STATEMENT OF ENVIRONMENTAL EFFECTS

IOR – HAY

DEVELOPMENT APPLICATION FOR SERVICE STATION (UNMANNED TRUCK REFUELLING FACILITY)

Project Group

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PROJECT MANAGERS | PLANNERS | DESIGNERS | ENGINEERS

STATEMENT OF ENVIRONMENTAL EFFECTS

IOR – Hay

Development Application for Service Station (Unmanned Truck Refuelling Facility)

CLIENT: IOR Pty Ltd (IOR)

ADDRESS: 310 Moama Street, Hay South NSW 2711

TFA REFERENCE: 19297

TFA CONTACT: Damien Mackay

Document Control

REVISION	DATE	PREPARED BY	REVIEWED BY	COMMENTS
A	20 Dec 2024	C. Kong	D. Mackay	Final

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TfA Project Group

BRISBANE (HEAD OFFICE)
166 Knapp Street
Fortitude Valley QLD 4006
H/O Phone: +61 7 3854 2900
Fax: +61 7 3854 2999

SYDNEY
Suite 706
247 Coward Street
Mascot NSW 2020
NSW Phone: +61 2 8814 5219
Australia Wide: 1300 794 300

MELBOURNE
Suite 125
757 Bourke Street
Docklands VIC 3008
VIC Phone: +61 3 9640 0206
Website: www.tfa.com.au

PERTH
Level 7
200 Adelaide Terrace
East Perth WA 6004
WA Phone: +61 8 6165 8855
ABN: 34 612 132 233

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EXECUTIVE SUMMARY

Applicant

Applicant Details	IOR Pty Ltd
Contact Details	C/- Damien Mackay (Senior Town Planner) TfA Project Group PO Box 2339 FORTITUDE VALLEY QLD 4006

Site

Address	310 Moama Street, Hay South NSW 2711
Site Details	Lot 2 DP1212081
Site Area	Overall Site Area – 42,054 m^2 (Approx.) Development Area – 8,271 m^2 (Approx.)
Current Land Use	Agricultural production

Proposal

Proposal Description	Proposed erection of new unmanned truck refuelling facility and with ancillary double ablutions block – 24 hours, 7 days a week
Application Type	Development Application – Permitted with Consent (Schedule 1: Additional Permitted Use)

Local Government

Determining Authority	Hay Shire Council
LEP Instrument	*Hay Local Environmental Plan 2011*
Zone	RU1 – Primary production

State Government

SEPPs	• Transport and Infrastructure • Resilience and Hazards • Industry and Employment

1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by TfA Project Group on behalf of IOR Pty Ltd (the Applicant).

The development application is made over land located at 310 Moama Street, Hay South NSW 2711, formally described as Lot 2 DP1212081.

The application seeks approval for an unmanned truck refuelling facility (service station) development with in-built refuelling dispensers and oily water drainage system as well as a standalone double ablutions block. The unmanned truck refuelling facility will have the main function of refuelling of heavy vehicles via pre-paid card arrangement for customers and is proposed to operate 24 hours per day, seven days per week.

This report, which is submitted in support of the application, provides details of the proposed development and addresses relevant planning, design, engineering and environmental matters associated with the proposal. The application is accompanied by the following consultant reports / documentation:

- **Appendix A:** Title Search
- **Appendix B:** Development Application Drawings, prepared by IOR
- **Appendix C:** Building Drawings, prepared by ATCO
- **Appendix D:** Signage Drawings, prepared by emsigns
- **Appendix E:** Stormwater and Oily Water Management Statement, prepared by TFA
- **Appendix F**: Traffic Impact Assessment Report, prepared by TTPP
- **Appendix G**: PSI Report, prepared by McMahon Earth Science
- **Appendix H**: Site Survey, prepared by PHL

To assist in Council's determination of the development application, this SEE covers the following matters:

- **Section 2:** a site description including site characteristics and the context of the surrounding area;
- **Section 3:** a description of the proposed development;
- **Section 4:** an assessment of the proposed development against the relevant planning provisions; and
- **Section 5:** an environmental assessment of the proposed development.

2.0 THE SITE

2.1 Site Description

The overall allotment is located at 310 Moama Street, Hay South NSW 2711 and is formally described as Lot 2 DP1212081. The site is approximately 42,055m2 in area and is relatively flat in nature. The site currently supports agricultural production activities (vineyard). The site is located in the Hay Shire Council local government area (LGA).

The subject area of the overall allotment which will accommodate the proposed unmanned refuelling facility, hereon referred as 'the subject site' has a proposed area size of approximately 8,271 m^2. The subject site will be located at the northern end of the overall allotment. The subject site has frontages of approximately 200m on Moama Street and 240m on University Road. The site is currently accessed via University Road and Moama Street (which forms part of the Sturt Highway) has a speed limit of 60kmph, and University Road has a speed limit of 80kmph.

Figure 1 below provides an aerial view of the site and Figure 2 overleaf provide a street view of the site from Moama Street and University Road intersection.

Figure 1: Aerial View – Overall site highlighted in red (Source: Nearmap)

Figure 2: Aerial View – Development area highlighted (Source: Nearmap)

Figure 3: Southeastern view of site from the Moama Street and University Road intersection (Source: Google)

2.2 Surrounding Uses

The subject site adjoins Moama Street (the Sturt Highway) immediately to the north. The site is surrounded by agricultural production uses to the south, east, and west. These areas are zoned RU1 (Primary Production).

Residential land uses zoned RU5 (Village) are located on the opposite side of Moama Street to the north of the site. The nearest residential use is approximately 100 metres to the north of the subject site (located on Miller Street).

