Pass				3.66	12.63%	Pass
7	S of Bowsers				19.27	3.32%	Pass				4.98	17.18%	Pass
8	SW Verge				36.86	6.36%	Pass				4.64	16.00%	Pass
9	N 100m				7.74	1.33%	Pass				0.79	2.71%	Pass
10	W 100m				22.01	3.79%	Pass				1.06	3.64%	Pass
11	E 100m				4.51	0.78%	Pass				0.74	2.54%	Pass
12	S 100m				4.60	0.79%	Pass				0.81	2.79%	Pass
1	W Boundary	Benzene	Annual	9.6	1.23	12.85%	Pass	Toluene	24-hour	3770	11.91	0.32%	Pass
2	NW Houses				1.12	11.62%	Pass				12.18	0.32%	Pass
3	N Corner				0.78	8.13%	Pass				8.80	0.23%	Pass
4	E House				0.56	5.83%	Pass				6.71	0.18%	Pass
5	SE Verge				0.43	4.52%	Pass				5.36	0.14%	Pass
6	SSE Verge				1.05	10.95%	Pass				10.59	0.28%	Pass
7	S of Bowsers				1.55	16.11%	Pass				14.39	0.38%	Pass
8	SW Verge				0.89	9.29%	Pass				13.41	0.36%	Pass
9	N 100m				0.16	1.68%	Pass				2.27	0.06%	Pass
10	W 100m				0.20	2.08%	Pass				3.05	0.08%	Pass
11	E 100m				0.16	1.63%	Pass				2.13	0.06%	Pass
12	S 100m				0.17	1.79%	Pass				2.34	0.06%	Pass
1	W Boundary	Toluene	Annual	377	3.56	0.95%	Pass	ethylbenzene	1-hour	8000	10.90	0.14%	Pass
2	NW Houses				3.22	0.86%	Pass				5.95	0.07%	Pass
3	N Corner				2.26	0.60%	Pass				6.93	0.09%	Pass
4	E House				1.62	0.43%	Pass				4.08	0.05%	Pass
5	SE Verge				1.26	0.33%	Pass				1.94	0.02%	Pass
6	SSE Verge				3.04	0.81%	Pass				5.32	0.07%	Pass
7	S of Bowsers				4.47	1.19%	Pass				4.08	0.05%	Pass
8	SW Verge				2.58	0.68%	Pass				7.80	0.10%	Pass
9	N 100m				0.47	0.12%	Pass				1.64	0.02%	Pass
10	W 100m				0.58	0.15%	Pass				4.66	0.06%	Pass
11	E 100m				0.45	0.12%	Pass				0.95	0.01%	Pass
12	S 100m				0.50	0.13%	Pass				0.97	0.01%	Pass
1	W Boundary	ethylbenzene	Annual	270	0.26	0.10%	Pass	Xylenes	24-hour	1080	4.78	0.44%	Pass
2	NW Houses				0.24	0.09%	Pass				4.88	0.45%	Pass
3	N Corner				0.17	0.06%	Pass				3.53	0.33%	Pass
4	E House				0.12	0.04%	Pass				2.69	0.25%	Pass
5	SE Verge				0.09	0.03%	Pass				2.15	0.20%	Pass
6	SSE Verge				0.22	0.08%	Pass				4.24	0.39%	Pass
7	S of Bowsers				0.33	0.12%	Pass				5.77	0.53%	Pass
8	SW Verge				0.19	0.07%	Pass				5.38	0.50%	Pass
9	N 100m				0.03	0.01%	Pass				0.91	0.08%	Pass
10	W 100m				0.04	0.02%	Pass				1.22	0.11%	Pass
11	E 100m				0.03	0.01%	Pass				0.85	0.08%	Pass
12	S 100m				0.04	0.01%	Pass				0.94	0.09%	Pass
1	W Boundary	Xylenes	Annual	870	1.43	0.16%	Pass	Cyclohexane	1-hour	190	8.78	4.62%	Pass
2	NW Houses				1.29	0.15%	Pass				4.79	2.52%	Pass
3	N Corner				0.90	0.10%	Pass				5.58	2.94%	Pass
4	E House				0.65	0.07%	Pass				3.28	1.73%	Pass
5	SE Verge				0.50	0.06%	Pass				1.56	0.82%	Pass
6	SSE Verge				1.22	0.14%	Pass				4.29	2.26%	Pass
7	S of Bowsers				1.79	0.21%	Pass				3.28	1.73%	Pass
8	SW Verge				1.03	0.12%	Pass				6.28	3.31%	Pass
9	N 100m				0.19	0.02%	Pass				1.32	0.69%	Pass
10	W 100m				0.23	0.03%	Pass				3.75	1.97%	Pass
11	E 100m				0.18	0.02%	Pass				0.77	0.40%	Pass
12	S 100m				0.20	0.02%	Pass				0.78	0.41%	Pass
1	W Boundary	n-Hexane	1-hour	3200	238.39	7.45%	Pass	Styrene	1-hour	64	0.39	0.61%	Pass
2	NW Houses				130.21	4.07%	Pass				0.21	0.33%	Pass
3	N Corner				151.64	4.74%	Pass				0.25	0.39%	Pass
4	E House				89.20	2.79%	Pass				0.15	0.23%	Pass
5	SE Verge				42.44	1.33%	Pass				0.07	0.11%	Pass
6	SSE Verge				116.39	3.64%	Pass				0.19	0.30%	Pass
7	S of Bowsers				89.18	2.79%	Pass				0.15	0.23%	Pass
8	SW Verge				170.62	5.33%	Pass				0.28	0.43%	Pass
9	N 100m				35.83	1.12%	Pass				0.06	0.09%	Pass
10	W 100m				101.87	3.18%	Pass				0.17	0.26%	Pass
11	E 100m				20.87	0.65%	Pass				0.03	0.05%	Pass
12	S 100m				21.30	0.67%	Pass				0.03	0.05%	Pass



Figure 3-2: 24 Hour Benzene Predicted Ground Level Concentrations (VR1 & VR2)



Appendix A: Vapour Emissions Calculations



Appendix B: Meteorology & Representative Year



Appendix C: AERMOD Input

Bowser +VR2	Number of Dispensing Nozzles		6	hour	% daily sales	% to peak hr	# cars/peak hour	Petrol Throughput (L/hr)	L/s	g/s	Final g/s	FINAL Per Bowser	Emission Source		NPI 1999	NPI 1999	CAPCOA	CAPCOA
	Peak Hourly Volume at Bowsers (transactions x Litres per car)		3,240	1	1.2%	19.5%	15	632	0.176	0.249	0.249			mg/L	Lbs/1000 Gallons	Lbs/1000 Gallons	mg/L	
	CAPCOA (Lbs/1000gallons to mg/L)		1,417	2	0.8%	13.0%	10	421	0.117	0.166	0.166		Underground Tank Filling					
	CAPCOA (Lbs/1000gallons to g/L)		1.417	3	0.6%	9.8%	8	316	0.088	0.124	0.124		Submerged Filling	880		8.4	1007	
	Losses (g/L)		1.417	4	0.8%	13.0%	10	421	0.117	0.166	0.166		Splash Filling	1380				
	VR2 (10-15% Losses) (g/L)		1.417	5	1.9%	30.9%	23	1,001	0.278	0.394	0.394		0.131	Submerged filling with vapour balance	40	0.33	0.42	50
	ESTIMATED TOTAL DAILY (24hr) OPERATING-PERIOD VOLUME (L)		48,574	6	4.6%	74.8%	54	2,423	0.673	0.954	0.954		0.318	Underground tank breathing losses	120	1.00	0.84	101
	E10 Volatilisation		1.5	7	5.5%	89.4%	65	2,898	0.805	1.141	1.141		0.380	Vehicle Refuelling				
	E10 % of T-Volumes		0%	8	5.7%	92.7%	67	3,003	0.834	1.182	1.182		0.394	Displacement Losses (uncontrolled)	1320	11.02	8.4	1007
	E10 Fuel Ratio Factor		0	9	5.5%	89.4%	65	2,898	0.805	1.141	1.141		0.380	Displacement Losses (90% controlled e.g VRU 2)	132	1.10	0.74	89
	% of Other Fuels		100%	10	5.7%	92.7%	67	3,003	0.834	1.182	1.182		0.394	Spillages				
	Fuel Ratio Factor		1.000	11	6.0%	97.6%	71	3,161	0.878	1.245	1.245		0.415	Uncontrolled	80	0.67	0.61	73
Storage Tanks	Total Storage Tank Volumes		220,000	L	12	6.0%	97.6%	71	3,161	0.878	1.245	1.245	0.415	Controlled			0.41	49
+VR 1	NPI 1999 + CAPCOA		170	mg/L	13	5.7%	92.7%	67	3,003	0.834	1.182	1.182	0.394	"Whoosh" Emissions			0.26 - 0.66	79
	Total VOCs at Full		37,472	grams	14	5.6%	91.1%	66	2,950	0.820	1.162	1.162	0.387					
	Time to Vent total Volume of Vapour/Total Fuel Volume		77.8	hours	15	5.9%	95.9%	70	3,108	0.863	1.224	1.224	0.408					
	Vent Rate (100 mm)		2.827	m3/hr	16	6.2%	100.0%	72	3,240	0.900	1.276	1.276	0.425					
	VR1 Value (per Vent)		0.134	g/s	17	6.2%	100.0%	72	3,240	0.900	1.276	1.276	0.425					
	# Vents		4		18	5.8%	94.3%	68	3,056	0.849	1.203	1.203	0.401					
Final VR1 Value (all Vents)		0.535	g/s	19	5.1%	82.9%	60	2,687	0.746	1.058	1.058	0.353						
Max Cars per Peak Hour		72		20	4.0%	65.0%	47	2,107	0.585	0.830	0.830	0.277						
L per car on average		45		21	3.5%	56.9%	41	1,844	0.512	0.726	0.726	0.242						
Peak Volume Dispensed		3,240		22	3.4%	55.3%	40	1,791	0.498	0.705	0.705	0.235						
Average # Cars/hour Daily (7 days)		46		23	2.6%	42.3%	31	1,370	0.380	0.539	0.539							
Cars Daily		1,086		24	1.8%	29.3%	22	948	0.263	0.373	0.373							
Maximum Tanker Delivery Volume (L)		55,000																
Types of Fuel - Fuel Storage (kL)		Diesel	60	Diesel Volume represents: 42.9% of ALL Fuels														
		ULP 91	40	Assuming Diesel contributes 5% of VOC vapour emisisions, whilst ULP fuels represent 95%, then:														
		PULP 95	40	Total Volume (L) of VOCs = 83,000 of Equivalent ULP Fuels.														
Non-VOC Additive Storage (kL)		AdBlue	80	Total Fuels Stored and Sold: 140,000 Litres (AdBlue is NOT a VOC-Emitting Product)														
				Weighted Average VOC Vapours 59.3%														

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1 Meteorology

When undertaking dispersion modelling of air pollutants, the wind speed and direction (U and V components of wind) is critical in determining the magnitude of the ground level impacts downwind of an emission source(s).

