

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Redevelopment of Service Station for an Unmanned Refuelling Facility with Associated Short-term Rest Amenities for Heavy Rigid Vehicles ONLY.

153 Sydney Road, HOLBROOK NSW 2644



Prepared for: Cubitic Projects Management

Prepared by: Josephine Maejiirs (Principal Town Planner)

Date: June 2024

Project: PDC/23-0020

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*Town Planning \ Development Enquiry \ Project Management /
Heritage Restorations \ Heritage Impact Statement \ CMP \
Statement of Env Effects (SEE) Approval Pathway Analysis (A*

PROJECT DESCRIPTION

Project No.: PDC/23-0020

Project Address: 153 Sydney Road, Holbrook NSW 2644

Local Government Area: Greater Hume Council

Report Revision No.: V0.1

Client: Cubitic Projects Management

Prepared by: Josephine Maejiirs

Date: June 2024

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DOCUMENT HISTORY

Date	Issue	Status	Prepared by
December 2023		Project Initiation	Cubitic Consulting
January – May 2024		Investigations, Consultants Engaged, Reports	Cubitic Consulting
June 2024	V0.1	Final Plans provided	Cubitic Consulting
June 2024	V0.1	Report Issued	Josephine Maejiirs

1. SUMMARY

This Statement of Environmental Effects (SEE) has been prepared by PDC Maejiirs consultants on behalf of Cubitic Projects Management (the Applicant) and is submitted to Greater Hume Council (Council) in support of a Development Application (DA) at 153 Sydney Road Holbrook (subject site), which captures the following land parcel:

- Lot 1, DP 840255

The site is legally identified as Lot 1, in DP840255 and has an area of approximately 10,133.02m².

This DA seeks consent to redevelop the old service station site that has ceased operation for a 24hr service station on the subject site.

The redevelopment includes the demolition of all existing infrastructure and decommissioning and removal of the UPSS, installation of four new dispensers, and installation of a 60,000L above-ground Diesel Tank.

The proposed new service station will be an unmanned diesel filling station with associated short-term rest amenities for heavy rigid vehicles only. The proposed new service station will not operate a retail shop as it will install a pay @ pump system for customers.

The intended future use of the site is to operate as a fuel service station, and the proposed plans are to re-build for operation. The proposed service station will be operated by Metro Petroleum. Detailed proposed works is described in PART 5 of this SEE.

The subject site is zoned RU1 - Primary Production under the Greater Hume Local Environmental Plan (GHLEP) 2012. A proposed service station is a permissible form of developments within RU1 Zone via highway service centre definition that contained within the GHLEP 2012 dictionary.

Pursuant to the GHLEP 2012, the RU1 - Primary Production zone is intended to:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To maintain the rural landscape character of the land.*

Historically the site operated as a fuel service station so petroleum-derived contamination may be present on site through the historical storage, refilling and dispensing on petroleum products. NEO Consulting was appointed by Cubitic Consulting (the client) to undertake a Preliminary Hazard Analysis (PHA) for the property. The PHA has reviewed the plans for the service station upgrade and to identify whether inherent hazards and risks are effectively controlled by the safety measures and procedures implemented.

The proposed development is not Designated Development under Schedule 3 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) and does not trigger the requirement for an Environmental Protection Licence under Schedule 1 of the Protection of the Environment Operations Act 1997 (PEEO Act).

The site is not a heritage listed item nor it is a contributory item within a heritage conservation area.

This report supports the application to Greater Hume Council and supports the proposed development subject to Section 4.15 of the Environmental Planning and Assessment Act 1979 No 203. The development control provisions have been addressed to ensure that the proposal maintains the use and operation for METRO Petroleum.

This SEE report concludes that the proposed development creates no impact on the public interest, nor does it result in any adverse impacts on the locality. The proposed development will not cause any impact on neighboring properties and the proposed development is worthy of support and approval.

2. BACKGROUND OF THE SITE

Council's Development Application Register indicates that Council consent was granted to change of use of the existing premises from a service station to a café and a retail premises on 31/08/2011. A Modification proposal was approved on 24/12/2014 to use the premises as a food process premises.

A site inspection was undertaken on 18th January 2024 by NEO Consulting. During the site inspection, the following observations were noted and provided with photographs below.