Figure 4 overleaf depicts the location of the surrounding land uses.

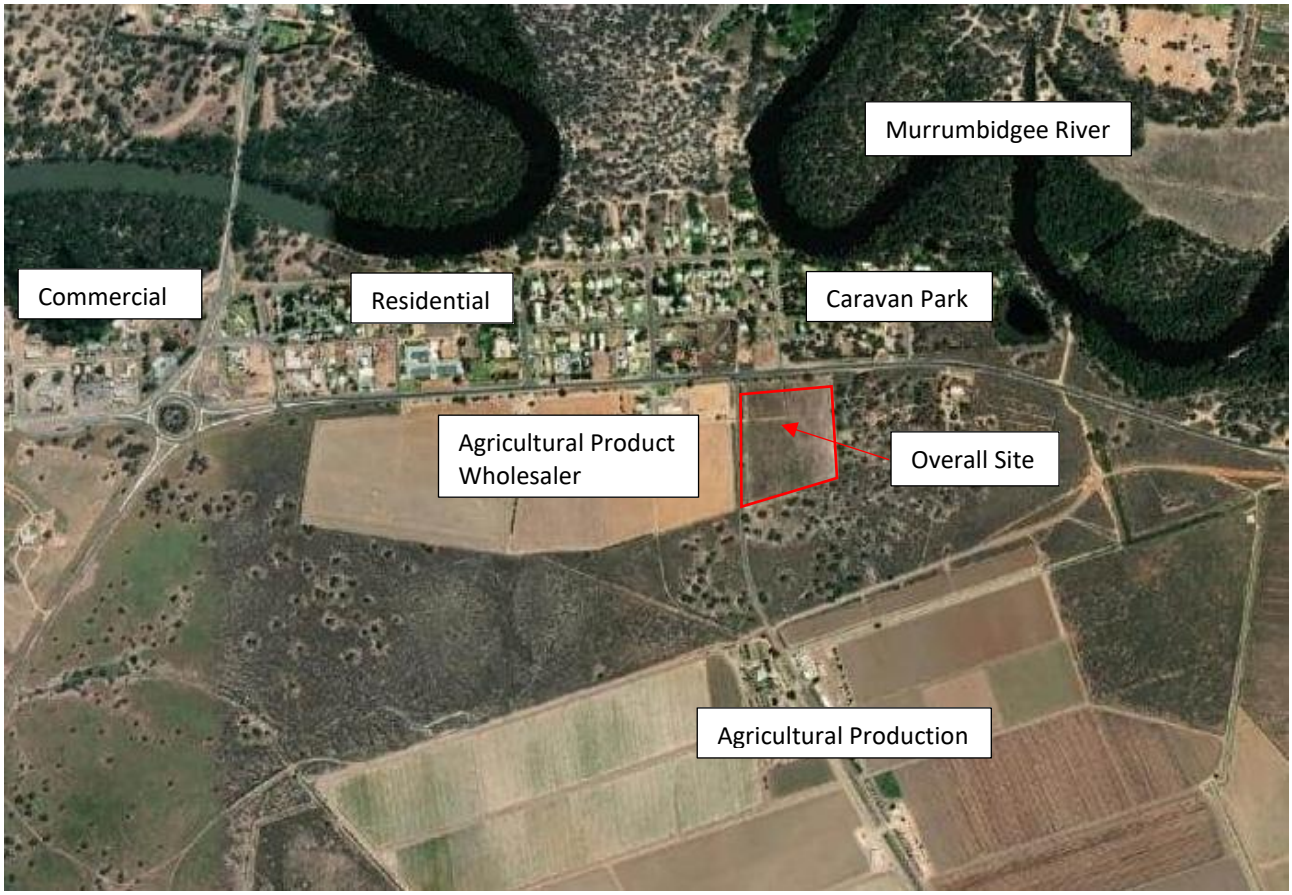

Figure 4: Surrounding Land Uses (Source: Nearmap/Google)

3.0 PROPOSED DEVELOPMENT

3.1 Description of the Proposal

This development application seeks planning approval for the proposed unmanned truck refuelling facility (service station) over the site. The facility operates 24 hours per day, seven days per week and payment of fuel can be made via swipe card technology. All drawings of the proposal are attached in **Appendix B** of this application.

The facility involves the following main features:

- One (1) x 80kL / 15kL aboveground, doubled-walled, self-bunded, combination tank for the storage of diesel (combustible and non-flammable) and AdBlue product (non-combustible / non-flammable);
    - 80,000L diesel fuel;
    - 15,000L AdBlue product;
        - AdBlue is a diesel exhaust fluid used in modern trucks to reduce oxides / nitrogen levels;
- In-built fuel dispensing equipment located at the front of the tank;
- Two (2) x concrete fuel dispensing areas;
- One (1) x future concrete fuel dispensing area and future sealed surface;
- Stormwater runoff and any spillage that may occur during the dispensing of fuel will be captured and directed to an Enviro OE30 full retention oily water separator via underground pipe network for hydrocarbon removal;
- Standalone double ablutions block providing toilet and shower facilities for truck drivers;
- Nominal 215m2 dispersal area for treated water from the double ablutions block via the on-site water treatment system;
- Site access and on-site manoeuvrability will cater for 36.5m B-triples being the largest anticipated heavy vehicle accessing the site;
- Truck manoeuvring areas and crossovers to be of a bitumen seal surface;
- Site access to be gained via ingress only / egress only vehicle crossover points located along the University Road frontage;
- Proposed 2m wide (approx.) landscaping strip along the subject site frontage to University Road;
- Proposed University Road and Moama Street intersection upgrade to allow for largest anticipated vehicles;
- Erection of 2x small entry / 2 x exit signs close to the proposed access points;
- Erection of wall signs on the proposed aboveground tank; and
- 24 hours / 7 days per week operation.