Temperature is also important within dispersion modelling for understanding vertical mixing and inversion layers within the domain assessed by the dispersion model, whilst rainfall has importance with regard to dust deposition rates, and empirically when determining odour impacts at ground level.

The nearest BoM AWS's to the Site is Perth Metro ([Station 009225](#)), which is approximately 3 kms east, south-east from the Site.

To determine which annual meteorological (met) period was the most representative of the Site's locality, the Perth Metro AWS was reviewed for its most recent 5-year met trends (2020-2024) for key meteorological parameters of Temperature (°C), Relative Humidity (%), Wind Speed and Wind Direction, and Rainfall (mm).

1.1 Perth Metro AWS Data Recovery

Year	Hours	RH%	Temp (°C)	WS (km/h)	WD (deg)	Rain (mm)	SLP (hPa)
2020	8784	99.9%	99.9%	92.9%	92.9%	99.9%	99.9%
2021	8760	99.6%	99.7%	85.9%	85.9%	99.6%	99.7%
2022	8760	99.8%	99.9%	85.6%	85.6%	99.8%	99.9%
2023	8760	99.8%	99.9%	92.3%	92.3%	99.7%	99.9%
2024	8784	99.9%	99.9%	90.9%	90.9%	99.9%	99.9%

1.2 Representative Meteorological Analysis Methods

When evaluating meteorological datasets to identify a representative year, several statistical approaches can be applied. Each method has a different definition of similarity, which can lead to diverging results. Below is a comparison of the three principal methods used in this analysis: Pearson correlation, Chi-square (χ^2) goodness-of-fit, and Kolmogorov–Smirnov (KS) tests.

1.1.1 Pearson Correlation

- Derives the correlation between the *shapes* of histograms (e.g., wind speed, wind direction × speed, temperature) for each candidate year versus the pooled multi-year baseline, and
- Values close to 1.0 indicate a strong match in relative structure.

Strengths:

- Captures overall similarity in the *pattern* of distributions,
- Tolerant of small systematic offsets (e.g., slightly higher or lower mean wind speeds) so long as the relative proportions are preserved, and
- Produces a smooth, stable ranking across years.

Limitations:

- Insensitive to localised differences in rare categories (e.g., extreme winds or unusual stability events), and
- A year can appear highly correlated even if it has persistent biases, provided the shape is similar.

Best used when:

- The goal is to identify a year that “looks like” the multi-year climate in overall structure, and
- Smoothing out rare events is acceptable.

1.1.2 Chi-square (χ^2) Goodness of Fit**Method:**

- Compares observed versus expected frequencies in histogram bins, and
- This statistic increases sharply when counts differ in low-frequency bins.

Strengths:

- Sensitive to exact differences in bin counts,
- Highlights years with unusual events or anomalous distributions, and
- Provides a formal hypothesis test of “indistinguishability.”

Limitations:

- Can overweight small deviations in sparse categories,
- Harsh on years with a few rare events, even if the overall pattern is typical, and
- Sensitive to binning choice.

Best used when:

- Rare events and extremes must be faithfully represented, and
- Regulatory or risk contexts emphasise exact frequency matching.

1.1.3 Kolmogorov–Smirnov (KS) Test**Method:**

- Compares *cumulative distributions* (CDFs) between candidate and baseline datasets, and
- Focuses on the maximum vertical distance between the two CDFs.

Strengths:

- Non-parametric and bin-free; independent of binning choices,
- Very sensitive to differences in central tendency (medians, quartiles), and
- Highlights years that best capture the bulk of the distribution.

Limitations:

- Ignores finer structure of distributions (e.g., wind sectoral detail),
- Sensitive to outliers because it focuses on the single worst discrepancy, and

- May downplay systematic directional or sectoral features.

Best used when:

- Median and quartile behaviour (the “bulk climate”) is most important, and
- Distribution tails are less critical.

Pearson tends to prefer years with smooth patterns that mimic the long-term average, χ^2 penalises years that include rare or extreme conditions, even if the bulk is typical, and KS focuses on cumulative similarity and is driven by central tendency rather than distributional detail.

There is no single “correct” representative year. Each method encodes a different philosophy of similarity:

- Pearson → Structural resemblance,
- χ^2 → Exact frequency matching, and
- KS → Median/central behaviour

The choice of method should therefore reflect the purpose of the modelling study. For regulatory dispersion modelling, a combination approach — such as Pearson for broad representativeness with χ^2 or KS as supporting evidence — provides the most robust justification.

1.1.4 ENSO/SOI

As part of the representative year derivation, the analysis has been combined with the consideration of ENSO and SOI parameters, where each method may elevate different candidate (representative) years into the “top 2” set, leading to divergent final outcomes.

ENSO and SOI are fundamental to seasonal forecasting, climate diagnostics, and the interpretation of multi-year meteorological datasets. ENSO/SOI filtering can be applied to avoid:

- Strong El Niño drought years that skew temperature and wind anomalies,
- Extreme La Niña years with atypical rainfall and suppressed mixing, and
- Neutral-ENSO years typically provide the most climatologically balanced baseline.

ENSO/SOI context helps ensure that the selected meteorological dataset reflects “typical” regional conditions rather than ENSO-driven extremes.

1.1.4.1 El Niño–Southern Oscillation (ENSO)

[ENSO](#) is a coupled ocean–atmosphere climate phenomenon centred in the tropical Pacific. It operates as a quasi-periodic oscillation between three phases:

1. El Niño (warm phase):

- a) Sea-surface temperatures (SSTs) in the central and eastern tropical Pacific become warmer than average,
- b) Trade winds weaken or reverse, and
- c) Global weather patterns shift, typically producing drier conditions in parts of Australia.

2. La Niña (cool phase):

- a) SSTs in the central and eastern tropical Pacific are cooler than average,

- b) Strengthened trade winds enhance upwelling and atmospheric convection, and
- c) Often associated with wetter conditions over Australia.

3. ENSO-Neutral:

- a) SSTs and atmospheric circulation remain near long-term averages, and
- b) Neither El Niño nor La Niña exerts a strong influence on global climate.

ENSO has a cycle of roughly 2–7 years, though its intensity, duration, and onset vary considerably.

1.1.4.2 Southern Oscillation Index (SOI)

The [SOI](#) is a standardised index that measures the atmospheric component of ENSO. It is calculated from the mean sea level pressure (MSLP) difference between Tahiti and Darwin.

Where:

- Positive SOI values indicate higher pressure in Tahiti and lower pressure in Darwin, consistent with La Niña, and
- Negative SOI values indicate lower pressure in Tahiti and higher pressure in Darwin, consistent with El Niño.

Monthly [SOI values](#) typically fluctuate between –20 and +20, but extreme events can push beyond this range.

2 Representative Year Results 2023

The representative year was found to be 2023.

[Table 2-1](#) below lists the individual statistical analyses values for each annual period. Those cells highlighted in yellow represent statistical coefficient values > 0.99.

The higher the number (#) of neutral months for SOI represents those annual periods where there were less El Niño or La Niña events. A higher SOI value indicating greater neutrality is preferred.

Where:

- 2022 had the highest Pearson coefficient, but only 2 neutral SOI months,
- 2024 had the highest number of neutral SOI months, but lower correlation coefficients than the other years,
- 2023 had the highest correlation coefficients for U and V wind components, and also had 6 neutral SOI months annually, and
- 2020, followed by 2021 ranked 2nd and 3rd, below 2023.

Table 2-1: Representative Year Analysis Summary

Parameter	2020	2021	2022	2023	2024
Temperature	0.995	0.9928	0.99	0.9926	0.9867
Relative Humidity	0.9659	0.9825	0.9938	0.9936	0.9897
Wind Speed	0.9937	0.9935	0.9927	0.9937	0.9945
U-component	0.9813	0.9864	0.9831	0.9907	0.978
V-component	0.9932	0.9904	0.9932	0.9957	0.9768
Average (excl_RH)	0.9908	0.9908	0.9897	0.9932	0.984
#Neutral Months (SOI)	7	6	2	6	9
Statistical Method	2020	2021	2022	2023	2024
Pearson (Primary Method)	0.9908	0.9908	0.9897	0.9932	0.984
Chi2 (WD)	137.6	120.3	150.8	154.7	272.4
Chi2 (WS)	14.4	35.6	19.4	31.4	39.7
Chi2 (WD x WS)	438.8	559.4	405.1	323.1	765.1
KS (Temperature)	0.0157	0.0365	0.0409	0.0160	0.0632
Final (with SOI tiebreak)				✓	

