

# STATEMENT OF ENVIRONMENTAL EFFECTS

INLAND PETROLEUM – COONAMBLE

DEVELOPMENT APPLICATION FOR LIQUID FUEL DEPOT



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## STATEMENT OF ENVIRONMENTAL EFFECTS

Inland Petroleum – Coonamble

Development Application for Liquid Fuel Depot

**CLIENT:** Castlyn Pty Ltd (Inland Petroleum)  
**ADDRESS:** 5-7 Quambone Road, Coonamble NSW 2829  
**TFA REFERENCE:** 21140  
**TFA CONTACT:** Jacob McRae

### Document Control

REVISION	DATE	PREPARED BY	REVIEWED BY	COMMENTS
A	28 Nov 2024	J. McRae	J. Rowell	Final

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## EXECUTIVE SUMMARY

### Applicant

<b>Applicant Details</b>	Castlyn Pty Ltd (Inland Petroleum)
<b>Contact Details</b>	C/- Jacob McRae (Town Planner) TfA Project Group PO Box 2339 Fortitude Valley QLD 4006

### Site

<b>Address</b>	5-7 Quambone Road, Coonamble NSW 2829
<b>Site Details</b>	Lot 1 DP831655
<b>Site Area</b>	3,291m <sup>2</sup> (approx.)
<b>Current Land Use</b>	Vacant land (Remediated Service Station)

### Proposal

<b>Proposal Description</b>	Development Application for Liquid Fuel Depot
<b>Application Type</b>	Development Application (Permitted with Consent)

### Local Government

<b>Determining Authority</b>	Coonamble Shire Council
<b>Local Environmental Planning Instrument</b>	<i>Coonamble Local Environmental Plan 2011</i>
<b>Zone</b>	E4 – General Industrial

### State Government

<b>SEPPs</b>	<ul style="list-style-type: none"><li>▪ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i><ul style="list-style-type: none"><li>○ <i>Chapter 2 - Infrastructure</i></li></ul></li><li>▪ <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i><ul style="list-style-type: none"><li>○ <i>Chapter 3 – Hazardous and Offensive Development</i></li><li>○ <i>Chapter 4 – Remediation of Land</i></li></ul></li><li>▪ <i>State Environmental Planning Policy (Industry and Employment) 2021</i><ul style="list-style-type: none"><li>○ <i>Chapter 3 – Advertising and Signage</i></li></ul></li></ul>
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## 1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by TfA Project Group on behalf of Castlyn Pty Ltd (the Applicant). The application is made over land located at 5-7 Quambone Road, Coonamble NSW 2829, formally described as Lot 1 DP831655. The application seeks approval for the construction of a Liquid Fuel Depot.

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:** Site Survey, prepared by Western Surveys.
- **Appendix C:** Development Application Drawings, prepared by TfA Project Group.
- **Appendix D:** Site Based Stormwater Management Plan, prepared by TfA Project Group.

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

- **Section 2:** a description of the background of the development;
- **Section 3:** a site description including site characteristics and the context of the surrounding area;
- **Section 4:** a description of the proposed development;
- **Section 5:** an assessment of the proposed development against the relevant planning provisions; and
- **Section 6:** an environmental assessment of the proposed development.

## 2.0 BACKGROUND

### 2.1 Pre-Lodgement Meeting(s)

#### 2.1.1 Coonamble Shire Council

A pre-lodgement meeting was held with Coonamble Shire Council on 24 March 2022 to discuss the proposed development at the subject premises. In summary of the proposed development, the following was noted for the purpose of the assessment of the subject development:

- The subject premises is located within the E4 – General Industrial zone;
- The subject development application must be supported by scaled drawings;
- The application should be supported by a project specific Statement of Environmental Effects, including details on:
  - Site Background and analysis;
  - Key Project Drivers;
  - Description of Proposal;
  - Assessment of relevant legislation and standards;
  - Assessment of traffic implications;
  - Assessment of operations on nearby receivers;
- Referral to TfNSW will be required for the purpose of the proposed development;
- Parking and driveway suitability will need to be assessed for the purpose of the proposal;
- Consideration of utility connections and drainage is necessary for the purpose of the proposal.