Refer to the DA drawings in **Appendix B** of this report and Figure 5 below for a plan extract.

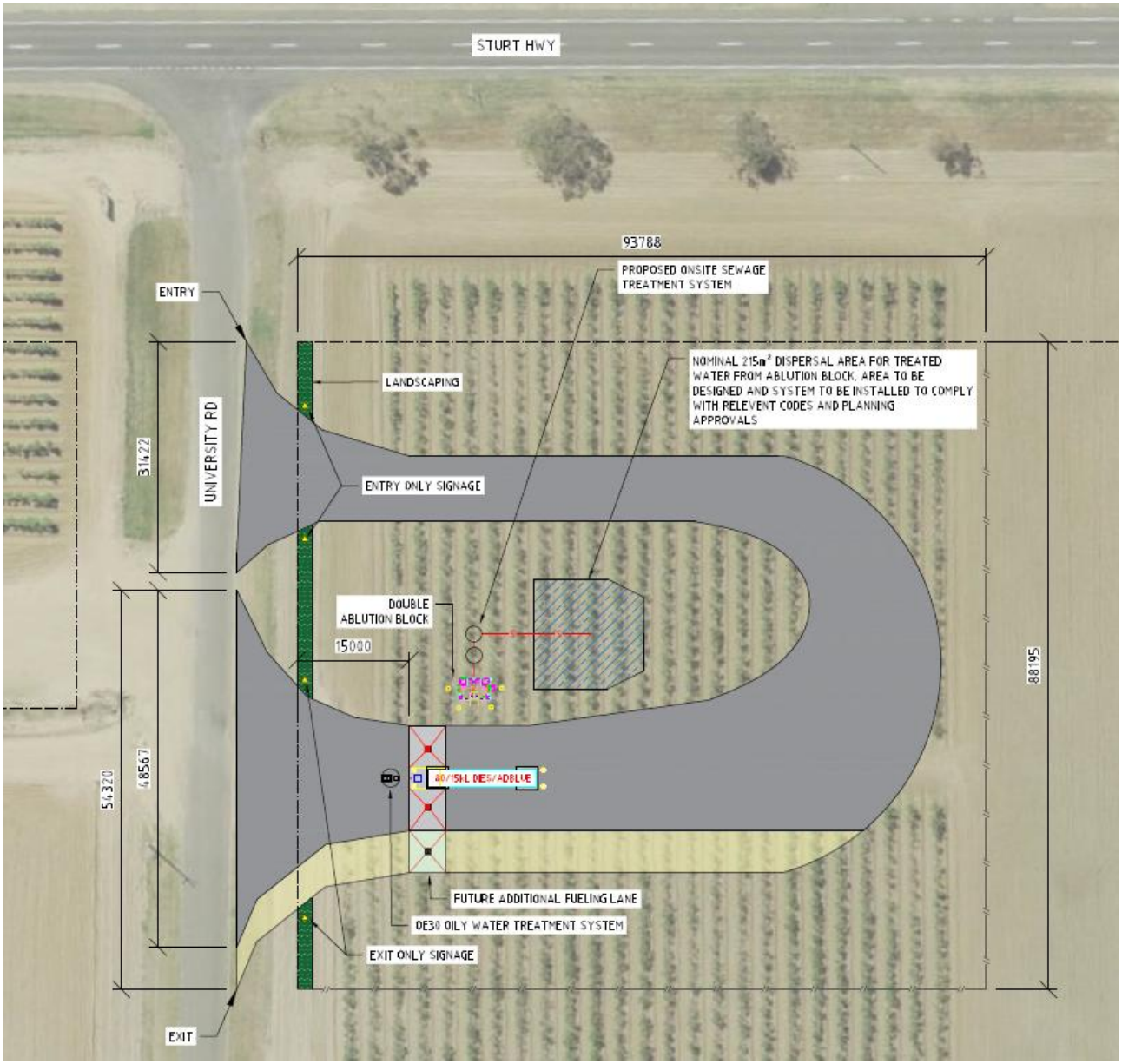

Figure 5: Extract of the proposed site plan (Source: IOR)

3.1.1 Access and Site Queuing

Vehicular access to the site will be via separate ingress / egress vehicle cross-over points located along the University Road frontage. These new crossover / driveways have been sized accordingly based on the required swept path of the largest anticipated vehicle to enter the site (a 36.5m long B-triple).

The proposed development is expected to generate an average of four vehicles per hour, which is minimal and is not anticipated to have any adverse impact on the surrounding road network.

Sufficient Safe Intersection Sight Distance is available at the intersection of Moama Street/ University Road between vehicles exiting the site via University Road and vehicles traveling eastbound and westbound along Moama Street.

The purpose of the turning paths drawing in **Appendix B** is to illustrate how the largest anticipated vehicle (a B-double) can safely access, manoeuvre throughout and exit the site in a forward gear. Further, the turning paths drawing in **Appendix B** indicates that the facility can accommodate up to two heavy vehicles refuelling at any one time.

The existing road network and site dimensions (site frontage and depth) of the proposed facility within the site, are considered to be sufficient for the scale and nature of the intended use without compromising the safety and function of the surrounding road network. There have been no crashes recorded in the most recent five years in the immediate vicinity of the site.

For further details, refer to the traffic impact assessment report prepared by TTPP in **Appendix F**.