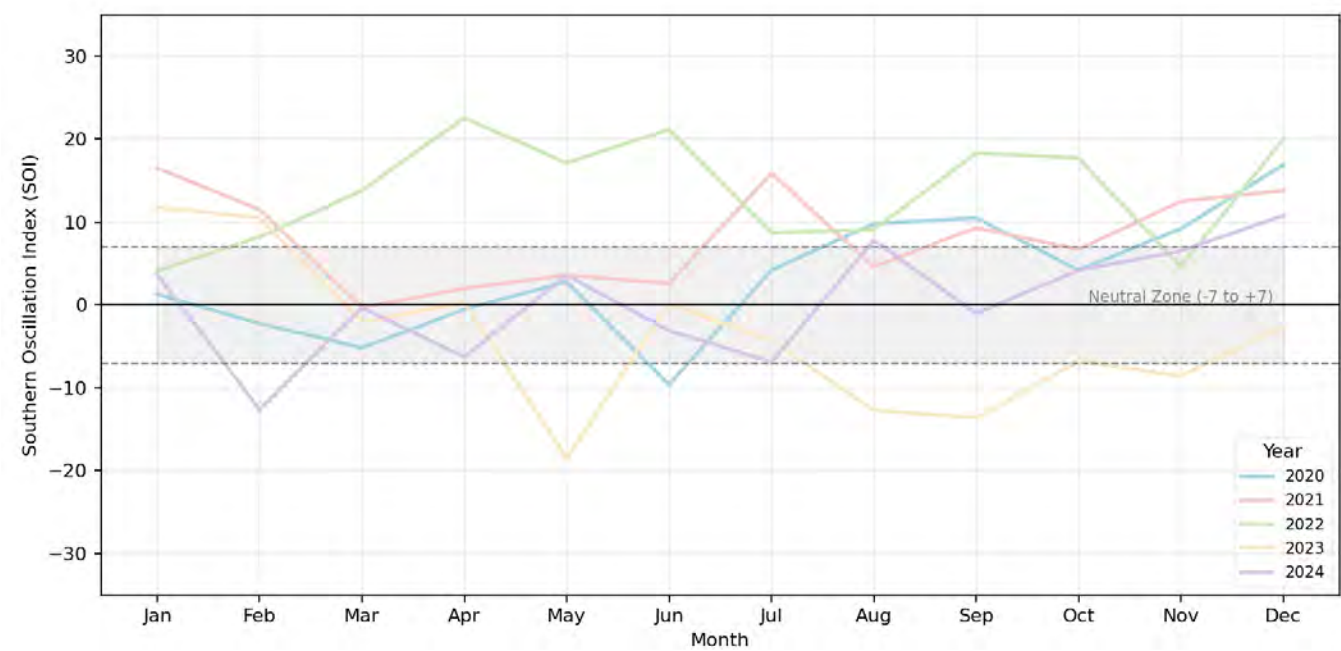


Figure 2-1: Southern Oscillation Index (SOI) from 2020 – 2024

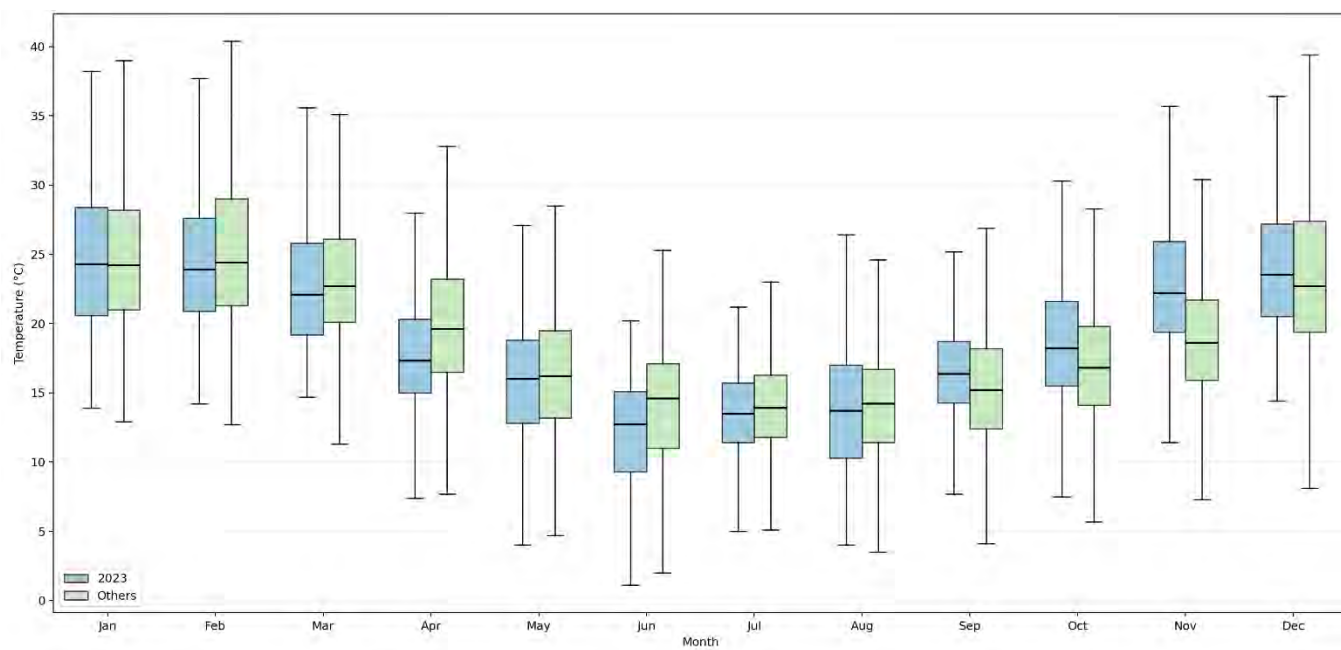


Figure 2-2: Temperature Box-Plot Characteristics (2023 = blue)

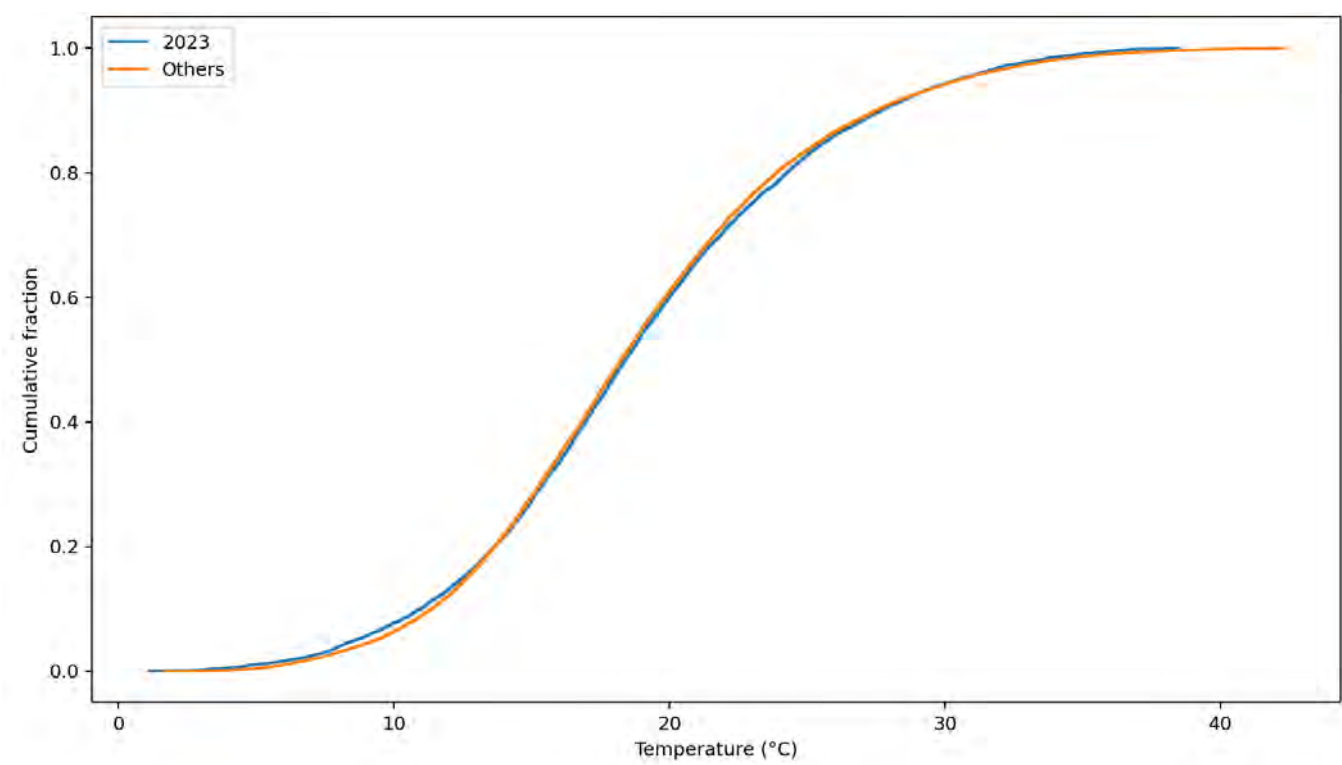


Figure 2-3: Empirical Cumulative Distribution Function (ECDF) Temperature Characteristics