This application has been prepared with regard to the outcome of the prelodgement meeting with council.

#### 2.1.2 Transport for NSW

Preliminary advice was received from Transport for NSW on 10 June 2022 in relation to the proposed development. In summary of this advice, the following was noted:

- Potential referral triggers to Transport for NSW may include:
  - Clause 2.121 of State Environmental Planning Policy (Transport & Infrastructure) 2021 – Traffic Generating Development
  - Clause 2.97 of State Environmental Planning Policy (Transport & Infrastructure) 2021 – Development Adjacent to Rail Corridors
  - Clause(s) 3.15 and 3.16 of State Environmental Planning Policy (Industry and Employment) 2021 - Advertisements
  - S138 Roads Act 1993
- The development application should also consider:
  - Stormwater management of the site, particularly in relation to the adjoining rail corridor;
  - Potential traffic routes to the site;

- Potential contamination of the site.

## 2.2 Key Project Drivers

The proposed service station / liquid fuel development is driven by the following key factors:

- Expansion of the proponent's service station and fuel depot network;
- The fuel depot in particular will be used to provide diesel fuel servicing to agricultural operations within proximity to the township of Coonamble;
- The site is to provide a key refuelling point for trucks and light vehicles accessing and leaving Coonamble via Quambone Road;
- The site benefits from historic operation as a service station which has historically provided servicing to the locality.



## 3.0 THE SITE

### 3.1 Site Description

The subject site is located at 5-7 Quambone Road, Coonamble NSW 2829, and is formally described as Lot 1 DP831655. The site is approximately 3,291m<sup>2</sup> in area and is relatively flat in nature. The site is located in the Coonamble Shire Council local government area (LGA).

The site has a frontage to Quambone Road of approximately 64m. The site is currently vacant, however, prior to decommissioning and remediation had previously operated as a service station/fuel depot.

Refer Figure 1 below, which provides an aerial view of the current site.



*Figure 1: Aerial View (subject site highlighted)*

### 3.2 Surrounding Uses

The locality directly adjoining the subject site is identified to comprise of the following land uses within proximity to the site:

- North – Business Zoned land, existing agricultural industry;
- South – Vacant Land, zoned Special Activities associated with the railway to the east of the site;

- East – Railway Track and industrial land;
- West – Residential land on the opposite side of Quambone Road.

## 4.0 PROPOSED DEVELOPMENT

### 4.1 Description of the Proposal

The primary purpose of the proposed development will be a fuel depot facility for the purposes of loading and unloading trucks up to AB-Triple in length (42m). The purpose of the depot facility is for refuelling of Inland Petroleum trucks only and is not open for the general public. The facility is for the purposes of bulk load-out of Inland Petroleum trucks to deliver fuel to the wider community, and will not contain a retail component.

A summary of the proposed works is as follows:

- 1 x 70KL Aboveground Diesel Fuel Tank;
- 1 x loading/unloading gantry, with associated bunding and canopy;
- Diesel Pump, with associated bund and canopy;
- Oily Water Separator.

The subject facility is proposed to operate on a 24/7 basis.

All drawings of the proposal are attached in **Appendix C** of the report. Figure 2 shows the general layout of the proposed works.