3.1.2 Tank Storage

The proposed development includes one (1) x above-ground, double-walled, self-bunded split tank. The tank will hold a total volume of 80,000L (approx.) of diesel fuel (combustible) and 15,000L (approx.) of AdBlue product (non-combustible / non-flammable) used for refuelling / fuel unloading purposes. Dispensers will be in-built into the front of the combination tank as shown on the relevant elevation drawings.

The tank is manufactured to comply with Australian Standard AS1692 (Steel tanks for flammable and combustible liquids) and once installed, will comply with Australian Standard AS1940 (The storage and handling of flammable and combustible liquids).

3.1.3 Stormwater and Oily Water Management

Dispensing of fuel for the trucks will occur in concrete bunded areas. Stormwater runoff and any spillage that may occur during the dispensing of fuel will be captured by grated gully pits located at the centre of the bunded areas and directed to an Enviro OE30 full retention oily water separator via underground pipe network for hydrocarbon removal. This unit is compliant with the requirements of EN-858-1 “Class 1” oil/water separators. Treated water from the Enviro OE30 unit will be then discharged to the site’s stormwater network.

The Enviro OE30 device is a fully integrated in-line device capable of removing pollutants including oils from run-off. The internal surface can be inspected and washed as required, whilst screens can be removed and cleaned if and as required.

The OE30 will be fitted with an oil alert probe for oil spill detection and maintenance monitoring which includes an alarm panel for remote mounting. The alarm is triggered when hydrocarbon build-up accumulates, allowing the removal by a licensed contractor when required. Under normal operation, the Enviro OE30 unit will discharge treated stormwater with a total petroleum hydrocarbons (TPH) content below 5ppm (mg/L).

Stormwater surface runoff from the balance of the site will be directed into the existing network of channels within the verge of University Road (western boundary) and Sturt Highway (northern boundary). Runoff from the northern and eastern boundaries of the site will flow as sheet flow towards the western boundary, where it will be conveyed to the verge of University Road and collected by table drains. Treated water from the oily-water separator will also be discharged into the existing table drain within the verge of University Road.

A landscape buffer strip will be provided along the street frontage of University Road to aid with the removal of nutrients and suspended solids present in the stormwater runoff.

For further information, refer to the typical interceptor section detail drawing in **Appendix B** and Oily Water Management Statement in **Appendix E**.

3.1.4 Outdoor Lighting

The development will be in accordance with AS4282 Control of Obstructive Effects of Outdoor Lighting where applicable.

3.1.5 Double Ablutions Block

A 4.2m x 3m (3m in height) ‘unisex’ standalone double ablution block is proposed on site. This double ablution block will comprise of two toilets and two shower facilities. Access to the ablutions block will be via swipe card / key-tag and pre-arranged with the fuel provider like that of the use of the unmanned fuel facility.

The ablutions block will be connected to the proposed onsite sewage treatment system. The ablutions block and treatment system will be designed and installed to comply with the relevant codes and approvals.

The details of the ablutions block, including its location on the site and relevant layout / elevations, are included in the proposed site layout drawings in **Appendix B** and ablutions building drawings in **Appendix C**.

3.1.6 Intersection Upgrade

It is proposed to provide a BAL and BAR treatment for the Moama Street / University Road intersection, which will comply with the Austroads requirements. The intersection upgrade will be designed for the largest anticipated vehicle (a B-Triple).

For further details, refer to the conceptual road upgrade civil drawings attached to the traffic report prepared by TTPP in **Appendix F**.

4.0 STATUTORY CONTEXT

4.1 Environmental Planning & Assessment Act 1979 (EP&A Act)

Section 4.2 of the EP&A Act states that if an environmental planning instrument specifies development may not be carried out except with development consent, consent must be obtained from a consent authority under Part 4 of the Act. Clause 2.3 and the associated Land Use Table of the *Hay Local Environmental Plan 2011* (the HLEP) requires the proposed use to obtain development consent (see Section 4.2). The consent authority for the purpose of the HLEP is Hay Shire Council (Council).

Section 4.15 of the EP&A Act outlines the matters which need to be considered by the consent authority when determining a development application under Part 4. This SEE has been prepared in accordance with and considered all relevant provisions of Section 4.15.

4.2 Hay Local Environmental Plan 2011

The HLEP makes local environmental planning provisions for land within the Hay Shire Council LGA (Council). Council is the consent authority for the purposes of the HLEP.

4.2.1 Site Zoning

Under the HLEP, the subject site is zoned RU1 (Primary production). Refer Figure 6 below.

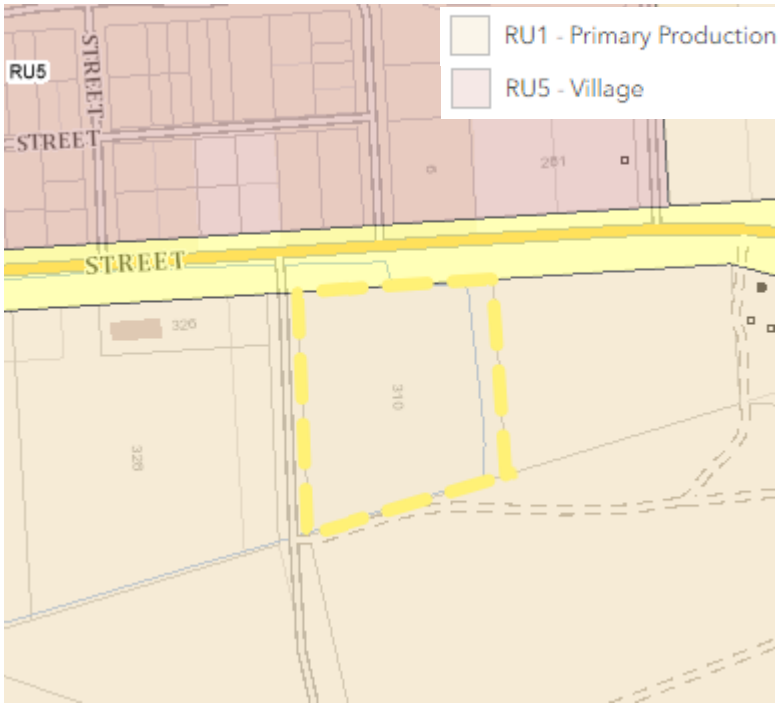

Figure 6: Zoning Map – subject site bound in yellow (Source: NSW Planning)

