

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Above Ground
Fuel Tank

Cnr Snowy Mountains Highway & Broughton Street

Date: 20/08/2023

Keogh Property Development Pty Ltd

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1 INTRODUCTION

In accordance with Schedule 1 of the Environmental Planning and Assessment Regulation 2000, a development application (DA) must be accompanied by a Statement of Environmental Effects. This document has been prepared by Keogh Property Development Pty Ltd for Lots 1 & 2 DP 207840.

The document identifies the main environmental effects identified for the DA submission of the above ground fuel tanks.

1.1 Location

The proposed development site is in the town of Tumut NSW. Tumut is a town in the Snowy Valleys region of New South Wales, Australia. The development site is situated on the corner of Snowy Mountains Highway and Broughton Street.

Table 1-1: Location and Property Description

LOCATION AND PROPERTY DESCRIPTION			
Unit No: NA	House No: 1/3	Street: Broughton Street	Suburb: Tumut
Lot and DP or SP: Lots 1 & 2 DP 207840.			Post Code: 2720



1.2 Client Details

Table 1-2 below provides the clients details.

The (DA) submission has been submitted on behalf of the client by Keogh Property Development Pty Ltd: 177 Lambie Street, Tumut NSW 2720. (Phone: 0447573610).

Table 1-2: Clients Details

CLIENTS DETAILS	
Name or Company: Sri Kalunath Pty Ltd	
Address: 14 Clues Road KELLYVILLE NSW	Post Code: 2155
Phone: 0433 255 613	
Email: hsromana1313@hotmail.com	

2 PROPOSED DEVELOPMENT

The subject site is located on the corner of Snowy Mountains Highway and Broughton Street and is currently an operating as the fuel station know as Mobil Five Ways.

Two above ground fuel tanks are proposed for this development, which are self-bunded. A concrete slab is also proposed to site the two above ground tanks, measuring 12.2m x 2.5m x 2.9h.

Boundary setbacks and tanks spacing are shown on site plan and are in line with AS1940:2017, as follow -

Setback – minimum 3 m to fences - As per AS1940:2017 Table 5.3

Separation – 0.825m - At least one third of the tank's diameter – As per Subclause AS1940:2017 5.7.3

Connection will be via piping to existing fuel infrastructure.

The proposed development will include:

- Earthworks and site preparation, including slab.
- Installation of an above ground fuel tanks, and associated connections to existing infrastructure.

2.1 Surrounding Land Use

The land uses surrounding the subject site are residential properties.

2.2 Site Design

The subject site of 13 Blowering Road Tumut is an operating fuel station, known as Mobil Five Ways.

The proposed above ground fuel tanks are to be located to the south side of the existing building facing Snowy Mountains Highway, behind the existing galvanised fence. A existing gate which will be provided for access to the Tanks. The tanks will be connected to the existing pipework connected to the fuel bowsers.

2.3 Site Access

No new access is proposed to the current operation. Access will be via the two access points, Blowering Road and Broughton Street.

Traffic Movements: Access to the properties for the purpose of refuelling existing tanks will remain as is currently undertaken. The proposal of additional above ground tanks will be to fully utilise current fuel logistics and tankers. Therefore, no additional deliveries or increase in deliveries will occur, thus, will not change the current traffic flow.

2.4 Site Suitability

Visual Prominence: This proposal won't discernibly affect visual prominence of the service station or the immediate area, as the above ground tanks will be located to the rear of the building. Height is only 2.9m so the existing fence will mostly obscure the tanks.

Heritage and or other Restrictions: The proposed development is not located in a Heritage Listed area.

Services: Key services are readily accessible and will not change as part of this development

2.5 Earthworks / Sediment and Erosion Control

The proposed development requires preparation of the site for footings or slab. This will require minimal excavation. Sediment control will be implemented by the contractor.

2.6 Air, Dust and Noise Pollution

The development may produce dust or noise pollution, only during construction, and is considered minimal.

2.7 Social Impacts

The proposal is not considered to cause any social impacts, as the current operation is that of a fuel service station. The installation of above ground tanks will only help provide a more competitive price and service to the community/ travellers using this service station.

2.8 Natural Hazards



Figure 2-1 Bushfire Hazards Map, Sourced from Planning Portal.

The proposed development is NOT located in a Bushfire prone area.