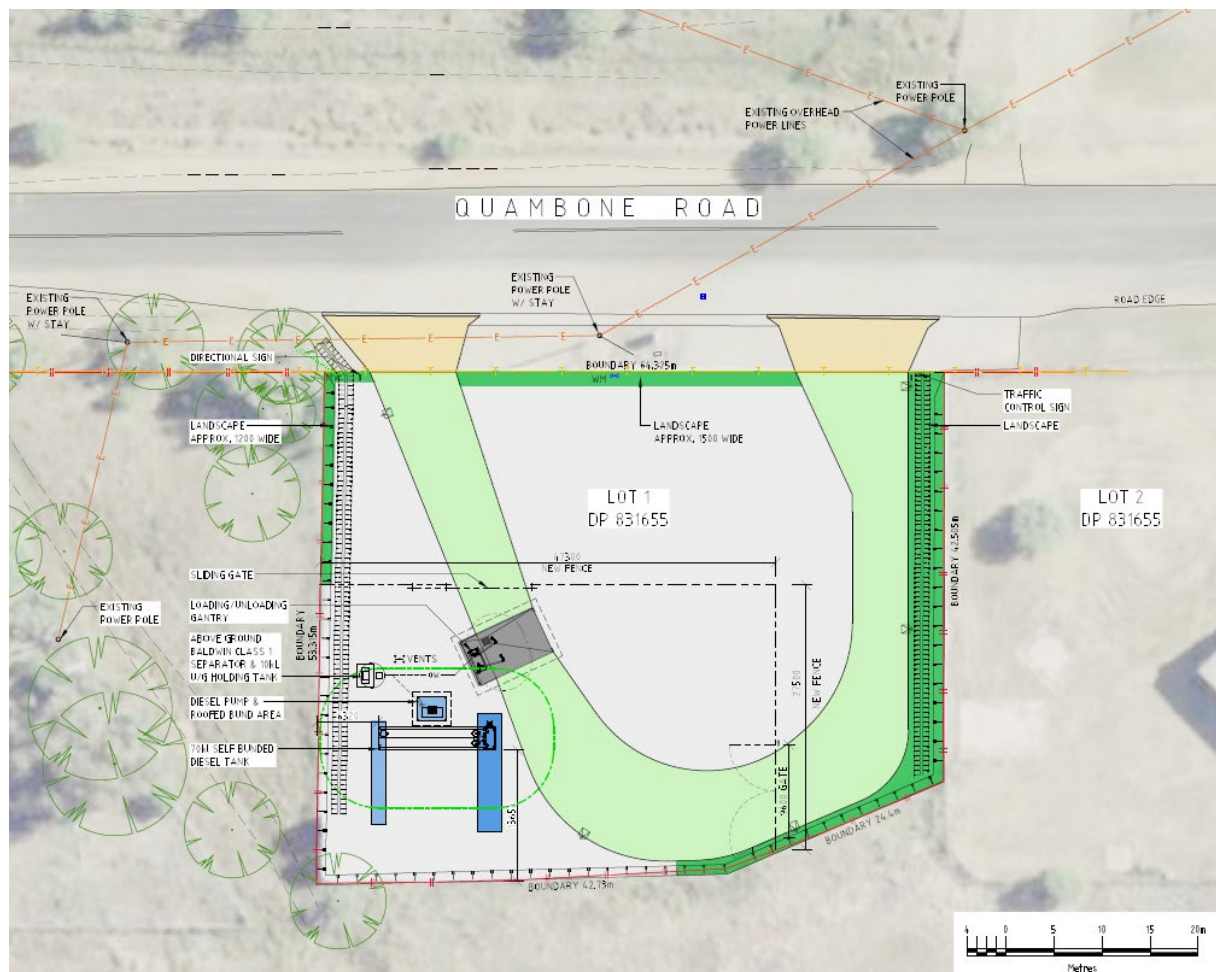


Figure 2: Proposed Site Layout (Source: Tfa Project Group)

#### 4.1.1 Built Form

As shown on the provided drawings, the proposed development is to comprise of the establishment of the following built form components:

- Loading / unloading Canopy, comprising a height of approximately 6m above ground level;
- Diesel Pump Canopy, comprising a height of approximately 3.5m above ground level

As noted, these structures are lightweight and for the purpose of providing weather protection to the potential oily water spill areas, minimising the extent of rain infiltration.

#### 4.1.2 Access and Manoeuvring

Access to the facility is proposed via two separate ingress / egress points from Quambone Road via two separate crossovers. The site is designed to be permit access and circulation for heavy vehicles up to AB-Triple in size.

The purpose of the turning path drawings in **Appendix C** is to illustrate how the largest anticipated vehicle can access and manoeuvre across the site in a forward gear.