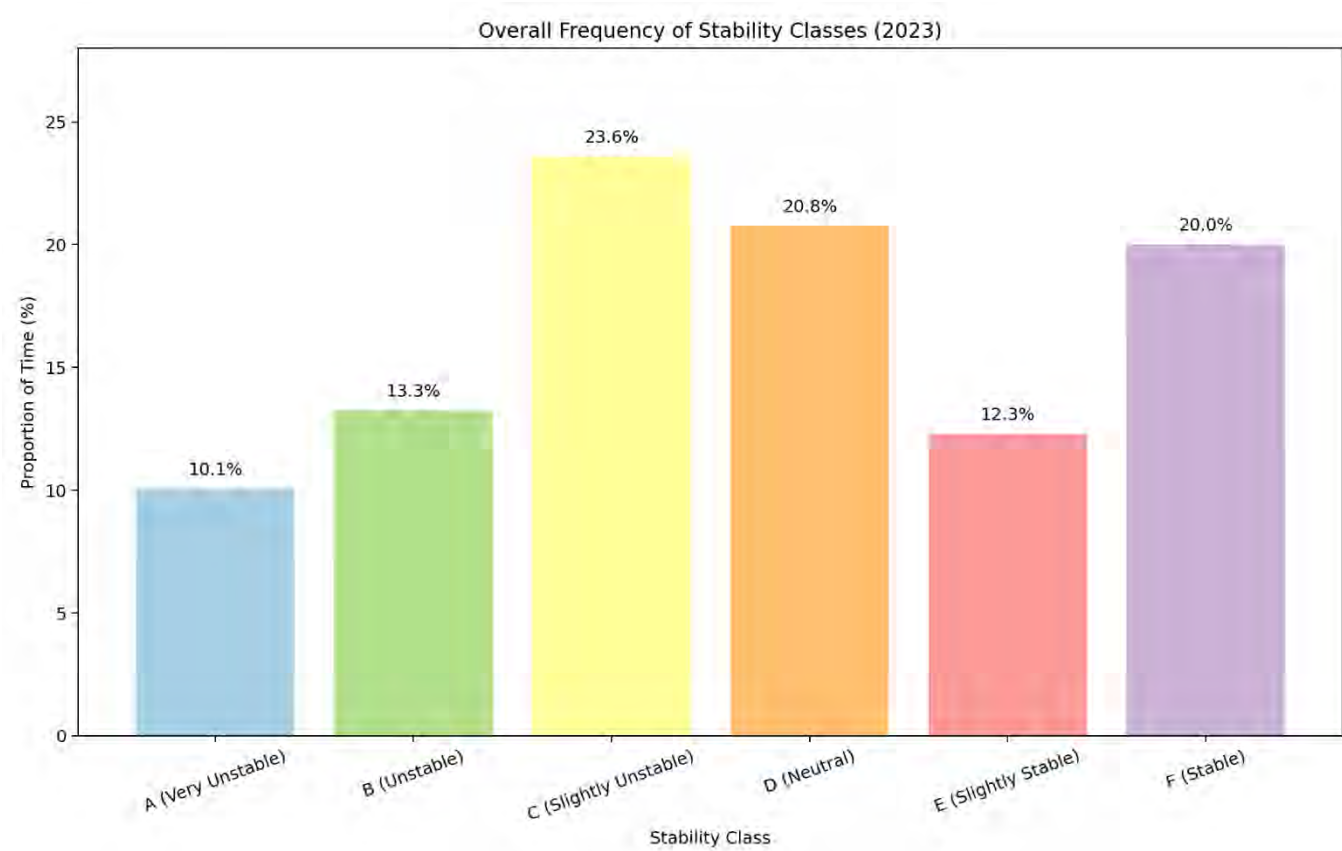


Figure 2-4: Simplified Heuristic Estimated Atmospheric Stability Trends for 2023

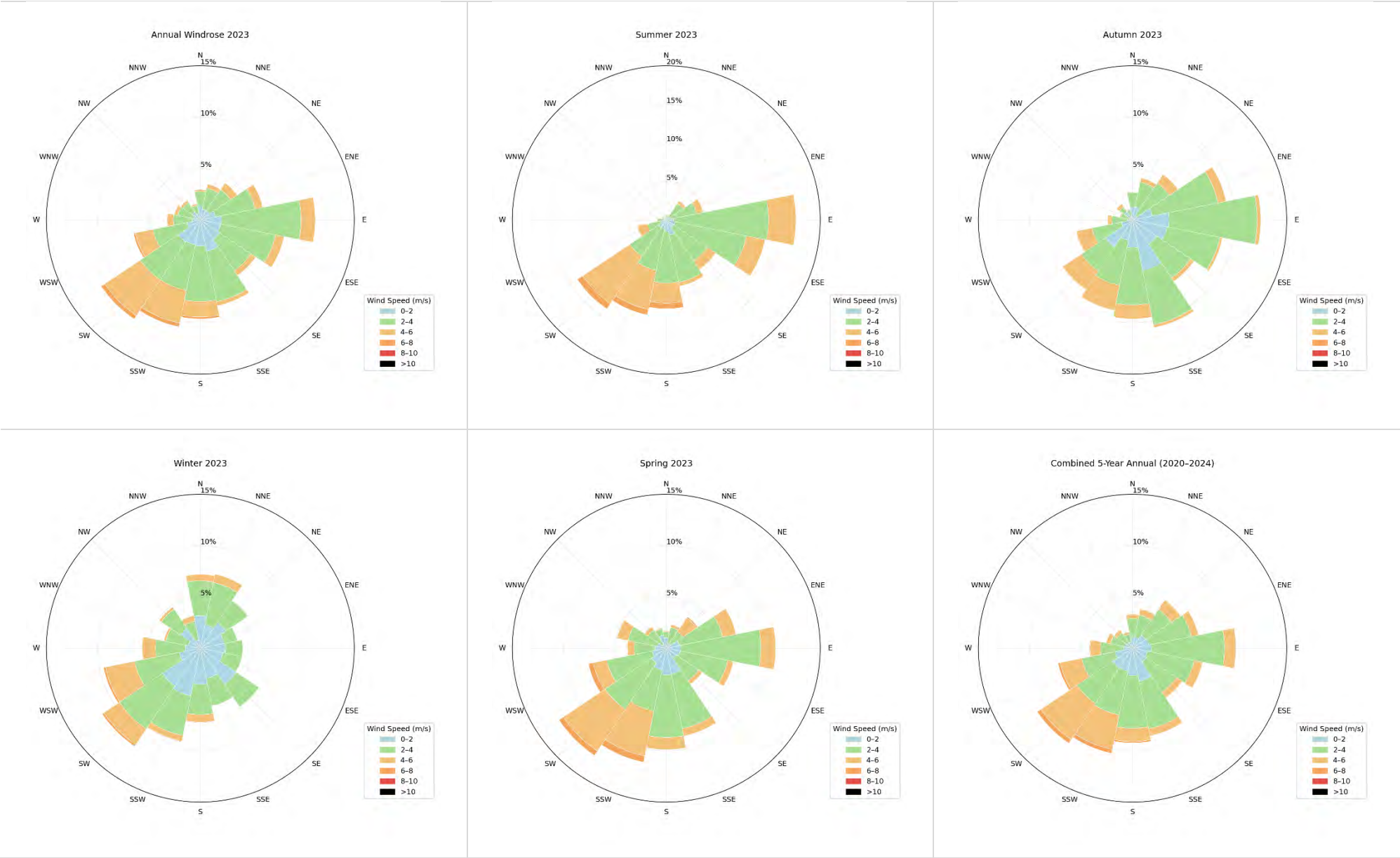


Figure 2-5: Windrose Trends for 2023 & Five-Year Combined (bottom RHS)

```

1  **
2  *****
3  **
4  ** AERMOD Input Produced by:
5  ** AERMOD View Ver. 13.1.0
6  ** Lakes Environmental Software Inc.
7  ** Date: Wednesday, 16 September, 2026
8  ** File: \\data\eaqconsulting\EAQ Consulting\PROJECTS\PROJECTS 2026\26036 - Peregrine
   (Bayswater OTR)\26036.inp
9  **
10 *****
11 **
12 **
13 *****
14 ** AERMOD Control Pathway
15 *****
16 **
17 **
18 CO STARTING
19     TITLEONE D:\MyAERMOD\25031\+VR2
20     TITLETWO Peregrine (OTR SS) - Cnr Kenilworth St & Guilford Rd, Bayswater
21     MODELOPT DFAULT CONC
22     AVERTIME 1 24 ANNUAL
23     POLLUTID VOC
24     RUNORNOT RUN
25     ERRORFIL 26036.err
26 CO FINISHED
27 **
28 *****
29 ** AERMOD Source Pathway
30 *****
31 **
32 **
33 SO STARTING
34 ** Source Location **
35 ** Source ID - Type - X Coord. - Y Coord. **
36     LOCATION BOWS1          VOLUME      396338.680   6467077.644       30.560
37 ** DESCRSRC Bowser 1
38     LOCATION BOWS2          VOLUME      396335.431   6467083.851       29.520
39 ** DESCRSRC Bowser 2
40     LOCATION BOWS3          VOLUME      396332.138   6467090.185       28.450
41 ** DESCRSRC Bowser 3
42     LOCATION STCK1          POINTCAP    396328.203   6467073.798       30.080
43 ** DESCRSRC Tank Breather
44     LOCATION STCK2          POINTCAP    396328.198   6467073.897       30.060
45 ** DESCRSRC Tank Breather
46     LOCATION STCK3          POINTCAP    396328.202   6467073.998       30.050
47 ** DESCRSRC Tank Breather
48     LOCATION STCK4          POINTCAP    396328.201   6467074.098       30.040
49 ** DESCRSRC Tank Breather
50 ** Source Parameters **
51     SRCPARAM BOWS1          1.0         1.000       1.395       2.233
52     SRCPARAM BOWS2          1.0         1.000       1.395       2.233
53     SRCPARAM BOWS3          1.0         1.000       1.395       2.233
54     SRCPARAM STCK1          1.0         4.500       0.000       0.5         0.1
55     SRCPARAM STCK2          1.0         4.500       0.000       0.5         0.1
56     SRCPARAM STCK3          1.0         4.500       0.000       0.5         0.1
57     SRCPARAM STCK4          1.0         4.500       0.000       0.5         0.1
58
59 ** Building Downwash **
60     BUILDHGT STCK1          0.00        0.00        0.00        0.00        0.00        0.00
61     BUILDHGT STCK1          0.00        0.00        0.00        0.00        0.00        0.00
62     BUILDHGT STCK1          0.00        0.00        0.00        0.00        0.00        0.00
63     BUILDHGT STCK1          0.00        0.00        7.05        7.05        7.05        7.05
64     BUILDHGT STCK1          7.05        7.05        0.00        0.00        0.00        0.00
65     BUILDHGT STCK1          0.00        0.00        0.00        0.00        0.00        0.00
66
67     BUILDHGT STCK2          0.00        0.00        0.00        0.00        0.00        0.00
68     BUILDHGT STCK2          0.00        0.00        0.00        0.00        0.00        0.00