3 ASSESSMENT OF ENVIRONMENTAL EFFECTS

The following is an assessment of the proposed development in accordance with the relevant matters for consideration listed under Section 79C (1) of the EP&A Act. Section 79C (1) of the EP&A Act states the following;

79C (1) Matters for consideration – general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered under section 93F, or any draft planning agreement that a developer has offered to enter under section 93F, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

3.1 Environmental Planning Instruments

The following Environmental Planning instruments apply to the subject site because of the proposed redevelopment:

- ✓ Tumut Local Environmental Plan 2012;
- ✓ State Environmental Planning Policy -33 (Infrastructure 2007);
- ✓ Tumut Development Control Plans (201)

3.2 Tumut Local Environment Plan 2012

The main Environmental Planning Instrument (EPI) which applies to the subject site is the Tumut Local Environment Plan (LEP) 2012. The following sections undertake an assessment of the relevant provisions the Tumut LEP 2012.

3.2.1 Land Use Zones

In accordance with Tumut LEP 2012 Land Zoning map, the subject site is currently zoned R3 Medium Density Residential.



Figure 3-1 R3 zoning of Lot 1&2 DP 207840 (image taken from Planning Portal)

3.2.2 Land Use Table

The Land use table of Tumut LEP 2012 states as follows in relation to R3 Medium Density Residential:

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Roads

3 Permitted with consent

Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Group homes; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Respite day care centres; Restaurants or cafes; Seniors housing; Take away food and drink premises; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Commercial premises; Eco-tourist facilities; Freight transport facilities; Heavy industrial storage establishments; Industries; Local distribution premises; Open cut mining; Passenger transport facilities; Rural industries; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle repair stations; Waste or resource management facilities

The proposed development is consistent with the zone objectives. There is no proposal to change the current usage of the site from its current operation.

3.2.3 Earth Works

The objective of *Clause 6.1 Earthworks* of Tumut LEP 2012 is to ensure that earthworks for which the development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land, and to allow earthworks of a minor nature without requiring separate development consent.

6.1 Earthworks

(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

(2) Development consent is required for earthworks unless:

- (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*

(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
- (b) the effect of the development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Note. The National Parks and Wildlife Act 1974, particularly section 86, deals with harming Aboriginal objects.

The proposed development will require clearing and levelling of the proposed construction area and excavation for footings.

A construction management plan will be prepared by the company handling the construction and development of the site. It will manage potential environmental impacts of construction activities and will address the management of public pedestrian access and safety, construction vehicles, soil and water, dust, noise and waste, incorporating the SWMP

3.2.4 Flood Planning

The objective of *Clause 6.2 Flood Planning* is to maintain the existing flood regime and flow conveyance capacity, to avoid significant adverse impacts on flood behaviour, to limit uses to those compatible with flow conveyance function and flood hazard, and to minimise the risk to human life and damage to property from flooding.



Figure 3-2 Flood planning area surrounding 33Lot 1&2 DP 207840 (image taken from Planning Portal)

The subject site has been identified as a not at risk and not within the flood prone area.

3.2.5 Terrestrial Biodiversity

The objective of *Clause 6.3 Terrestrial Biodiversity* is to ensure protection for natural flora and fauna, continued existence of ecological processes, and conservation and recovery of native flora and fauna and their habitats.



Figure 3-3 Terrestrial Biodiversity area surrounding 3435Lot 1&2 DP 207840 (image taken from Planning Portal)

The proposed development is not within a Terrestrial Biodiverse area and will not have an impact on terrestrial biodiversity during redevelopment or once completed.

3.2.6 Ground Water Vulnerability

The objective of *Clause 6.4 Groundwater Vulnerability* is to ensure the protection of Groundwater supplies in the Tumut LGA from contaminants and depletion.

6.5 Groundwater vulnerability

(1) *The objectives of this clause are as follows:*

- (a) to maintain the hydrological functions of key groundwater systems,*
- (b) to protect vulnerable groundwater resources from depletion and contamination as a result of development.*

(2) *This clause applies to land identified as “Vulnerable” on the Groundwater Vulnerability Map.*

(3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:*

- (a) the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),*
- (b) any adverse impacts the development may have on groundwater dependent ecosystems,*
- (c) the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),*
- (d) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

(4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*



Figure 3-4 Groundwater Vulnerability Area surrounding 33637 Lot 1 & 2 DP 207840 (image taken from Planning Portal)

The subject site does not lie in groundwater vulnerable.

3.2.7 Riparian Land & Watercourses

The objective of the *Clause 6.5 Riparian Lands and Watercourses* is to protect and maintain the water quality within watercourses, the stability of beds and banks of water courses, aquatic and riparian habitats, ecological processes within watercourses and riparian lands.