- The site historically operated as a service station however was closed at the time of assessment;
- The site contained a dilapidated site building that was previously used for fuel sales and general site operations;
- The groundcover was concrete across the extent of the self-service area, the remainder of the site area was dirt and asphalt gravel;
- Three (3) Underground Storage Tanks (USTs) were located beneath concrete groundcover near the self-service area (ULP7 (17,600L max), ULP5 (10,000L max) and ULP1 (16,194L max));
- An above ground LPG tank was located near the site building;
- An above ground propane tank was located near the site boundary;
- Three (3) dispensers were located beneath a canopy, the dispensers were significantly deteriorated;
- The site gradient was relatively flat



Figure 1: Overall view of the site)



Figure 2: Existing fuel dispensers



Figure 3: Existing above ground LPG Tank



Figure 4: Self service within the site



Figure 5: Existing above ground LPG Tank



Figure 6: Sandy Clay Soil visible

3. THE SITE & CONTEXT

3.1 SITE DESCRIPTION

Criteria	Description
Site Address:	153 Sydney Road, Holbrook NSW 2644
Lot & DP:	Lot 1, DP 840255
Existing Use / Built Form:	Existing Service Station (ceased operation)
Site Area:	Approximately 10,133.02m2
Primary Frontage	Street frontage to Sydney Road
Vehicular Access:	Vehicle access from Sydney Road.

Table 1.: Site Description Details

3.2 THE SITE

The site is legally described as Lot 1, DP840255 being 153 Sydney Road, Holbrook NSW 2644. The site has a total site area of 10,133.02m2 and is relatively flat. The site is irregular in shape with its street frontages accessed from Sydney Road. The subject site accommodates an existing service station that has ceased operation.

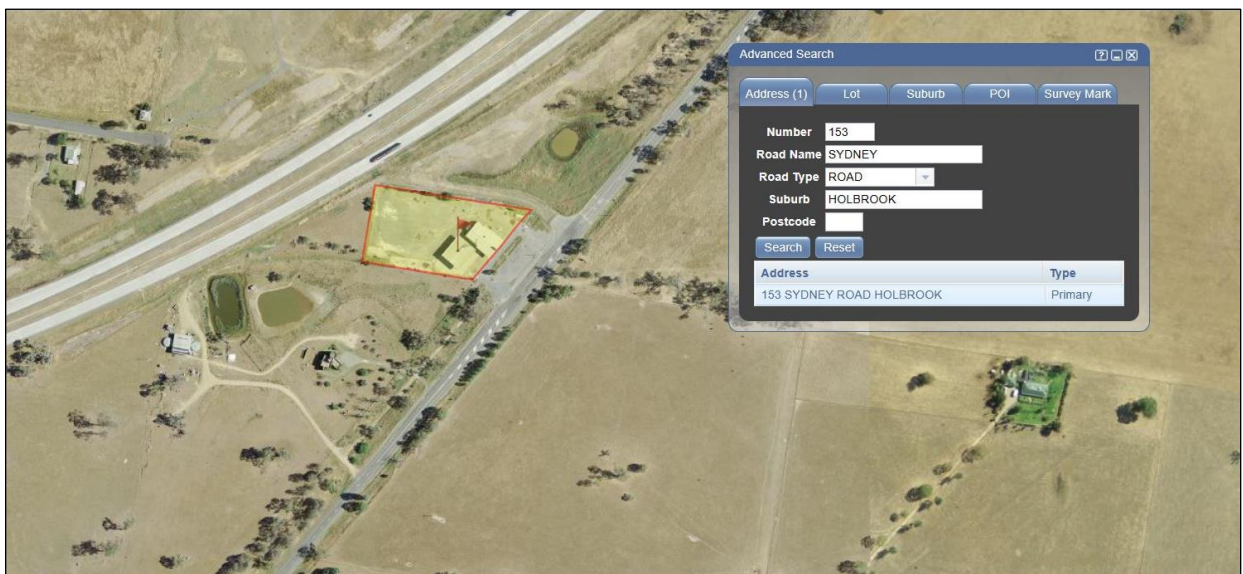


Figure 7: Aerial Map of the site (Source: Six Maps)