4.2.1.1 Objectives

The objectives of the RU1 (Primary Production) zone are:

- *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.*

The use of the site for the purposes of an unmanned refuelling facility (service station) is consistent with the objectives of the zone. There will be minimal adverse impact on nearby land uses and the unmanned truck refuelling facility provides a convenient service for workers in the area to refuel.

4.2.1.2 Permissibility

Under the HLEP 'service station' is defined as:

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 site is zoned RU1 (Primary Production) under *Hay Local Environmental Plan 2011* (the Hay LEP). The land use table for the RU1 zone lists development as prohibited development. The land use table for the RU1 zone in the Hay Shire Council LGA is shown below:

> ***2 Permitted without consent***
>
> *Environmental protection works; Extensive agriculture; Home-based child care; Home occupations; Roads; Water reticulation systems*
>
> ***3 Permitted with consent***
>
> *Agritourism; Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Depots; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Helipads; Home businesses; Home industries; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Roadside stalls; Rural industries; Rural workers' dwellings; Veterinary hospitals; Water recreation structures; Water supply systems*
>
> ***4 Prohibited***
>
> *Any development not specified in item 2 or 3*

However, the Hay LEP gives provision under Clause 2.5 for an additional permitted use for a particular piece of land:

> ***2.5 Additional permitted uses for particular land***
>
> *1) Development on particular land that is described or referred to in Schedule 1 may be carried out—*
> *(a) with development consent, or*
> *(b) if the Schedule so provides—without development consent,*
> *in accordance with the conditions (if any) specified in that Schedule in relation to that development.*
> *2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.*

While service stations are listed as prohibited under the RU1 zone, the site is listed as containing Additional Permitted Uses under Schedule 1 of the Hay LEP as follows:

1 Use of land at Moama Street, Hay South

3) This clause applies to Lot 2, DP 1212081, 310 Moama Street, Hay South.
4) Development for the purposes of service stations is permitted with development consent.

Thereby, the proposed unmanned truck refuelling facility (service stations) will be permitted with consent pursuant to the Additional Permitted Uses under Schedule 1 of the Hay LEP

4.2.2 Minimum Lot Size

The subject site is not identified on the LEP's Minimum Lot Size map as having a particular minimum lot size.

4.2.3 Building Height

The site is not identified on Council's Maximum Building Height mapping as having a maximum building height.

4.2.4 Heritage

The subject site is not identified on the LEP's heritage map as being located within heritage listed land.

4.2.5 Bushfire Prone Land

The overall site is located within a vegetation buffer category of mapped bushfire prone land as shown in Figure 7 below. The development footprint for the aboveground Diesel/AdBlue double-wall fuel tank is considered to be wholly located outside the bushfire buffer area. Additionally, the proposed development will comply with the bushfire management regulations as necessary.

Figure 7: Bushfire Prone Land – subject site bound in red (Source: NSW Gov)

4.2.6 Flood

The subject site is located within proximity of a flood line to the east of the site. The proposed aboveground tank is designed with and internal bund and will be secured to the concrete apron slab. As mentioned above, the proposed tanks will be considered outside of the mapped flood line and will not create risk to human life or the environment, as shown in Figure 8 below. Additionally, the proposed ablution block building will be above the 1 in 100 flood level as required.

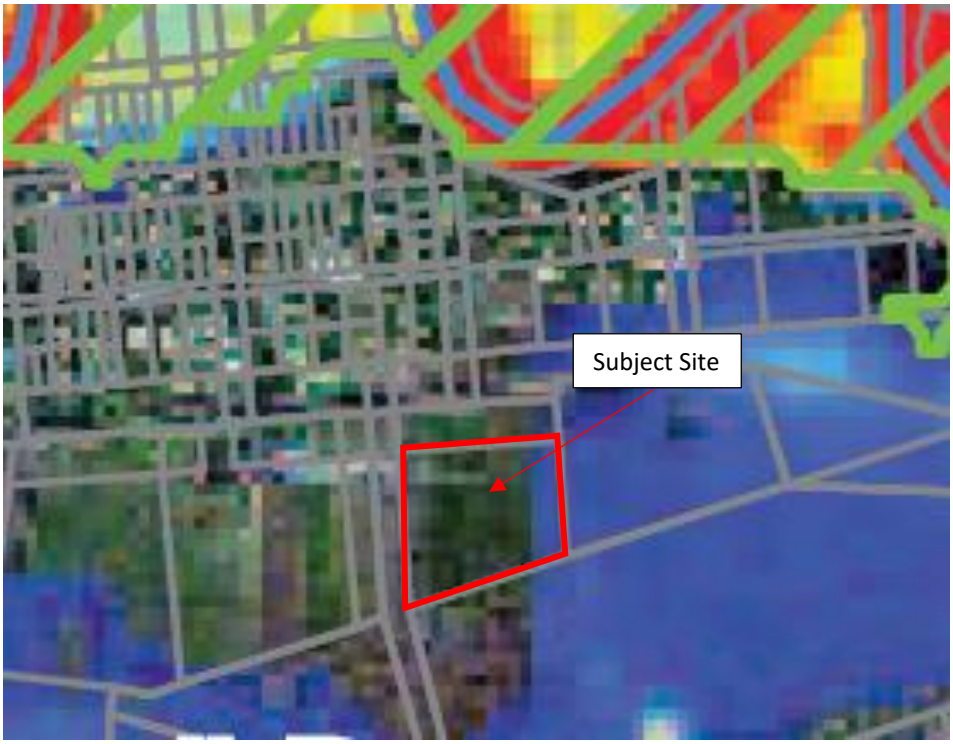

Figure 8: Flood extent – subject site bound in red (Source: NSW Gov)