```

69	BUILDHGT	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
70	BUILDHGT	STCK2	0.00	0.00	7.05	7.05	7.05	7.05
71	BUILDHGT	STCK2	7.05	7.05	0.00	0.00	0.00	0.00
72	BUILDHGT	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
73								
74	BUILDHGT	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
75	BUILDHGT	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
76	BUILDHGT	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
77	BUILDHGT	STCK3	0.00	0.00	7.05	7.05	7.05	7.05
78	BUILDHGT	STCK3	7.05	7.05	0.00	0.00	0.00	0.00
79	BUILDHGT	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
80								
81	BUILDHGT	STCK4	0.00	0.00	0.00	0.00	0.00	0.00
82	BUILDHGT	STCK4	0.00	0.00	0.00	0.00	0.00	0.00
83	BUILDHGT	STCK4	0.00	0.00	0.00	0.00	0.00	0.00
84	BUILDHGT	STCK4	0.00	0.00	7.05	7.05	7.05	7.05
85	BUILDHGT	STCK4	7.05	7.05	0.00	0.00	0.00	0.00
86	BUILDHGT	STCK4	0.00	0.00	0.00	0.00	0.00	0.00
87								
88	BUILDWID	STCK1	0.00	0.00	0.00	0.00	0.00	0.00
89	BUILDWID	STCK1	0.00	0.00	0.00	0.00	0.00	0.00
90	BUILDWID	STCK1	0.00	0.00	0.00	0.00	0.00	0.00
91	BUILDWID	STCK1	0.00	0.00	28.87	27.97	27.97	28.86
92	BUILDWID	STCK1	28.88	28.01	0.00	0.00	0.00	0.00
93	BUILDWID	STCK1	0.00	0.00	0.00	0.00	0.00	0.00
94								
95	BUILDWID	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
96	BUILDWID	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
97	BUILDWID	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
98	BUILDWID	STCK2	0.00	0.00	28.87	27.97	27.97	28.86
99	BUILDWID	STCK2	28.88	28.01	0.00	0.00	0.00	0.00
100	BUILDWID	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
101								
102	BUILDWID	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
103	BUILDWID	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
104	BUILDWID	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
105	BUILDWID	STCK3	0.00	0.00	28.87	27.97	27.97	28.86
106	BUILDWID	STCK3	28.88	28.01	0.00	0.00	0.00	0.00
107	BUILDWID	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
108								
109	BUILDWID	STCK4	0.00	0.00	0.00	0.00	0.00	0.00
110	BUILDWID	STCK4	0.00	0.00	0.00	0.00	0.00	0.00
111	BUILDWID	STCK4	0.00	0.00	0.00	0.00	0.00	0.00
112	BUILDWID	STCK4	0.00	0.00	28.87	27.97	27.97	28.86
113	BUILDWID	STCK4	28.88	28.01	0.00	0.00	0.00	0.00
114	BUILDWID	STCK4	0.00	0.00	0.00	0.00	0.00	0.00
115								
116	BUILDLN	STCK1	0.00	0.00	0.00	0.00	0.00	0.00
117	BUILDLN	STCK1	0.00	0.00	0.00	0.00	0.00	0.00
118	BUILDLN	STCK1	0.00	0.00	0.00	0.00	0.00	0.00
119	BUILDLN	STCK1	0.00	0.00	16.69	12.32	12.34	16.71
120	BUILDLN	STCK1	20.56	23.80	0.00	0.00	0.00	0.00
121	BUILDLN	STCK1	0.00	0.00	0.00	0.00	0.00	0.00
122								
123	BUILDLN	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
124	BUILDLN	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
125	BUILDLN	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
126	BUILDLN	STCK2	0.00	0.00	16.69	12.32	12.34	16.71
127	BUILDLN	STCK2	20.56	23.80	0.00	0.00	0.00	0.00
128	BUILDLN	STCK2	0.00	0.00	0.00	0.00	0.00	0.00
129								
130	BUILDLN	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
131	BUILDLN	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
132	BUILDLN	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
133	BUILDLN	STCK3	0.00	0.00	16.69	12.32	12.34	16.71
134	BUILDLN	STCK3	20.56	23.80	0.00	0.00	0.00	0.00
135	BUILDLN	STCK3	0.00	0.00	0.00	0.00	0.00	0.00
136								
137	BUILDLN	STCK4	0.00	0.00	0.00	0.00	0.00	0.00

138	BUILDLN	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	0.00
139	BUILDLN	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	0.00
140	BUILDLN	STCK4	0.00	0.00	16.69	12.32	12.34	16.71	
141	BUILDLN	STCK4	20.56	23.80	0.00	0.00	0.00	0.00	
142	BUILDLN	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	
143									
144	XBADJ	STCK1	0.00	0.00	0.00	0.00	0.00	0.00	
145	XBADJ	STCK1	0.00	0.00	0.00	0.00	0.00	0.00	
146	XBADJ	STCK1	0.00	0.00	0.00	0.00	0.00	0.00	
147	XBADJ	STCK1	0.00	0.00	-43.86	-44.06	-45.30	-47.52	
148	XBADJ	STCK1	-48.30	-47.61	0.00	0.00	0.00	0.00	
149	XBADJ	STCK1	0.00	0.00	0.00	0.00	0.00	0.00	
150									
151	XBADJ	STCK2	0.00	0.00	0.00	0.00	0.00	0.00	
152	XBADJ	STCK2	0.00	0.00	0.00	0.00	0.00	0.00	
153	XBADJ	STCK2	0.00	0.00	0.00	0.00	0.00	0.00	
154	XBADJ	STCK2	0.00	0.00	-43.78	-43.98	-45.23	-47.47	
155	XBADJ	STCK2	-48.27	-47.60	0.00	0.00	0.00	0.00	
156	XBADJ	STCK2	0.00	0.00	0.00	0.00	0.00	0.00	
157									
158	XBADJ	STCK3	0.00	0.00	0.00	0.00	0.00	0.00	
159	XBADJ	STCK3	0.00	0.00	0.00	0.00	0.00	0.00	
160	XBADJ	STCK3	0.00	0.00	0.00	0.00	0.00	0.00	
161	XBADJ	STCK3	0.00	0.00	-43.69	-43.91	-45.17	-47.42	
162	XBADJ	STCK3	-48.23	-47.58	0.00	0.00	0.00	0.00	
163	XBADJ	STCK3	0.00	0.00	0.00	0.00	0.00	0.00	
164									
165	XBADJ	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	
166	XBADJ	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	
167	XBADJ	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	
168	XBADJ	STCK4	0.00	0.00	-43.60	-43.83	-45.11	-47.37	
169	XBADJ	STCK4	-48.20	-47.56	0.00	0.00	0.00	0.00	
170	XBADJ	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	
171									
172	YBADJ	STCK1	0.00	0.00	0.00	0.00	0.00	0.00	
173	YBADJ	STCK1	0.00	0.00	0.00	0.00	0.00	0.00	
174	YBADJ	STCK1	0.00	0.00	0.00	0.00	0.00	0.00	
175	YBADJ	STCK1	0.00	0.00	16.82	10.40	3.66	-3.19	
176	YBADJ	STCK1	-9.95	-16.40	0.00	0.00	0.00	0.00	
177	YBADJ	STCK1	0.00	0.00	0.00	0.00	0.00	0.00	
178									
179	YBADJ	STCK2	0.00	0.00	0.00	0.00	0.00	0.00	
180	YBADJ	STCK2	0.00	0.00	0.00	0.00	0.00	0.00	
181	YBADJ	STCK2	0.00	0.00	0.00	0.00	0.00	0.00	
182	YBADJ	STCK2	0.00	0.00	16.87	10.46	3.73	-3.11	
183	YBADJ	STCK2	-9.85	-16.30	0.00	0.00	0.00	0.00	
184	YBADJ	STCK2	0.00	0.00	0.00	0.00	0.00	0.00	
185									
186	YBADJ	STCK3	0.00	0.00	0.00	0.00	0.00	0.00	
187	YBADJ	STCK3	0.00	0.00	0.00	0.00	0.00	0.00	
188	YBADJ	STCK3	0.00	0.00	0.00	0.00	0.00	0.00	
189	YBADJ	STCK3	0.00	0.00	16.92	10.52	3.81	-3.02	
190	YBADJ	STCK3	-9.76	-16.20	0.00	0.00	0.00	0.00	
191	YBADJ	STCK3	0.00	0.00	0.00	0.00	0.00	0.00	
192									
193	YBADJ	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	
194	YBADJ	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	
195	YBADJ	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	
196	YBADJ	STCK4	0.00	0.00	16.97	10.59	3.89	-2.93	
197	YBADJ	STCK4	-9.66	-16.10	0.00	0.00	0.00	0.00	
198	YBADJ	STCK4	0.00	0.00	0.00	0.00	0.00	0.00	
199									
200									
201	** Variable Emissions Type:	"By Hour / Seven Days (HRDOW7)"							
202	** Variable Emission Scenario:	"Vent (1)"							
203	EMISFACT	STCK1	HRDOW7	0.0335	0.0335	0.0335	0.0335	0.0335	0.134 0.134
204	EMISFACT	STCK1	HRDOW7	0.0335	0.0335	0.0335	0.0335	0.134 0.134	0.0335 0.0335
205	EMISFACT	STCK1	HRDOW7	0.0335	0.0335	0.134 0.134	0.0335	0.0335	0.0335 0.0335
206	EMISFACT	STCK1	HRDOW7	0.0335	0.0335	0.0335	0.0335	0.0335	0.0335 0.134

[illegible]