#### 4.1.3 Stormwater Management

Loading / unloading of fuel for the trucks will occur in a concrete bunded area. 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 bunded areas and directed to a 'Class 1' oily water separator via an underground pipe network for hydrocarbon removal. Treated water from the 'Class 1' Separator will then be discharged to a drainage channel contained within the land directly to the south of the site.

The balance of the site is to be appropriately graded to allow stormwater generated to flow towards the frontage of the site, utilising table drains along the side boundaries to minimise the extent of stormwater conveyance offsite.

Please refer to the Stormwater Management Plan provided within **Appendix D** for further details.

#### 4.1.4 Signage

The proposed development is to comprise of the establishment of the following signage:

- Two (2) x Canopy Fascia Sign(s);
- One (1) x Fence Sign;
- Two (2) x Restricted Area Sign(s);
- Two (2) x Directional Sign(s);
- Two (2) x Traffic Control Sign(s).

Chapter 2 of the State Environmental Planning Policy (Industry and Employment) 2021 has been addressed as part of this application. Refer to section 5.6.1 for a detailed assessment of the policy.

## 5.0 STATUTORY CONTEXT

### 5.1 Environmental Planning & Assessment Act 1979 (EP&A Act)

Section 4.1 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 *Coonamble Local Environmental Plan 2011* (CLEP 2011) requires the proposed use to obtain development consent (see Section 4.2). The consent authority for the purpose of the CLEP 2011 is the Coonamble Shire Council LGA (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.

#### 5.1.1 Integrated Development

Section 4.46 of the EP&A Act lists all integrated development approval triggers and their jurisdictions. The table below provides an extract from the EP&A Act and identifies those referral triggers considered relevant to the proposed development.

Table 1: Integrated Development List

Act	Provision	Development Response
<b>Fisheries Management Act 1994</b> (NSW Fisheries)	s144	Not applicable
	s201	Not applicable
	s205	Not applicable
	s219	Not applicable
<b>Heritage Act 1977</b> (NSW Office of Environment & Heritage)	s58	Not applicable
<b>National Parks &amp; Wildlife Act 1974</b> (NSW Office of Environment & Heritage)	s90	Not applicable
<b>Protection of the Environment Operations Act 1997</b> (Environment Protection Authority)	ss43(a), 47 and 55	Not applicable
	ss43(b), 48 and 55	Not applicable
	ss43(d), 55 and 122	Not applicable
<b>Roads Act 1993</b> (Roads & Maritime Services)	s138	<b>Applicable</b> The proposed development comprises new crossovers to Quambone Road, which is identified to be a regional road. Accordingly, it is considered that referral to TfNSW would be warranted given that a s138 Roads Act Consent would likely be required for the purpose of the proposed development.
<b>Rural Fires Act 1997</b>	s100B	Not applicable



Act	Provision	Development Response
(NSW Rural Fire Service)		
<b>Water Management Act 2000</b> (Department of Primary Industries – Water)	ss89, 90, 91	Not Applicable

## 5.2 Coonamble Local Environmental Plan 2011

The CLEP 2011 makes local environmental planning provisions for land within the Coonamble Shire Council LGA (Council). Council is the consent authority for the purposes of the CLEP 2011.

### 5.2.1 Site Zoning

Under Coonamble LEP, the subject site is zoned E4 (General Industrial). Refer Figure 3 below.