4.3 Hay Local Strategic Planning Statement (LSPS)

The Hay LSPS has identified the site and wider area for future industrial zoning. The LSPS states that:

As such suitable zonings can be proposed for the Highway interfaces, which can include:

- *IN1 General Industrial, which includes the following potential uses as permitted with consent: Community facilities; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Highway service centres; Industries; Industrial retail outlets; Light industries; Neighbourhood shops; Research stations; Rural industries; Rural supplies; Service stations; Take away food and drink premises; Transport depots; Truck depots; Warehouse or distribution centres; Wholesale supplies.*

  and

  Expanding the Industrial Zones around the Highway interfaces provide opportunities for industrial as well as commercial uses. Industrial Zones will also help provide opportunities in the agricultural supply chain for the region, i.e packing, agricultural supplies, and agricultural services, as well as encourage agribusiness diversification.

Figure 9: Extract from Hay LSPS – Site highlighted in blue (Source: HSC)

The proposed development is considered to in line with the Hay LSPS given the nature of the proposed unmanned truck refuelling facility.

4.4 Hay Structure Plan

The Hay Structure Plan gives further detail on the strategic direction given in the Hay LSPS. The subject site for the proposed development application (unmanned truck refuelling facility) is earmarked for industrial development, as can be seen in the extract below.

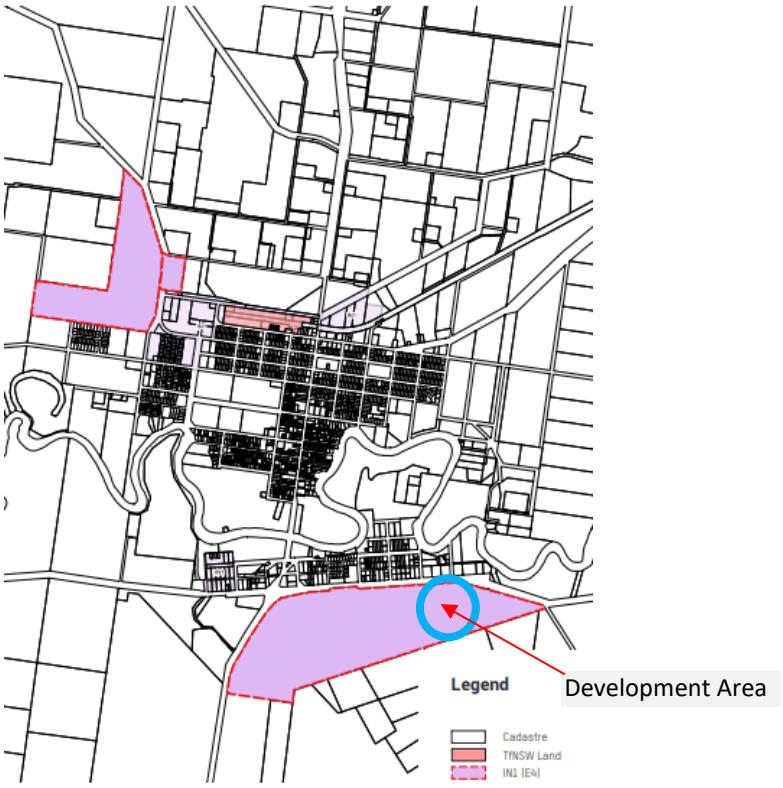

Figure 10: Extract from Hay Structure Plan – Site highlighted in blue (Source: HSC)

The proposed development is considered to be in line with the Hay Structure Plan accordingly.

4.5 State Environmental Planning Policy (Resilience and Hazards) 2021

4.5.1 Hazardous and Offensive Development

Chapter 3 of State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) applies to applications which fall under the policy's definition of 'potentially hazardous industry' or 'potentially offensive industry'. The subject application seeks approval for:

- One (1) x 80kL / 15kL above-ground, self-bunded tank for the storage of diesel (combustible and non-flammable) and AdBlue product (non-combustible / non-flammable);
    - Diesel tank 80,000L;
    - AdBlue tank 15,000L;
        - AdBlue is a diesel exhaust fluid used in modern trucks to reduce oxides / nitrogen levels.

A review of the former 'Applying SEPP33' (Jan 2011) guideline document prepared by the State government provides the following key points:

- Section 2.1 (page 3) of the guideline suggests that a hazardous storage establishment is included in the definition of 'potentially hazardous industry'.
- Section 7.1 (page 16) of the guideline states that *"If combustible liquids of class C1 are present on site and are stored in a separate bund or within a storage area where there are no flammable materials stored, they are not considered to be potentially hazardous. If, however, they are stored with other flammable liquids, that is, class 3PGI, II or III, then they are to be treated as class 3PGIII, because under these circumstances they may contribute fuel to a fire."*

In this instance it is considered that the former SEPP33, now SEPP (Resilience and Hazards) 2021, is not applicable as the proposed storage of diesel is not considered 'potentially hazardous".