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276     EMISFACT STCK4      HRDOW7 0.0335 0.134 0.134 0.0335 0.0335 0.0335 0.0335 0.134
277     EMISFACT STCK4      HRDOW7 0.134 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335
278     EMISFACT STCK4      HRDOW7 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335
279     EMISFACT STCK4      HRDOW7 0.0335 0.0335 0.134 0.134 0.0335 0.0335 0.0335 0.0335
280     EMISFACT STCK4      HRDOW7 0.134 0.134 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335
281     EMISFACT STCK4      HRDOW7 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335
282     EMISFACT STCK4      HRDOW7 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335
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284     EMISFACT STCK4      HRDOW7 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335
285     EMISFACT STCK4      HRDOW7 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335
286     EMISFACT STCK4      HRDOW7 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335 0.0335
287
288 ** Variable Emissions Type: "By Hour-of-Day (HROFDY)"
289 ** Variable Emission Scenario: "Scenario 1 (4)"
290     EMISFACT BOWS1      HROFDY 0.0 0.0 0.0 0.0 0.131 0.318
291     EMISFACT BOWS1      HROFDY 0.38 0.394 0.38 0.394 0.415 0.415
292     EMISFACT BOWS1      HROFDY 0.394 0.387 0.408 0.425 0.425 0.401
293     EMISFACT BOWS1      HROFDY 0.353 0.277 0.242 0.235 0.0 0.0
294     EMISFACT BOWS2      HROFDY 0.0 0.0 0.0 0.0 0.131 0.318
295     EMISFACT BOWS2      HROFDY 0.38 0.394 0.38 0.394 0.415 0.415
296     EMISFACT BOWS2      HROFDY 0.394 0.387 0.408 0.425 0.425 0.401
297     EMISFACT BOWS2      HROFDY 0.353 0.277 0.242 0.235 0.0 0.0
298     EMISFACT BOWS3      HROFDY 0.0 0.0 0.0 0.0 0.131 0.318
299     EMISFACT BOWS3      HROFDY 0.38 0.394 0.38 0.394 0.415 0.415
300     EMISFACT BOWS3      HROFDY 0.394 0.387 0.408 0.425 0.425 0.401
301     EMISFACT BOWS3      HROFDY 0.353 0.277 0.242 0.235 0.0 0.0
302     SRCGROUP bowzers    BOWS1 BOWS2 BOWS3
303     SRCGROUP vents      STCK1 STCK2 STCK3 STCK4
304     SRCGROUP ALL
305 SO FINISHED
306 **
307 *****
308 ** AERMOD Receptor Pathway
309 *****
310 **
311 **
312 RE STARTING
313     INCLUDED 26036.rou
314 RE FINISHED
315 **
316 *****
317 ** AERMOD Meteorology Pathway
318 *****
319 **
320 **
321 ME STARTING
322 ** Surface File Path: E:\EAQ MODELS BACKUP\MyAERMOD\25031\26036\..\
323     SURFFILE ..\25031.SFC
324 ** Profile File Path: E:\EAQ MODELS BACKUP\MyAERMOD\25031\26036\..\
325     PROFFILE ..\25031.PFL
326     SURFDATA 0 2023
327     UAIRDATA 0 2023
328     SITEDATA 0 2023
329     PROFBASE 34.98 METERS
330 ME FINISHED
331 **
332 *****
333 ** AERMOD Output Pathway
334 *****
335 **
336 **
337 OU STARTING
338     RECTABLE ALLAVE 1ST
339     RECTABLE 1 1ST
340     RECTABLE 24 1ST
341     MAXTABLE 1 100
342 ** Auto-Generated Plotfiles
343     PLOTFILE 1 ALL 1ST "E:\EAQ MODELS BACKUP\MyAERMOD\25031\26036\26036.AD\01H1GALL.PLT"
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344 PLOTFILE 24 ALL 1ST "E:\EAQ MODELS BACKUP\MyAERMOD\25031\26036\26036.AD\24H1GALL.PLT"
345 32
346 PLOTFILE 1 bowzers 1ST "E:\EAQ MODELS
347 BACKUP\MyAERMOD\25031\26036\26036.AD\01H1G001.PLT" 33
348 PLOTFILE 24 bowzers 1ST "E:\EAQ MODELS
349 BACKUP\MyAERMOD\25031\26036\26036.AD\24H1G001.PLT" 34
350 PLOTFILE 1 vents 1ST "E:\EAQ MODELS
351 BACKUP\MyAERMOD\25031\26036\26036.AD\01H1G002.PLT" 35
352 PLOTFILE 24 vents 1ST "E:\EAQ MODELS
353 BACKUP\MyAERMOD\25031\26036\26036.AD\24H1G002.PLT" 36
354 PLOTFILE ANNUAL ALL "E:\EAQ MODELS BACKUP\MyAERMOD\25031\26036\26036.AD\AN00GALL.PLT"
355 37
356 PLOTFILE ANNUAL bowzers "E:\EAQ MODELS
357 BACKUP\MyAERMOD\25031\26036\26036.AD\AN00G001.PLT" 38
358 PLOTFILE ANNUAL vents "E:\EAQ MODELS
359 BACKUP\MyAERMOD\25031\26036\26036.AD\AN00G002.PLT" 39
360 SUMMFILE "E:\EAQ MODELS BACKUP\MyAERMOD\25031\26036\26036.sum"
361 OU FINISHED
362 **
363 *****
364 ** Project Parameters
365 *****
366 ** PROJCTN CoordinateSystemUTM
367 ** DESCPTN UTM: Universal Transverse Mercator
368 ** DATUM World Geodetic System 1984
369 ** DTMRGN Global Definition
370 ** UNITS m
371 ** ZONE -50
372 ** ZONEINX 0
373 **
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Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2026 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

Before requesting to present to a DAP please review the Responsible Authority Report that has been published on the DAP website and consider whether any previous comments have been adequately addressed.

Your request will be determined by the Presiding Member based on relevance to the subject application, individual merit, other requests raising the same issues and likely contribution to the DAP's consideration and determination of the application.

Deputations are not to exceed **3 minutes**, unless otherwise approved by the Presiding Member. The Presiding Member may agree to or require combined deputations where the deputations are considered complementary to each other and would assist the efficiency and effectiveness of the DAP meeting.

In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your deputation request must be accompanied with a document setting out the deputation content.

Handouts or power points will not be accepted on the day.

In accordance with Clause 3.6.9 of the *DAP Standing Orders*, if your deputation request is not approved, the submitted content will be circulated to the DAP and published on the DAP website as a written submission.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Martti Warpenius
Company (if applicable)	Reverberate Consulting
Relationship to proposed development	Consultant for the proponent
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Collection Notice

I confirm I have read and understood the contents of the collection notice , including acknowledging that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant.	YES ☒
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Meeting Details

DAP Name	Metro Inner DAP
Meeting Date	22/09/2026
DAP Application Number	DAP/23/02575
Property Location	Lot 130 & 131 (#321) Guildford Road, Bayswater

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES ☒ NO ☐
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will your deputation involve a presentation that requires power-point facilities?	YES ☐ NO ☒
Will you be attending in person or via electronic means	In person ☒ Online ☐

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Noise matters
--	--

Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-

Thank you for the opportunity to make a presentation and provide a written submission.

Reverberate Consulting has been involved in assisting with acoustic matters associated with the proposed development.

We note that operational hours for the development have changed, being from 5:00am to 11:00pm, seven days a week.

This change removes noise considerations between 11pm and 5am.

MRWA's recommended condition of night time fuel tanker deliveries would exceed noise limits in the Assigned Levels, so, in considering the recommendations of David Wilkins, it would be appropriate to have activities associated with the fuel tanker accommodated during the following periods (outside of peak traffic periods):

Monday - Friday

07:00 to 07:30

09:00 to 15:00

17:00 to 19:00

The following additional hours also meet the noise limits:

Saturday

07:00 to 19:00

Sunday & Public Holidays:

09:00 to 19:00

We believe there is a workable solution for fuel tanker deliveries, and generally speaking, the proposed development complies with the Noise Regulations.

I would be happy to answer any questions.

Thank you

Martti Warpenius
Reverberate Consulting

Friday 18 September 2026
Reference: Deputation P191189LT1.docm

Secretariate
Metro Inner Development Assessment Panel

Dear Sir/Madam,

Submission for DAP Meeting regarding OTR Bayswater

This deputation has been prepared to provide background information on the technical details relating to the OTR Bayswater service station noise emission.

Reverberate had previously prepared a report; *Proposed OTR Service Station - 319 Guildford Rd, Bayswater - Environmental Noise Impact*, dated 11 June 2026, ref P191189RP1. This report found that the noise emission from the proposed Service Station, Car Wash and Drive Thru Coffee Development at Lot 130 & 131 (#321) Guildford Road, Bayswater was acceptable.

The RAR by the City of Bayswater states on page 23, paragraph 2, that:

The City's Health Officers have reviewed the Acoustic Report from a noise perspective and are generally supportive of the technical recommendations.

This appears to be acceptable to the City except that the City then comments:

However, this does not overcome the City's broader planning concern that the proposal depends on excessive boundary wall heights and operational restrictions to manage impacts from an intensive 24-hour use adjoining residential properties.

This presentation will deal principally with the relevant reasons for refusal and the underlying matter.

Hours of Operation

The proponent has modified its proposed operating hours of the facility as follows:

- Convenience Store - 5:00am - 11:00pm; seven days per week
- Fuel Deliveries - 9:00am - 3:00pm; Mon - Sat
5:00pm - 7:00 pm; Mon - Sat

The above hours of operation are consistent with our acoustic report. Changing the operation of the service station to these new hours will not change the acoustic design, and these revised hours will still allow compliance with the Noise Regulations, using the treatments outlined in the report.

Excessive Boundary wall heights

The boundary barriers recommended for the site are generally 3m, with the northern corner at 4m. These barrier heights are referenced from the ground level on the service station side of the development. This service station ground level is significantly lower than the ground level on the neighbour's side, so the corresponding height of the barriers apparent to the neighbours is much lower.

These barriers are shown in the accompanying ADS Architect drawing numbers 22JN1500.1 sk04a. By way of example, the 4m barrier would be less than 1m to the NE neighbour, refer to the detail shown in "North East Elevation - Boundary Face".

Likewise, the 4m barrier appears to the NW neighbour to be 2.8m, refer to the detail shown in "North West Elevation - Boundary Face".

Conclusion

The City's Health Officers are generally supportive of the Acoustic Report, and hence my design. The City appears to have residual concerns about

- altering the hours of operation necessitating a revision to the acoustic design.
- Excessive barrier heights

I have presented above a summary to these issues and why they do not appear to me to be substantive.

As a result, it is my professional opinion that these two reasons for refusal are satisfactorily addressed such that the DAP can set aside these reasons and approve the proposed development.

Yours sincerely,



Martti Warpenius
Director

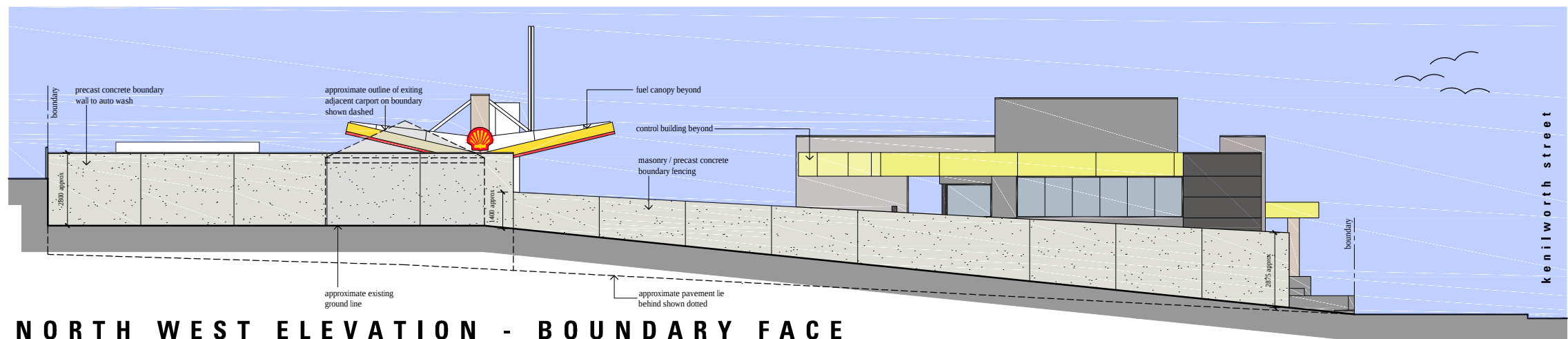
p+61 8 9468 7888
m+61 414 394 220
martti@reverberate.consulting

attached: ADS Architects Drawing 22JN1500.1 sk04a



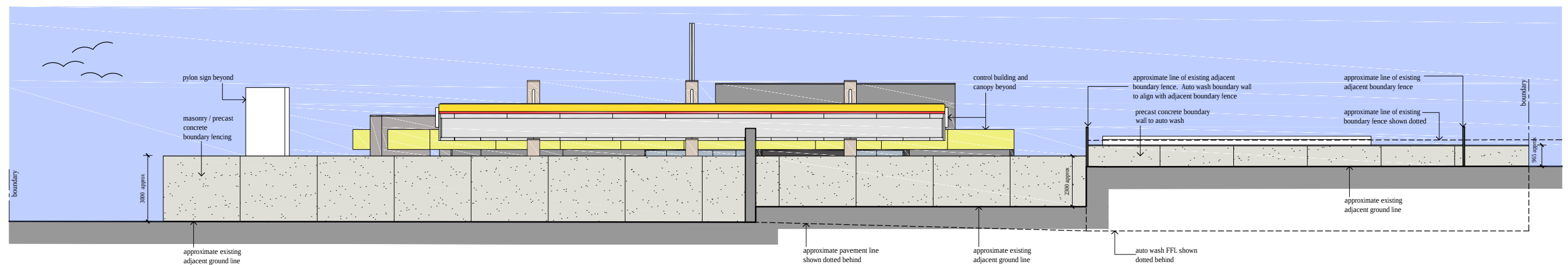
NORTH WEST ELEVATION

1:100 AT A1



NORTH WEST ELEVATION - BOUNDARY FACE

1:100 AT A1



NORTH EAST ELEVATION - BOUNDARY FACE

1:100 AT A1

NEW SERVICE STATION COMPLEX

CORNER KENILWORTH STREET AND GUILDFORD, BAYSWATER, WA

0 1 2 5 10m
Scale 1:100 at A1

Direction for Services from the Responsible Authority

Regulation 13(1)