Figure 8: Front view of site from Sydney Road (Source: Google Maps)

4. ZONING OF THE SITE

The subject site is currently zoned RU1 Primary Production under the Greater Hume Local Environmental Plan (GHLEP) 2012. A proposed service station is a permissible form of developments within RU1 Zone via highway service centre definition that contained within the GHLEP 2012 dictionary:

service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following—

- a) *the ancillary sale by retail of spare parts and accessories for motor vehicles,*
- b) *the cleaning of motor vehicles,*
- c) *installation of accessories,*
- d) *inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),*
- e) *the ancillary retail selling or hiring of general merchandise or services or both.*

The proposed service station will be operated by METRO Petroleum providing diesel petrol to heavy rigid trucks, parking areas for truck rest periods on long haul destination pursuits.

The proposed service station will also provide amenities for drivers for their stop overs. This ensures the proper well being of truck drivers are supported for long haul trips.

Allocated on-site parking for 13 spaces is provided on the site. Vehicular access to and from the off-street parking facilities will be via two separate access driveway crossings in both Sydney Road (existing) and Pinnabar Road (new).



Figure 9: Zone of the site (RU1 – Primary Production) (Source: Planning Portal Mapping)

5. THE PROPOSED DEVELOPMENT

5.1 PROPOSED INTERNAL RENOVATION WORKS

The proposed development is to develop the old service station on the site that has ceased operation. The redevelopment of the site includes the demolition of all existing infrastructure and decommissioning and removal of the UPSS, installation of four new dispensers, and a 60kL above-ground Diesel Tank

The proposed new service station will be as a unmanned diesel filling station. The proposed new service station will not operate a retail shop as it will install a pay @ pump system for customers.

The proposed development entails the following works:

- Proposed demolition – see Demolition Plan and Waste Management Plan provided;
- On-site self-serving amenities facility that provides showers and toilets for heavy vehicle drivers only;
- Type of fuel to be stored and sold – Diesel
- Fuel holding capacity - 60, 000 Litres
- Hours of operation - 24 hours
- Total number of employees – 0 (No retail shop as it will install a pay @ pump system for customers).
- Install three (3) new fuel pumps with four (4) fueling stations;
- One (1) canopy over the proposed truck fuel pumps; and
- Thirteen (13) parking spaces for heavy vehicle vehicles (used for short-term resting bays at grade level).

Vehicular access to and from the off-street parking facilities will be via two separate access driveway crossings in both Sydney Road (existing) and Pinnabar Road (new). The existing access driveway to the eastern corner of the site, located in Sydney Road, is to be reinstated and have a width 16.7 metres, providing an entry only access point into the site. Entry access restrictions will be enforced by proposed signage and line-marked directional arrows.

Note:

- The largest size vehicle to access the subject site will be a B-Double which is 25 metres in length.
- No long-term or overnight stay permitted on-site, nor any on-site staff members required in order to utilise any facilities