The tank is manufactured to comply with Australian Standard AS1692 (Steel tanks for flammable and combustible liquids) and, once installed, will comply with Australian Standard AS1940 (The storage and handling of flammable and combustible liquids).

4.6 State Environmental Planning Policy (Transport and Infrastructure) 2021

The State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) comprises the environmental planning provisions associated with the regulation of infrastructure facilities and maintaining operability of transport corridors of the now superseded Infrastructure SEPP. Transport and Infrastructure SEPP comprises of Chapter 2 – Infrastructure.

For the purpose of this report, review and assessment of the provisions applied under chapter 2, associated with Infrastructure, has been undertaken for the proposed development

4.6.1 Infrastructure

Chapter 2 of the Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure throughout NSW. Namely, this chapter promotes the regulation and design of infrastructure provision and provides statutory considerations to be applied in the assessment of development application.

4.6.1.1 Traffic Generating Development

Section 2.119 of the Transport and Infrastructure SEPP applies to new development with frontage to classified road that comprises a size of scale in excess of the traffic generation thresholds outlined within schedule 3 of the SEPP. In accordance with Schedule 3, the proposed land use of 'service station' is identified as a relevant land use under this schedule. The relevant criteria for the proposed service station use are outlined with Table 1 below:

Table 1: Traffic Generating Department

Purpose of Development	Size of Capacity – Site with Access to a Road (Generally	Size or capacity—site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)
Service Station with heavy vehicle refuelling or maintenance services	Any Size or Capacity	Any Size or Capacity

In accordance with the above, given that the proposed development comprises of heavy vehicle refuelling capabilities, it is considered that referral to Transport for NSW would be warranted for this development application.

4.7 State Environmental Planning Policy (Industry and Employment) 2021

The State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP) comprises the environmental planning provisions associated with employment land in Western Sydney and the advertising devices and signage devices in all of NSW and operates as the consolidation of the now superseded Western Sydney Employment SEPP and SEPP 64. The Industry and Employment SEPP comprises of 2 parts, as outlined below:

- Chapter 2 – Western Sydney Employment Area; and
- Chapter 3 – Advertising and Signage.

For the purpose of this report, review and assessment of the provisions applied under chapter 3, associated with advertising and signage, has been undertaken for the proposed development. This assessment has been undertaken within section 4.5.1 of this report.

4.7.1 Advertisements and Signage

Chapter 3 of the Industry and Employment SEPP, addresses assessment for various forms of signage. The development application proposes the following signage:

- One (1) x tank wall sign
- Two (2) x Entry only directional signs
- Two (2) x Exit only directional signs

The proposed signage is considered suitable for the site and is consistent with signage typical of an unmanned refuelling facility (service station) development.

4.7.1.1 Part 3.2 - Signage Generally

Part 3.2 of the Industry and Employment SEPP states that a consent authority must not grant development consent for signage unless the consent authority is satisfied that the signage is consistent with both the objectives of the SEPP and the assessment criteria of Schedule 5.

The proposed signage is compatible with the visual character of the site, provides effective communications for the site (i.e. site location and information) and is of a high-quality design and finish. The proposed signage is therefore consistent with the aims and objectives of Chapter 3 – Advertising and Signage.

The following section provides an assessment of the proposed signage against Schedule 5 (Assessment Criteria) of the SEPP. Refer to the proposed site layout plan in Appendix B and proposed signage drawings provided in **Appendix D** for further details.

4.7.1.1.1 Character of the Area

- *"Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?"*

Development Response – the proposed signage is consistent with the expectations of signage for a service station (unmanned refuelling facility) use. It will be of a modern design and is not considered to appear incongruous within the context of the broader area.

4.7.1.1.2 Special Areas

- *"Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?"*

Development Response – the proposed signage will not affect the amenity of the immediate area. The site's immediate surrounding area is within the RU1 primary Production zone and the proposed signage is not considered to impact any sensitive land uses.

4.7.1.1.3 Views and Vistas

- *"Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?"*

Development Response – the proposed signage is not considered to compromise any important views or vistas given the visual context of the locality. Viewing rights of other uses will not be compromised.

4.7.1.1.4 Streetscape, setting or landscape

- *"Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?"*

Development Response – the proposed signage is considered both appropriate for the nature of the use and general context of the surroundings. Given the height and nature of the proposed signage, it is not considered to contribute to visual clutter.

4.7.1.1.5 Site and Building

- *"Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?"*

Development Response – the proposed signage is proportional to the scale and type of use proposed. It will convey important aspects to the use over the site.

4.7.1.1.6 Associated devices and logos with advertisements and advertising structures

- "Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?"

Development Response – no illumination is proposed as part of the signs.

4.7.1.1.7 Illumination

- *"Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?"*

Development Response – no illumination is proposed as part of the signs.

4.7.1.1.8 Safety

- *"Would the proposal reduce the safety for any public road?*
- *Would the proposal reduce the safety for pedestrians or bicyclists?*
- *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?"*

Development Response – the proposed signage is proportional to the scale and type of use proposed.
On balance, the proposed signage is considered to satisfy the overall intent and relevant assessment criteria of chapter 3 of the Industry and Employment SEPP.

4.7.1.2 Part 3.3 – Advertisements

Part 3.3 of the Industry and Employment SEPP applies to all signage other than 'business identification signs' and 'building identification signs. These are defined under clause 4:

> ***building identification sign*** *means a sign that identifies or names a building, and that may include the name of a business or building, the street number of a building, the nature of the business and a logo or other symbol that identifies the business, but that does not include general advertising of products, goods or services.*
> ***business identification sign*** *means a sign:*
> *(a) that indicates:*
> *(i) the name of the person, and*
> *(ii) the business carried on by the person,*
> *(iii) at the premises or place at which the sign is displayed, and*
> *(b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not include any advertising relating to a person who does not carry on business at the premises or place.*

The proposed signage is defined as business identification signage as per the above definitions. (Division 3 Particular advertisements SEPP industry) Part 3.3 of the Industry and Employment SEPP therefore does not apply to the proposed signage.