Guidelines

Regulation 13 of the DAP regulations allows the DAP executive director to direct a responsible authority to provide further information to an application. The DAP executive director may do that directly using this form.

A DAP Member who wishes to request further information (e.g. technical advice and assistance or information in writing) from the Responsible Authority must also complete this form and submit to daps@dplh.wa.gov.au.

The request will be considered by the DAP Executive Director and if approved, the Responsible Authority will be directed to provide a response to DAP Secretariat within the form.

It is important to note that **the completed form containing the query, response and any accompanying documentation will be published on the DAP website** as an addendum to the meeting agenda.

DAP Application Details

DAP Name	Metro Inner
DAP Application Number	DAP/23/02575
Responsible Authority	City of Bayswater
Property Location	Lots 130 - 131 (No 321) Guildford Road, Bayswater

Nature of technical advice or information required

1	DAP query	Please provide a response to the deputation request from Jay Hardison, including Traffic Engineering peer review document, (attached).
	Response	The City has reviewed the deputation and the Urbii peer review dated 21 August 2026. The matters raised are consistent with the City's assessment and the reasons for refusal in the Responsible Authority Report. The City provides the following response to the matters raised in the deputation: <u>Fuel Tanker Servicing Arrangements</u> This matter remains unresolved. Main Roads Western Australia's conditional support requires fuel tanker and service vehicle access between 9:00 pm and 5:00 am, while the applicant's Acoustic Report and Operational Management Plan assume fuel deliveries between 7:00 am and 7:00 pm. The City does not support overnight heavy vehicle movements adjacent to residential properties, as reflected in refusal reason 1. The peer review also notes that tanker departures rely on a right-turn movement onto Guildford Road, which may be impacted by the future Guildford Road Corridor Widening Project. In the absence of a demonstrated alternative servicing arrangement, uncertainty remains regarding the long-term operation of the site. <u>Traffic and Access Concerns</u>

* Any Alternative to the responsible authority recommendation sought does not infer a pre-determined position of the panel.

Guildford Road is a Primary Regional Road under the care and control of Main Roads Western Australia. Main Roads reviewed the Traffic Impact Assessment (TIA) and SIDRA modelling and raised no objection to the proposal, subject to conditions. The City's Engineering Officers also consider the TIA methodology to be generally consistent with standard traffic engineering practice.

Notwithstanding this, the Regional Assessment Report (RAR) identifies several operational issues, including the interaction of vehicles within the site, the proposed anti-clockwise drive-through arrangement and potential conflicts when fuel tankers are undertaking refuelling activities. The RAR also identifies a shortfall in on-site parking provision. While these matters may not individually warrant refusal, they highlight operational constraints associated with the site's size, configuration and intensity of use.

Consistency Between the TIA, Development Plans and Management Documents

The City acknowledges concerns regarding inconsistencies between the TIA, development plans and Operational Management Plan (OMP). The RAR similarly identifies that amendments to the OMP would be necessary to align with the proposal as presented. Should the DAP support the development, the alternative recommendation includes requirements for both a revised Operational Management Plan and a Delivery Management Plan to ensure operational arrangements are clearly documented and enforceable.

Residential Separation Distance

The City agrees that the recommended separation distance from sensitive land uses is a fundamental planning consideration that cannot be resolved through conditions of approval. The Department of Health has advised that it does not support the proposal, noting the nearest bowser is located approximately 15 metres from the adjoining residential property, significantly short of the recommended 200-metre separation distance. This issue forms the basis of refusal reasons 2 and 3.

Noise, Built Form and Residential Amenity

The City's Environmental Health Officers generally accept the technical findings of the Acoustic Report from the perspective of compliance with the *Environmental Protection (Noise) Regulations 1997*, however there are significant built form and amenity concerns with the reliance on operational restrictions and substantial acoustic mitigation measures, including boundary walls ranging between 3.0 and 4.0 metres in height.

The City considers that the need for these mitigation measures highlights the inherent incompatibility of the proposed use with the adjoining residential environment. Furthermore, the proposed masonry and precast concrete walls are not considered to provide an appropriate interface with the surrounding residential area and form the basis of refusal reason 4.

Conclusion:

While some technical matters may be capable of management through conditions and operational controls, the City remains concerned about several fundamental planning issues, including the Department of Health's objection, inadequate separation from residential properties, the reliance on extensive acoustic mitigation and the unresolved fuel servicing arrangements. Collectively, these matters underpin the City's recommendation that the application be refused.

2	DAP query	Please provide an alternative to the Responsible Authority Recommendation for the DAP to consider approval of the subject application with appropriate and reasonable planning conditions*.
	Response	The City's recommended conditions and advice notes are provided below: <u>General</u> 1. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect. 2. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan. <u>Land Titles</u> 3. Prior to occupation of the development, suitable arrangements are to be made for Lots 130 and 131 Guildford Road, Bayswater to be legally amalgamated into a single lot on one Certificate of Title, at the landowner/applicant's expense, to the satisfaction of the City of Bayswater. <u>Construction</u> 4. Prior to the issuing of a building permit, a Construction and Traffic Management Plan is to be submitted to and approved by the City of Bayswater. The Plan is to detail how the construction of the development will be managed to minimise the impact on the surrounding area, and must address the following (as a minimum): a) Construction staging summary; b) Public safety and site security; c) Hours of operation (as expressed in Condition 8); d) Dust and noise management; e) Waste and material disposal; f) Traffic Management Plans for the various phases of construction including access arrangements, entry/ exit design for sightlines for light and heavy vehicles, pedestrian and cyclist safety management, street cleaning, peak hour management strategies; g) Parking arrangements for contractors and sub-contractors; h) Delivery and access arrangements; i) The removal of any existing fuel storage tanks, including odour monitoring and disposal of any contaminated soils. j) The storage of materials and equipment on site, noting that no storage of materials within the public realm will be permitted; k) Bonding and remediation arrangements; and l) Any other matters likely to impact upon surrounding properties or public realm. 5. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater. <u>Health</u> 6. Prior to the issuing of a building permit, a revised Emissions Impact Assessment report is to be submitted to and approved by the Department