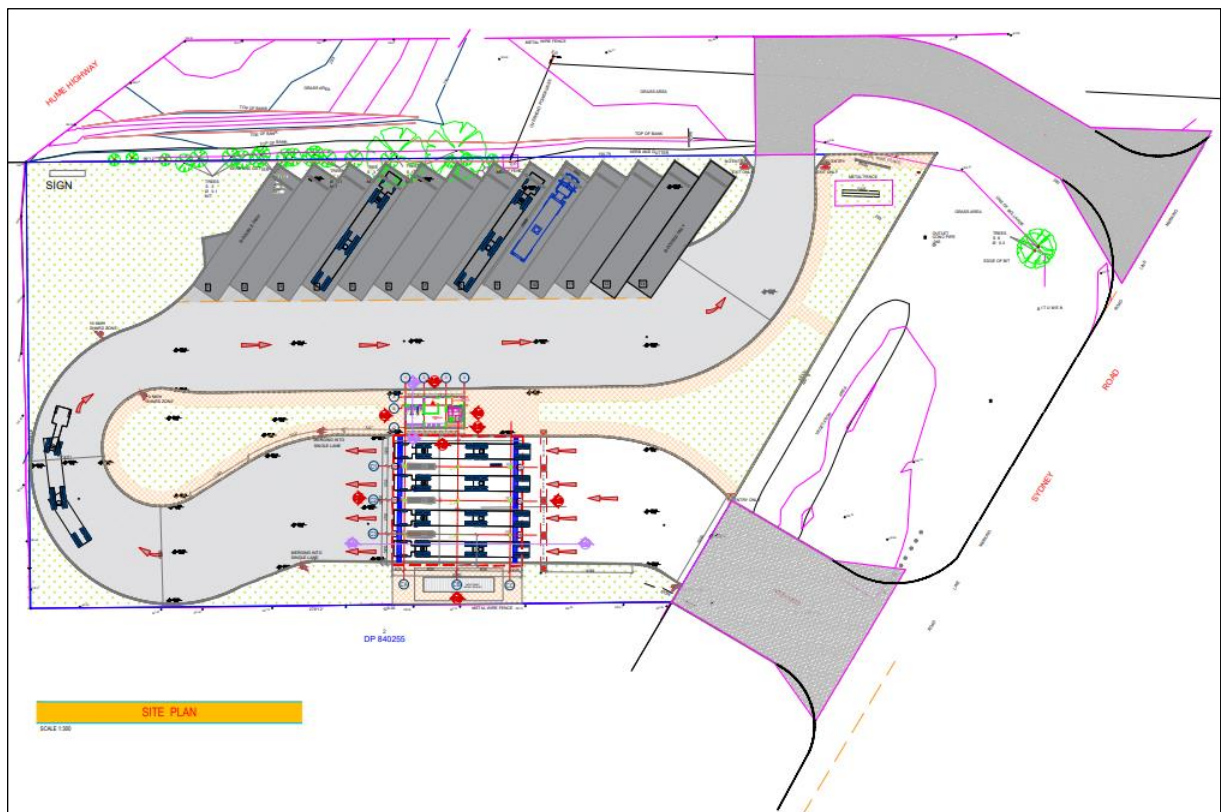


Figure 10: Proposed site plan - METRO Petroleum

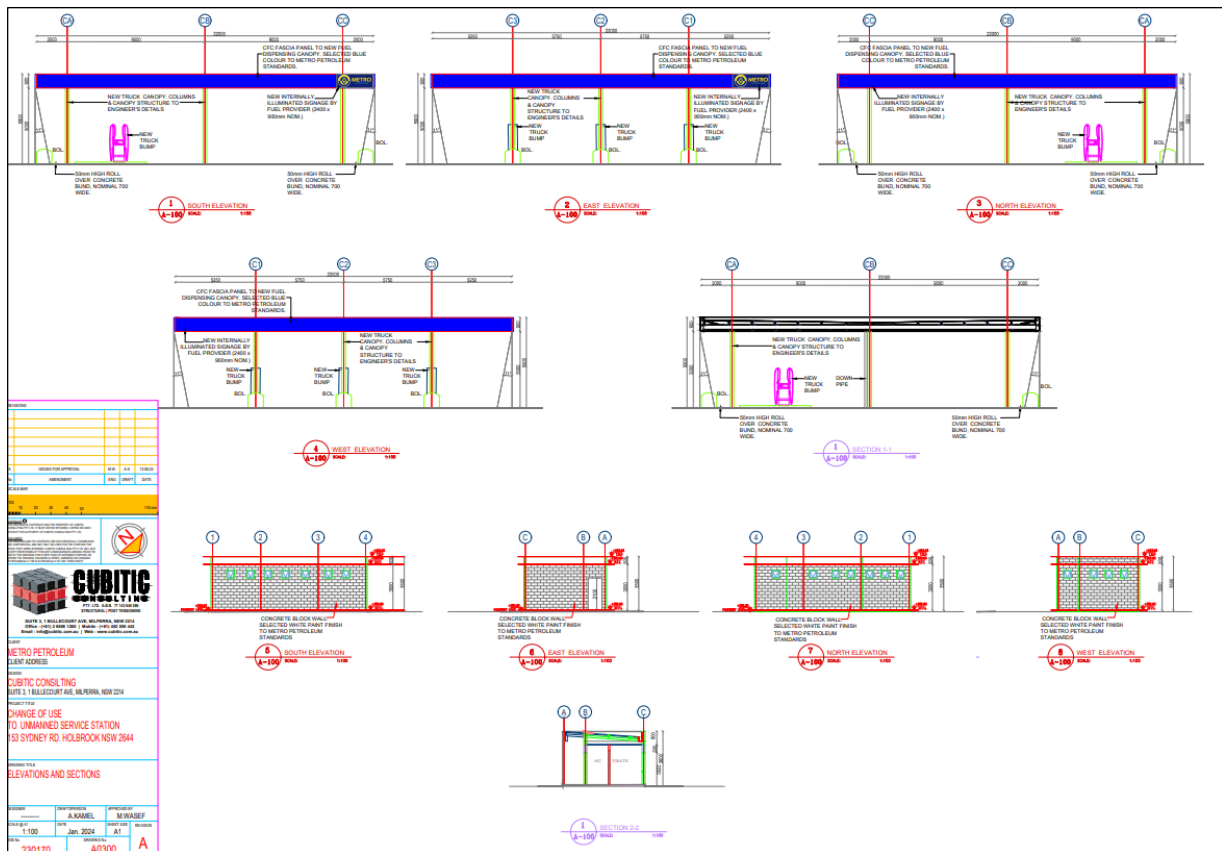


Figure 11: Proposed elevation plan - METRO Petroleum

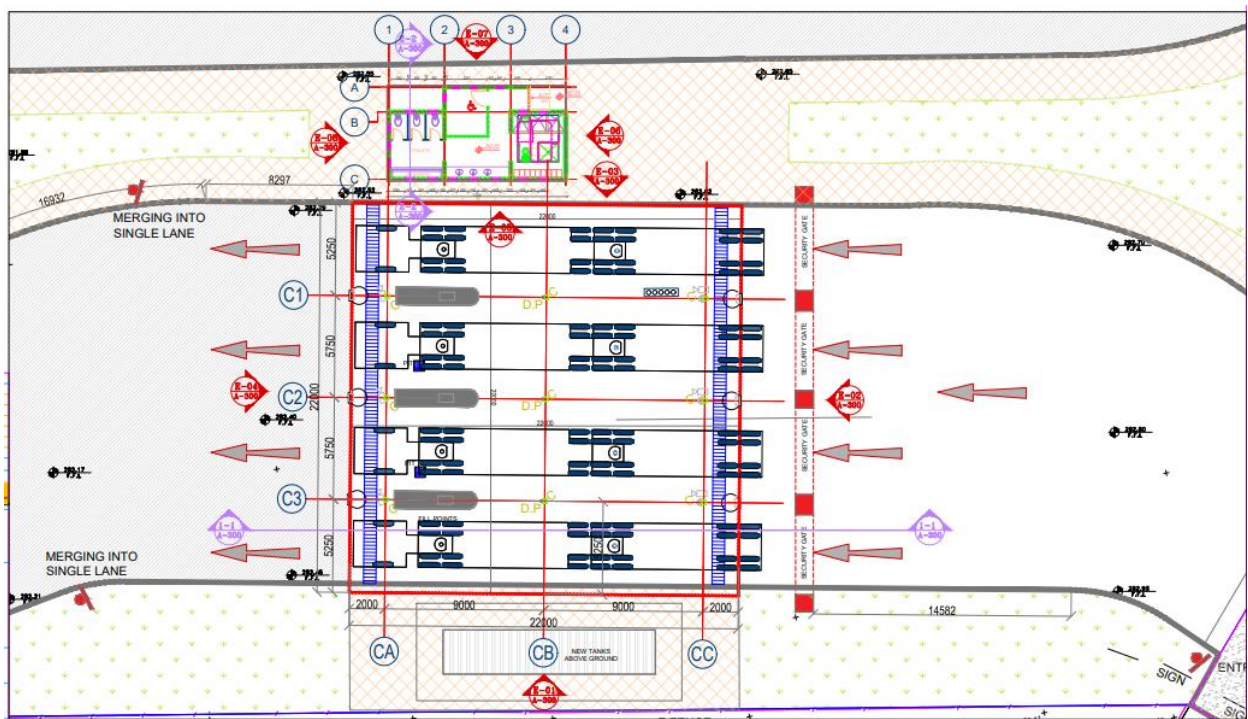


Figure 12: Proposed plan - METRO Petroleum

6. STATUTORY CONTROLS AND CONSIDERATIONS

6.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The following section provides the assessment of the matters of relevance referred to in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended) assessed in ranks from State Environmental Planning Policy, Greater Hume Environmental Plan 2012, and the Greater Hume Development Control Plan 2013.