The proposed signage is considered to satisfy the overall intent and relevant assessment criteria of Chapter 3 of the Industry and Employment SEPP.

5.0 ENVIRONMENTAL ASSESSMENT

Section 4.15 of the EP&A Act sets out the matters a consent authority must take into account when assessing a development application. These include, matters relating to the likely impacts of the development on both the natural and built environments, any social and economic impacts in the locality and whether the site is suitable to the proposed development.

These matters form the key planning issues for assessment and are addressed in the table below.

Table 2: Section 4.15 – Assessment Summary

Section 4.15 Clause	Development Response

(1) (a)(i) – Provisions of any environmental planning instrument	This SEE has provided an assessment against:
	• Hay Local Environmental Plan
	• State Environmental Planning Policy (Transport and Infrastructure) 2021
	  ○ Chapter 2 - Infrastructure
	• State Environmental Planning Policy (Resilience and Hazards) 2021
	  ○ Chapter 3 – Hazardous and Offensive Development
	• State Environmental Planning Policy (Industry and Employment) 2021
	  ○ Chapter 3 – Advertising and Signage
	The proposal has been shown to comply with the provisions of the above instruments.

(1) (a)(ii) – Provisions of any draft environmental planning instrument	The proposal is considered to be in line with the Hay LSPS and Hay Structure Plan.
(1) (a)(iii) – Provisions of any development control plan	There is no development control plan applicable to the Hay LGA.
(1) (a)(iiia) – Provisions of any planning agreement	None applicable.
(1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	The proposal is consistent with the regulations applying to development applications.
(1) (b) – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	**(i) Environmental Impact** The environmental impacts of the proposal on the natural and built environment are addressed in this SEE. **(ii) Social Impact** The proposed development is not considered to have a detrimental social impact in the locality considering the size and nature of the proposal. **(iii) Economic Impact** The proposed development will not have a detrimental economic impact on the locality considering the nature and scale of the use.
(1) (c) – The suitability of the site for the development	The development site will be of an appropriate size to accommodate a use of this scale / type. The development is consistent with the zone objectives and compliant with the relevant SEPP and council controls. As such, the site is considered suitable for the proposal.

Section 4.15 Clause	Development Response
(1) (d) – Any submissions made in accordance with the EPA Act or EPA Regs	This is a matter that can be addressed following the notification of the application where necessary.
(1) (e) – The public interest	The proposal is considered to be in the public interest given the development is permitted with consent over the site pursuant to the Additional Permitted Uses under Schedule 1 of the Hay LEP and meets the zone objectives under the LEP. Further, the environmental impacts have been considered and can be appropriately mitigated accordingly.

6.0 CONCLUSION

This Statement of Environmental Effects (SEE) has been prepared by TfA Project Group on behalf of IOR Pty Ltd (the Applicant).

The application is made over land located at 310 Moama Street, Hay South NSW 2711, formally described as Lot 2 DP1212081.

The application seeks approval for an unmanned truck refuelling facility (service station) development with in-built refuelling dispensers and oily water drainage system as well as a standalone double ablutions block. The unmanned truck refuelling facility will have the main function of refuelling of heavy vehicles via pre-paid card arrangement for customers and is proposed to operate 24 hours per day, seven days per week.

The proposal has been assessed against the relevant provisions within the Hay Local Environmental Plan (HLEP) 2011 and the relevant State Environmental Planning Policies. From this assessment, the following conclusions are able to be drawn:

- The proposed use is considered to be a consistent use within the RU1 – Primary production zone;
- The proposal is considered to be well located to maximise safe and convenient access for trucks, by being located along a major road network (Sturt highway)
- The proposal is of a sufficient design / layout to allow the largest anticipated vehicles to safely enter / exit and manoeuvre across the site in a forward gear;
- All storage and operation of diesel (combustible / non-flammable) will be carried out in accordance with the relevant Australian standard (AS1940);
- The proposed method of oily water treatment in addition to the self-bunded / double-walled properties of the above-ground tanks, is considered to appropriately preserve the environmental integrity of the site;
- The proposed use will be suitably distanced from any areas of environmental value / sensitivity;
- The proposed use will incorporate best practice environmental management principles to ensure all impacts are appropriately managed on-site; and
- The application demonstrates compliance with all relevant local and State planning policies including the Hay LEP, Resilience and Hazards SEPP, and Transport and Infrastructure SEPP, and Industry & Employment SEPP.

On the basis of the above, it is considered sufficient planning grounds exist to warrant the proposal and the application is recommended for Council approval.

APPENDIX A – TITLE SEARCH

APPENDIX B – DA DRAWINGS PREPARED BY IOR

APPENDIX C – BUILDING DRAWINGS, PREPARED BY ATCO

APPENDIX D – SIGNAGE DRAWINGS, PREPARED BY EMSIGNS

APPENDIX E – STORMWATER AND OILY WATER MANAGEMENT STATEMENT, PREPARED BY TFA

APPENDIX F – TRAFFIC IMPACT ASSESSMENT REPORT, PREPARED BY TTPP

- **CONCEPTUAL ROAD UPGRADE DRAWINGS, PREPARED TFA**

APPENDIX G – PSI REPORT, PREPARED BY MCMAHON EARTH SCIENCE

APPENDIX H – SITE SURVEY, PREPARED BY PHL