Figure 35 Riparian Land & Watercourses surrounding 333839Lot 1&2 DP 207840 (image taken from Planning Portal)

The subject site is not located within the Riparian Land & Watercourses area.

3.2.8 Essential Services

The objective of Clause “6.11 Essential Services” is to ensure development does not take place in areas where essential services such as water, electricity, disposal / management of sewerage, stormwater drainage / management and vehicular access may not be available or made available when required.

All services are available to the site.

3.3 State Environmental Planning Policy No 33 – Hazardous and Offensive Development

This Policy aims:

- (a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and*
- (b) to render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Policy, and*
- (c) to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and*
- (d) to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and*
- (e) to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and*
- (f) to require the advertising of applications to carry out any such development.*

The development includes the installation of a new above ground tank. There will be no change to the existing tank lines. The new tank will be plumbed up into the existing bowsers. Please see Preliminary Hazard Analysis in Section 5.

4 CONCLUSION

This Statement of Environmental Effects accompanies a Development Application for the proposed development of an above ground tanks at 1 3 Blowering Road Tumut. The assessment of environmental effects makes the following findings:

- ✓ The proposed development meets the provisions of relevant planning instruments including the SEPP (Infrastructure), SEPP 55, Tumut LEP 2012 and Tumut DCP 2015;
- ✓ The proposed development is compatible with the character of the locality, streetscape and surrounding land uses, and improves the amenity of the site;
- ✓ Exterior colours have been selected to compliment the natural surroundings;
- ✓ The proposed development will not unreasonably impact on the amenity of neighbouring properties in relation to noise, overshadowing or privacy;
- ✓ Proposed vehicle access and parking meets relevant standards;
- ✓ Traffic generated by the operations can be accommodated safely on the road network with minimal impact;
- ✓ The proposed development will generate employment during construction;
- ✓ A construction management plan will be prepared prior to commencement of works to manage potential impacts of construction; and

Given the above assessment, the proposed development has planning merit and the Development Application can therefore be supported and granted consent by Council.

I/we declare to the best of my/our knowledge and belief that the particulars stated on this document are correct in every detail and that the information required has been supplied and that the development application may be returned to me/us if information is found to be missing or inadequate.

Name: Kevin Keogh

Date: 23/08/2023

5 Preliminary Hazard Analysis:

PHA WORKSHEET 1 3 Blowering Road Tumut			
Hazard / potential Accident	Cause	Major Effects	Corrective / Preventive Measures Suggested
Fuel oil spill	<ul style="list-style-type: none"> Oil spill by customers while refilling their tanks Oil spill by the tanker refilling the underground tanks. 	Environmental effect	<ul style="list-style-type: none"> * Concrete flooring and concrete Hump Bund around the bowzers area to stop entering that oil into ground or going into storm water. * Major Spills will be controlled with the Installation of oil and water separator to stop this to contaminate the soil or ground water. * Minor fuel spills will be managed by the staff members on duty using local spill kits to Control, Contain and Clean Up any spillages. The Spill kits will be strategically located next to the fuel bowzers and will be checked weekly and replenished as required.
Above ground Tank	Leakage of above ground tank	Environmental effect	The tanks would be self-bunded and have both a leak detection system, as well as a overfill alarm system fitted as standard. Moreover, the tank tests would be conducted to control that on regular basis
Underground Fuel Suction Lines		Environmental effect	Existing measures include - The Automatic Tank Gauges will be installed on the tanks for loss detection systems to automate wet stock management, environmental control and risk management across the network allowing centralised data management to optimise operational profitability.
Storm Water	Rainwater contaminated with oil spills	Environmental effect	All stormwater discharging from the operational forecourt area will be as per current operations.
Waste Management	Operational wastage	Environmental effect	Waste will be disposed of as per current operations.
Erosion and Sediment	Construction of site	Environmental effect	The site is predominately flat with no excavation expected as the footing for the proposed pylon sign is existing. If necessary, erosion and sediment control measures will be implemented prior to construction as required.
Potential Environmental impacts	Construction of site	Environmental effect	A construction management plan will be prepared by the company handling the construction and development of the site. It will manage potential environmental impacts of construction activities and will address the management of public pedestrian access and safety, construction vehicles, soil and water, dust, noise and waste, incorporating the SWMP
Fire	Mishandling of staff or negligence of customers	Life threatening	Staff will be trained, and the fire control system would be adopted. Safety measures signs would be posted near bowzers for the awareness of the customers.