6.1.1 Section 4.46 of EP&A Act – Integrated Development

Section 4.46 of the EP&A Act defines ‘integrated development’ as matters that require consent from the consent authority and one or more authorities under related legislation. In these circumstances, prior to granting consent, the consent authority must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development, pursuant to Clause 42 of the EP&A Regulation.

The proposed works do not trigger integrated development under any of the applicable Acts pursuant to Section 4.46 of the EP&A Act.

6.2 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Schedule 1 of the Protection of the Environment Operations Act 1997 (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an ‘activity’ for the purposes of the POEO Act is:

“an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal).” Clause 9 Chemical Storage of Schedule 1 identifies criteria for petroleum products storage.

The petroleum products storage is being above ground would not warrant the requirement of an Environment Protection Licence (EPL).

A review of the proposed plans and proposed site operations relevant to the diesel tank storage indicates that there are no processes that would result in the manufacture, production or transfer of materials in a form that may result in the release of bulk materials at the subject site. Hence, an EPL would not be required for the diesel at this site.

There are no other thresholds under Schedule 1 that would require the proposed development to obtain an Environment Protection Licence under the POEO Act. Therefore, further consideration is not necessary.

6.3 STATE ENVIRONMENTAL PLANNING POLICY NO.55 – REMEDIATION OF LAND

SEPP 55 applies to the site and seeks to ensure that the site is suitable for the proposed development. The site has been used for over the years for petrol service station purposes.

The original approval has satisfied the suitability of the site for a petrol station. The proposed redevelopment is supported by investigation and assessment undertaken by NEO Consulting and found the site is suitable for the proposed development. These reports are attached to this application in support of the proposed redevelopment.

6.4 STATE ENVIRONMENTAL PLANNING POLICY NO.33 (HAZARDOUS AND OFFENSIVE DEVELOPMENT)

The State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) contains planning provisions relating to:

- *land use planning within the coastal zone, in a manner consistent with the objects of the Coastal Management Act 2016.*
- *management of hazardous and offensive development.*
- *remediation of contaminated land and to minimise the risk of harm. In relation to the subject site, the following matters are highlighted.*

In determining whether the proposed storage of DGs at the subject site could meet the threshold definitions of potentially offensive or potential hazardous development, an initial screening was undertaken as per an initial screening was undertaken as per the Hazardous and Offensive Development Application Guidelines: Applying SEPP 33 (Applying SEPP 33).

With respect to whether the proposed development constitutes potentially hazardous development, a Diesel Tank SEPP 33 Assessment has been prepared by NEO Consulting.

Chapter 4 – Remediation of Land

NEO Consulting provides an assessment of the soil and groundwater beneath the site to evaluate the current contamination status. Historically the site operated as a fuel service station so petroleum-derived contamination may be present on site through the historical storage, refilling and dispensing on petroleum products. The intended future use for the site is to operate as a fuel service station, and the proposed plans are to re-build for operation.

A site inspection was undertaken on 18th January 2024. NEO Consulting undertook a site investigation to assess the potential contamination on-site from current and/or historical activities.

The assessment was undertaken of the soil and groundwater beneath the site to evaluate the current contamination status. Historically the site operated as a fuel service station so petroleum-derived contamination may be present on site through the historical storage, refilling and dispensing on petroleum products. The intended future use for the site is to operate as a fuel service station, and the proposed plans are to re-build for operation. However, if contamination is present on site, remedial action will be required.

NEO Consulting concludes in its assessment that the site can be made suitable for continued use as a service station (following site re-build), providing the recommendations within Section 15 of its report are undertaken.

6.5 GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 (GHLEP)

The subject site is currently zoned RU1 Primary Production under the Greater Hume Local Environmental Plan (GHLEP) 2012. A proposed service station is a permissible form of developments within RU1 Zone via highway service centre definition.