		of Health in consultation with the City of Bayswater. The amendments are to include at a minimum: a) A transparent benzene cancer-risk calculation using the Department of Health's benchmark; b) Measured or appropriately justified background concentrations and cumulative exposure; c) Clear identification and distances for every sensitive receptor; d) Odour and amenity impacts; e) Sensitivity testing for increased throughput, concurrent operations and VR2 failure; f) Enforceable installation, testing, maintenance, and reporting requirements for VR1 and VR2; g) Restrictions on tanker delivery times and fuel throughput where relied upon by the modelling; and h) A mechanism for investigating and responding to odour or health complaints. i) The recommendations of the revised Emissions Impact Assessment, including any amendments must be implemented and maintained to the satisfaction of the City of Bayswater, on advice from the Department of Health. 7. The applicant shall submit quarterly monitoring reports for a period of twenty-four (24) months to the satisfaction of the City of Bayswater, on the advice of the Department of Health. The reports shall demonstrate ongoing compliance with the Environmental Protection Authority's <i>Environmental Assessment Guidelines for Separation Distances between Industrial and Sensitive Land Uses (2005)</i> and include any recommendations or corrective actions arising from the monitoring program. <u>Operations</u> 8. The approved hours of operation shall be restricted to the following: a) Service Station, Convenience Store and Fast Food Outlet: 5:00AM to 11:00PM Monday to Sunday; and b) Car Wash: 7:00AM to 10:00PM Monday to Saturday and 9:00AM to 10:00PM on Sundays and Public Holidays. No trading, vehicle servicing, or use of the premises shall occur outside these approved hours without the prior written approval of the City of Bayswater. 9. Prior to the issuing of a building permit, a revised Waste Management Plan is to be submitted to and approved by the City of Bayswater. The Waste Management Plan is to be updated to reflect the revised hours of operation (as expressed in Condition 8) and demonstrate adequate provision for all waste streams, including estimated waste generation volumes, bin quantities, bin storage area dimensions, collection and presentation arrangements, and employee safety considerations associated with manoeuvring bins between storage and collection areas, to the satisfaction of the City of Bayswater. 10. Prior to the issuing of a building permit, a revised Operational Management Plan is to be submitted to and approved by the City of Bayswater. The Operational Management Plan is to outline the ongoing operational procedures for the subject site, including the service station, convenience store, car wash and fast food outlet, and is to address the following matters: a) Management of vehicle circulation throughout the site, including measures to prevent vehicle queuing from extending into the public
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		road network and to maintain safe access to fuel bowzers, the car wash, drive-through facilities, parking areas and service areas. b) Management of customer, pedestrian and staff movements to minimise conflict between vehicles, pedestrians, fuel dispensing areas, car wash facilities, the convenience store and fast food outlet. c) Management of the drive-through operation, including vehicle queuing capacity, ordering and collection procedures, and measures to prevent queue spillback within or beyond the site. d) Noise management measures relating to customer activity, vehicle movements, drive-through operations, the car wash, deliveries, waste collection and servicing, plant and equipment, and any amplified audio systems. e) The revised hours of operation for all uses and activities conducted on the site (as expressed in Condition 8). f) Storage and handling of goods, equipment, waste and other materials on the lot, including screening and maintenance of service areas. g) Parking and delivery management arrangements, including the timing and frequency of deliveries, waste collection and servicing activities, and measures to minimise conflict with customers and site circulation. h) Site management and security measures, including lighting, CCTV surveillance, staff attendance, incident reporting and procedures for responding to antisocial behaviour. i) Procedures for maintaining the cleanliness and presentation of the site, including litter management and the maintenance of fuel dispensing, parking, landscaping and car wash areas. The approved Operational Management Plan shall be implemented and maintained at all times to the satisfaction of the City of Bayswater, with any amendments requiring the City's prior approval before implementation. 11. Prior to the issuing of a building permit, a Delivery Management Plan shall be prepared and submitted to the satisfaction of the City of Bayswater, on advice from Main Roads Western Australia. The Plan shall include measures to ensure that fuel and service delivery vehicles are restricted to a right-in at Kenilworth Street and a right-out via the eastern crossover to Guildford Road. The approved Delivery Management Plan shall be implemented and maintained for the duration of the development. <u>Amenity</u> 12. Prior to the issuing of a building permit, a revised Acoustic Report is to be submitted to and approved by the City of Bayswater. The revised Acoustic Report is to be prepared by a suitably qualified acoustic consultant and to include: a) assessment of the revised operating hours and operational characteristics of all uses and activities on the site (as expressed in Condition 8); b) assess the acoustic impacts associated with waste collection activities, including the access, manoeuvring, servicing and departure of waste collection vehicles from the proposed bin storage area; c) identify any potential impacts on surrounding sensitive land uses arising from vehicle movements, customer activity, plant and equipment, deliveries, waste collection and other operational activities; and d) recommend any acoustic attenuation, management or operational measures necessary to minimise impacts on surrounding properties. Any recommended acoustic attenuation, management or operational measures identified within the approved Acoustic Report shall be
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		implemented and maintained at all times, to the satisfaction of the City of Bayswater. 13. Prior to occupation of the development, certification is to be provided from a suitably qualified consultant confirming implementation of the revised approved Acoustic Report in the completed development, to the satisfaction of the City of Bayswater. 14. Prior to the issue of a Building Permit, a revised Lighting Strategy Report shall be submitted to the satisfaction of the City of Bayswater. The revised report shall incorporate an updated assessment based on the approved hours of operation, as detailed in the Acoustic Report and Operational Management Plan. 15. Prior to occupation of the development, the applicant is to provide certification from a suitably qualified consultant confirming that the lighting has been installed in accordance with the approved revised Lighting Strategy. <u>Engineering</u> 16. All stormwater and drainage runoff produced onsite is to be disposed of onsite, to the satisfaction of the City of Bayswater. 17. Appropriate bunding, drainage infrastructure and pollution control measures shall be designed, installed and maintained to prevent fuel, oil, hydrocarbons, chemicals or any other contaminants associated with the service station use from entering the stormwater drainage system or being discharged beyond the boundaries of the site to the satisfaction of the City of Bayswater. 18. Prior to occupation of the development, all car parking bays, loading areas, driveways and access points shown on the approved plans are to be designed, constructed, drained and line marked in accordance with the relevant Australian Standards. These bays are to be thereafter maintained, to the satisfaction of the City. 19. All vehicle parking, wheel stops, loading, access and circulation areas have been constructed, sealed, drained, line-marked, kerbed, and sign posted, in accordance with the approved plans and the relevant Australian Standards, to the satisfaction of the City. 20. Prior to occupation of the development, details of bicycle parking areas and facilities shall be provided in accordance with the relevant Australian Standards. The facilities are to be secure, available at all operating hours, easily accessible from each building, and thereafter maintained by the owners and/or managers of the development, to the satisfaction of the City. 21. Prior to the issuing of a building permit, the design of the proposed crossover to Guildford Road is to be modified to allow simultaneous vehicle entry and exit movements, with access to Guildford Road limited to one crossover on the eastern boundary. The modified design must be approved by the City of Bayswater, on advice from Main Roads Western Australia. 22. Prior to occupation of the development, parking restrictions on Kenilworth Street shall be installed and maintained at all times. The parking restrictions are to be implemented and maintained for the duration of the development to the satisfaction of the City of Bayswater, in consultation with Main Roads Western Australia.
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23. Prior to the issue of a building permit, the redundant vehicle crossovers on Guildford Road and Kenilworth Street are to be removed and kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the City of Bayswater, in consultation with Main Roads Western Australia.

Sustainability

24. The external roof of all buildings and canopies are to be 'cool roofs' as defined in the City's Sustainability in Design Policy with a maximum solar absorbance rating of 0.45 to the satisfaction of the City of Bayswater.

Landscaping and Public Realm

25. Landscaping, reticulation and the tree(s) required to be planted on the property, shall be completed in accordance with the approved detailed landscape plan, including any details marked in red, prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.

26. The owner, or the applicant on behalf of the owner, shall comply with the City of Bayswater policy relating to Percent for Public Art, and provide public art with a minimum value of 1% (\$25,000) of the estimated total construction cost of the development (\$2,500,000). Details of the public art, including plans of the artwork, its cost and construction, and other matters relating to the artwork's on-going maintenance and acknowledgements in accordance with the City's Percent for Public Art Policy shall be submitted to, and to the satisfaction of the City prior to the lodgement of a building permit application.

Alternatively, the owner, or the applicant on behalf of the landowner, may opt to pay a cash-in-lieu contribution for the public art to the City of Bayswater in accordance with the provisions of the City's Percent for Public Art Policy, prior to the submission of a building permit application.

27. Any services and utilities including building service fixtures located where visible from the street, communal areas or pedestrian entry and rooftop amenity area including solar panels and air-conditioning units are to be integrated into the design of the development and shall not detract from the amenity and visual appearance of the street frontage and/or the entry and/or communal open spaces, to the satisfaction of the City of Bayswater.

Advice Notes

1. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
2. The Waste Management Plan is to reflect waste generation volumes in line with the WALGA calculator for a Convenience Store and Service Station, inclusive of the proposed extended or 24-hour operations.
3. The development must comply with all relevant health legislation relating to environmental protection, public building, food safety, liquid waste, sewerage, air-handling, noise and local law requirements, including the City of Bayswater's *Health Local Laws 2023* and the revised Acoustic Report recommendations.

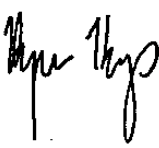
		4. Any handling of food intended for sale or sale of food at this facility will need to comply with the <i>Food Act 2008</i>, <i>Food Regulations 2009</i> and any relevant standards of the <i>Australia New Zealand Food Standards Code</i>. This includes the requirement to notify or register the food business under the <i>Food Act 2008</i> with the City of Bayswater prior to commencing operating. More information on starting a food business can be found at: https://www.health.wa.gov.au/Articles/S_T/Starting-a-food-business-in-WA. 5. Wastewater and drinking water services are to be provided by a licensed service provider. All drinking water provided on site must meet the health-related requirements of the <i>Australian Drinking Water Guidelines 2011</i>. Any non-drinking water (i.e., water that is not intended or suitable for drinking) must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration suitable backflow prevention arrangements in accordance with Australian/New Zealand Standards AS3500 – Plumbing and Drainage. 6. The storage of fuel to comply with the requirements of the dangerous goods legislation. It is recommended that the proposal development is to be referred to the Department of Mines & Petroleum for their review and comments. 7. Vehicle crossover(s) shall be designed and constructed in accordance with the City's Specifications for Crossovers. Applicants/owners are advised to contact the City's Technical Services regarding the crossover application process, requirements and subsidy eligibility. A Crossover Application Booklet detailing the City's requirements is available from the City of Bayswater website (www.bayswater.wa.gov.au). 8. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the <i>Dividing Fences Act 1961</i>. 9. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of works associated with this development. 10. Prior to the submission of the demolition application, the applicant to submit a Demolition Asbestos Survey Report and a certificate of clearance upon completion of the demolition and provide the certificate as part of BA7 for the demolition. 11. The storage of fuel to comply with the requirements of the dangerous goods legislation. It is recommended that the proposal development is to be referred to the <i>Department of Mines and Petroleum</i> for their review and comments. 12. The the vehicle crossover(s) on Kenilworth Street shall be designed and constructed in accordance with the City's Specifications for Crossovers. Applicants/owners are advised to contact the City's Technical Services regarding the crossover application process, requirements and subsidy
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		eligibility. A Crossover Application Booklet detailing the City's requirements is available from the City of Bayswater website (www.bayswater.wa.gov.au). 13. The applicant is required to consult with the Water Corporation to obtain a permit to discharge liquid waste into sewer. 14. Prior to occupation of the development, approval for all advertising signs visible from Guildford Road must be obtained from Main Roads Western Australia in consultation with the City of Bayswater. 15. Any onsite signage is to be installed in accordance with the approved signage strategy by Peregrine Corporation (dated June 2026) and the City of Bayswater's Signage Policy to the satisfaction of the City. 16. Any illumination of signage must not exceed 300 cd/m² (candela per square metre) during the night, and 150 cd/m² during the day. The approved signage must not contain fluorescent, reflective or retro-reflective colours or materials and not flash, pulsate or chase. 17. Prior to undertaking works within the Guildford Road Reserve, a Working on Roads Permit must be obtained from Main Roads. 18. The vehicle crossover(s) on Guildford Road shall be design and constructed in accordance with Main Roads Western Australia specifications. 19. The swept path analysis indicates that B99 vehicles may have to manoeuvre across the kerb. The crossover is to be redesigned to accommodate lane correct simultaneous movements without kerb encroachment. The amended design is to be implemented through the Main Roads 'Works by Others' (Working on Roads) permit process. 20. The applicant is required to submit an application to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads Western Australia website > Technical & Commercial > Working on Roads. 21. No part of the development, other than approved landscaping is to be located within the land requirement for Guildford Road as detailed in the attached extract of Land Requirement Plan 2011-320-068. 22. The upgrading/widening of Guildford Road is not in Main Roads Western Australia current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided. <u>Enclosures</u>
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Encl: Extract of Land Requirement Plan 2011-320-068



DAP Executive Director Authorisation

Signature	
Date	17 September 2026
Response Due	21 September 2026; 12 pm (midday)