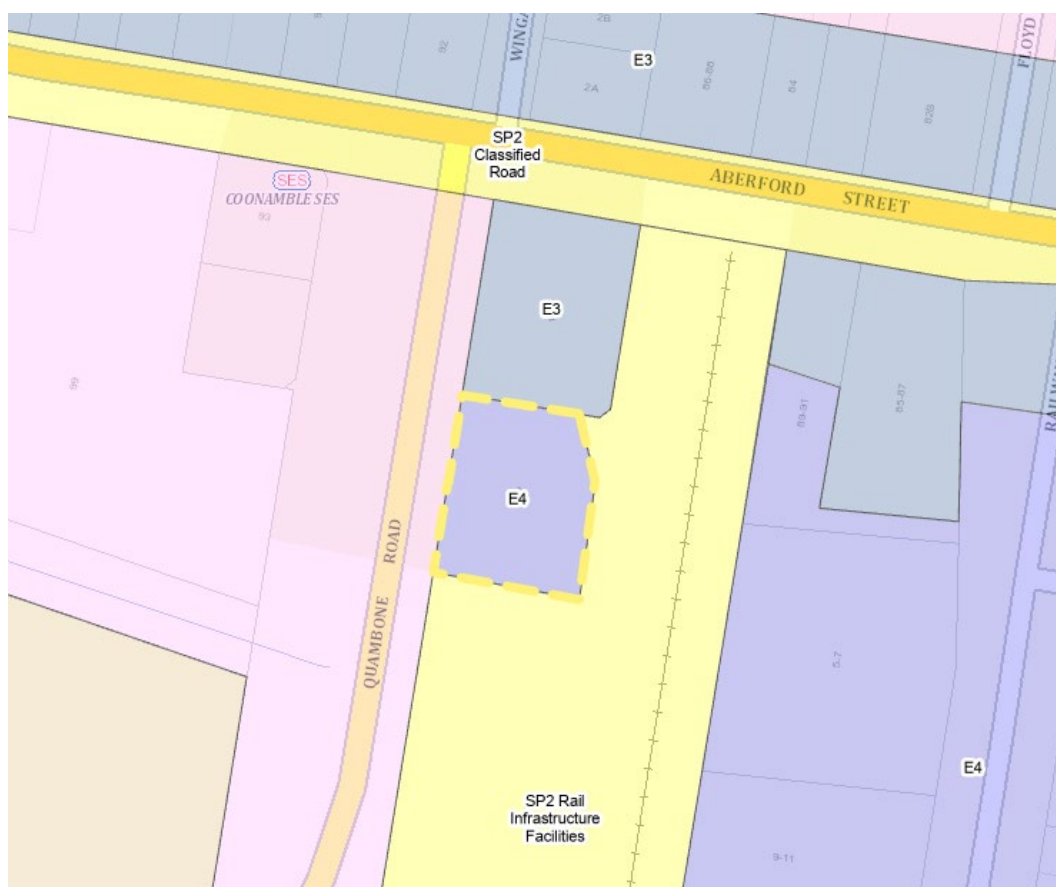


Figure 3: Zoning Map (Subject Site Highlighted)

#### 5.2.1.1 Objectives

The objectives of the E4 (General Industrial) zone are:

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.

The proposed development is considered to be consistent with the objectives of the General Industrial Zone, having regard to the following points:

- The subject premises has previously operated as a service station / fuel depot use, and therefore the proposed development is not expected to result in any additional impact to surrounding land uses or industrial land;
- The liquid fuel depot is intended to support the agricultural land uses located within the larger region; and
- The proposal is considered to provide a buffer between sensitive land uses and other industrial land uses within the locality.

#### 5.2.1.2 Permissibility

Under the CLEP 2011 “liquid fuel depot” is defined as:

***liquid fuel depot** means premises used for the bulk storage of petrol, oil, petroleum or other inflammable liquid for wholesale distribution and at which no retail trade is conducted.*

The CLEP 2011 states that the following use are permitted with consent within the E4 (General Industrial) zone:

##### **2 Permitted without consent**

*Nil*

##### **3 Permitted with consent**

*Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Heliports; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4*

##### **4 Prohibited**

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Camping grounds; Car parks; Caravan parks; Centre-based child care facilities; Commercial premises; Community facilities; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Highway service centres; Home-based child care; Home occupations (sex services); Information and education facilities; Mooring pens; Port facilities; Public administration buildings; Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Schools; Tourist and visitor accommodation; Wharf or boating facilities*

Liquid fuel depot is not directly specified under any of the above permissibility's and therefore is determined to be considered as “any other development not specified in item 2 or 4”. The proposed development is therefore determined to be ‘permitted with consent’ in the E4 zone. The consent authority is the Coonamble Shire Council.