The proposal has achieved the zone objectives as follows:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To maintain the rural landscape character of the land.*

Comment: The proposed redevelopment of the service station site will continue to support the use as a service station and providing needs for heavy rigid vehicles and its drivers, appropriately located on the site.

The proposal will not cause any threat or negative impact to neighbouring land uses. The proposed new design and built form of the service station is fitting in its use and its character and maintain the and livelihood for better amenity for the trucks and its drivers.

The proposed development is found to achieve the zone objectives of the site.

6.6 GREATER HUME DEVELOPMENT CONTROL PLAN 2013 (GHDCP 2013)

The relevant provisions of the GHDCP 2013, have been considered and assesses on the proposal. An assessment compliance with Chapters 4 of the Greater Hume Development Control Plan (GHDCP) 2013 is applicable and assessed on the proposed development.

Chapter 4 – Commercial Development

The overall purpose of the controls in this chapter is to ensure high quality future commercial development within the towns and villages. The controls also seek to ensure the ongoing growth and development of the

preferred commercial centres within the Shire. The following clauses are addressed as follows:

4.1 Location

The proposed redevelopment of the service station is at a location suitable for a service station providing refuelling for heavy rigid vehicles and its drivers with associated amenities which are services that are necessary and appropriate.

4.2 Appearance & design

The proposed redevelopment for a service station provides a continuance use of the site with a positive contribution to the existing character and streetscape of Sydney Road, Holbrook. The use will encourage and promote the commercial activity in the area that is found to be consistent in terms of building bulk, height, setbacks, signage and its building design.

4.3 Landscaping

Trees and landscaping along the car parking areas are provided and appropriate for the proposed land use.

4.5 Signage

The proposed signage is found appropriate for the proposed service station, its use and continuing management of the site as a type of commercial activity being undertaken.

The proposed scale of the signage will not dominate the building facade or street frontage and will not be a hazard for pedestrians or motorists.

4.6 Parking

The DCP requires the following for service stations: The sum total of:

- 6 spaces per work bay, plus
- 5 spaces per 100m² GFA of convenience store

A parking rate of 3 parking spaces per fuelling station has been applied. The proposed development, which has 4 heavy vehicle refuelling stations, would therefore require a minimum of twelve (12) on-site heavy vehicle parking spaces.

A total of thirteen (13) on-site heavy vehicle parking spaces have been provided, which allows for one (1) additional space.

The existing access driveway to the eastern corner of the site, located in Sydney Road, is to be reinstated and have a width 16.7 metres, providing an entry only access point into the site. Entry access restrictions will be enforced by proposed signage and line-marked directional arrows.

The proposed access driveway located in Pinnabar Road is to be 10 metres in width and provide an exit only access point out of the site. Exit access restrictions will be enforced by proposed signage and line-marked directional arrows.

These are adequate for access driveways in accordance with AS2890.2:2018 for a maximum B-Double truck access. These access driveways are to provide one-way vehicular movements, without causing delays or congestion to traffic on the street.

It is important to note that, unlike the Ampol Foodary Service Station, the proposed unmanned refuelling facility will not have a convenience store, café, restaurant, or laundry facility. It will only offer additional toilets and showers, which are intended for short-term use. Therefore, the proposed on-site parking provision is deemed adequate for this type of development, considering the reduced incentive for customers to stay longer due to the limited facilities provided.

The proposed redevelopment of the service station under operation by METRO Petroleum has been assessed and has demonstrated that the proposed development achieves the controls and continues to maintain an appropriate land use as a service in its built form and density with its impacts well contained on the site.

7. SECTION 79C EVALUATION

Section 79C(1)(b) – Likely Impact of the Development

Context & setting

The proposed development will maintain the bulk and scale of the Metro Petroleum. The proposal will continue to positively contribute to the site and its use, and not displacing existing uses in the locality.

The proposed fuel tank is located internally to the site, screened from the public realm with existing landscaping along the site. Accordingly, the proposal is considered appropriate regarding the context and setting of the subject site.

Social impact in the locality

The proposal would not adversely impact on the social cohesion of the industrial community. No issues have been identified in the running of the current petrol station. The proposal does not create or encourage social displacement, or any impact on socio-economic groups and the disadvantaged.

Economic impact in the locality

The proposal will continue to provide employment for the construction of the site and ongoing management of the service station. The proposal is not considered likely to have any adverse impact on property values.

Site design

The proposed development provides an appropriate suitable built form, scale and design that is sensitive to the local environmental conditions.

The building works will comply with the provisions of the Building Code of Australia (BCA).

Cumulative impacts

No cumulative impacts have been identified. Minor local inconvenience may occur during redevelopment phase but will be managed through consent conditions.

Section 79C(1)(c) – The Suitability of the Site for the Development

Does the proposal fit in the locality?

The proposed redevelopment to the unused petrol station will continue the use as a petrol service station, therefore continues to maintain its fitting in the zone and the locality.

Are the site attributes conducive to development?

The site is not subject to any natural hazard. The size and shape of the subject site is conducive to development. The proximity of the site to the nearby various facilities will assist these facilities remain viable. The site does not possess any critical habitats or threatened species. The site is not agricultural land and is not affected by mineral or extractive resources.

Section 79C(1)(d) - Any Submissions made in Accordance with this Act or the Regulations

No public submissions or submissions from public authorities have been made.

Section 79C(1)(c) - The Public Interest

The proposed development is in the community interests and public interest

8. CONCLUSION AND RECOMMENDATIONS

This SEE has achieved its purpose to present the proposed redevelopment of the service station at 153 Sydney Road, Holbrook and assess its potential impacts having regards to Section 4.15(1) of the EP&A Act.

The proposed development will facilitate the redevelopment of the subject site by METRO Petroleum.

The proposal has been prepared after taking into consideration the following key issues:

- The development history of the site;
- The context of the site and locality;
- The relevant heads of consideration under Section 4.15(1) of the EP&A Act; and
- The aims, objectives and provisions of the relevant statutory and non-statutory planning instruments.

The proposal is considered to warrant a favourable determination for the following reasons:

- There are no undue amenity impacts associated with the proposal.
- The proposed development does not involve the storage of potentially hazardous DGs on the subject site.
- Therefore, the proposed storage of DGs at the subject site is acceptable, should the recommendations of the SEPP 33 Report be satisfied.
- The proposal does not result in adverse traffic and parking impacts on the subject site.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this SEE, the matters for consideration under Section 4.15(1) of the EP&A Act have been satisfactorily addressed.

The proposal is found compatible with the existing and future character of the local area in the assessment of both sides of the street and is in keeping with the streetscape bulk and scale within the immediate visual catchment.

The proposed bulk and scale and design, continues to maintain the amenity for the site, car parking maneuverability and maintains safety for truck movements and drivers' movement.

The proposed redevelopment will continue its roles as a petrol service station, and it will not displace the existing streetscape of the site and the locality.

The development complies with the objectives and controls of the GHLEP 2012 and the GHDCP 2013 development control plan. The proposed development satisfies the planning objectives of the statutory and non-statutory planning controls which apply to the site and is therefore considered acceptable.

Additionally, the proposed development will in no way impact on the public interest nor result in any adverse impacts on the locality.

In light of the merits of the proposed development and in absence of any significant environmental impact, the proposed development warrants support by Greater Hume Council subject to appropriate conditions

9. REPORT LIMITATIONS AND EXCLUSIONS

The limitations and exclusions of this report are as follows:

The plans (provided by the applicant) are assessed indicatively to the extent necessary to proceed to a stage whereby assessment will be undertaken pursuant to Part 4A of the Environmental Planning and Assessment Act 1979. This means that the design has been assessed against the relevant Council and other local and state planning policies (submitted plans are required to be consistent with the BCA).

Note: The State and local Planning policies reviewed for this report are those in force (on the NSW legislation website and declared current on the relevant local council's website) at the date of the report.

- This Report does not address issues in relation to the following:
 - The structural adequacy of the building.
 - Environmental Planning and Assessment Act and Regulations (unless specifically referred to).
 - Local Government Act and Regulations (unless specifically referred to)
 - Occupational Health and Safety Act and Regulations.
 - Work Cover Authority requirements.
 - Requirements of other Regulatory Authorities including, but not limited to, Telstra, Sydney Water, Electricity Supply Authority, RTA, Council and the like.
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