#### 5.2.2 Miscellaneous Provisions

##### 5.2.2.1 Siding Spring Observatory – Maintaining Dark Sky

In consultation with council, it has been identified that the Coonamble Shire Council is a LGA that is within proximity to the CSIRO Siding Spring Observatory and therefore is subject to the relevant planning controls under this part of the LEP.

Consideration of the relevant matters under this part of the LEP are reviewed in the table below.

Table 2: Coonamble LEP Response – Siding Spring Observatory

Acceptable Outcomes	Development Response
<p>(2) <b>Light emissions—general considerations for all development</b> Before granting development consent for development on land to which this Plan applies, the consent authority must consider whether the development is likely to adversely affect observing conditions at the Siding Spring Observatory, taking into account the following matters—</p> <p>(a) the amount and type of light to be emitted as a result of the development and the measures to be taken to minimise light pollution,</p> <p>(b) the impact of those light emissions cumulatively with other light emissions and whether the light emissions are likely to cause a critical level to be reached,</p> <p>(c) whether outside light fittings associated with the development are shielded light fittings,</p> <p>(d) the measures to be taken to minimise dust associated with the development, Note— Dust tends to scatter light and increase light pollution.</p> <p>(e) the Dark Sky Planning Guideline published in the Gazette by the Planning Secretary.</p>	<p>The proposed development is expected to result in the establishment of both internal and external lighting elements in order to allow for 24 hour access to the premises. External lighting is to comprise downlighting with shielding in order to minimise spill from the premises.</p> <p>The proposed development is to comprise fully sealed crossovers to Quambone Road, minimising potential dust generation when accessing the premises. Further, given the nature of the vehicles accessing the premises, it is expected that the site would operate as a low speed environment, additionally minimising potential dust generation.</p> <p>Regard has been given to the Dark Sky Planning Guidelines in the assessment and design of the proposed development.</p>
<p>(3) <b>Development on land within 18 kilometres of observatory</b> Development consent is required for all lit development on land less than 18 kilometres from the Siding Spring Observatory.</p>	<p>Not Applicable – Subject site is located over 18km from the Siding Spring Observatory.</p>
<p>(7) <b>Development on land 18 kilometres or more from observatory</b> The consent authority must not (except with the concurrence of the Planning Secretary) grant development consent to development on land that is 18 kilometres or more from the Siding Spring Observatory if the consent authority considers that the development is likely to result in the emission of light of 1,000,000 lumens or more.</p>	<p>In accordance with table 2 of the Dark Sky Guideline published by the DPIE, it is considered that the proposed development would support a lighting level of less than 1,000,000 lumens.</p>
<p>(8) The consent authority must consult with the observatory director before granting development consent to development for the purposes of a dwelling house, secondary dwelling or dual occupancy on land that is 18 kilometres or more from the Siding Spring Observatory if the consent authority considers that the development is likely to result in a dwelling having—</p> <p>a. an outside light fitting other than a shielded light fitting, or</p> <p>b. more than 7 shielded outside light fittings or more than 5 such light fittings that are not automatic light fittings.</p>	<p>Not Applicable - Proposed Development does not comprise of any residential land use.</p>
<p>(9) The consent authority must consult with the observatory director before granting development consent to development (other than development for the purposes of a dwelling house, secondary dwelling or dual occupancy) on land that is 18 kilometres or more from the Siding Spring Observatory if the consent</p>	<p>From prior experience with similar sites, it is anticipated that the proposed development may generate between 50,000 and 100,000 lumens of light. Accordingly, consultation with the observatory director may be warranted.</p>



Acceptable Outcomes	Development Response
<i>authority considers that the development is likely to result in the emission of light of 50,000 lumens or more.</i>	

### 5.2.3 Additional Local Provisions

#### 5.2.3.1 Essential Services

The subject premises is determined to be subject to section 6.5 of the Coonamble LEP, in order to confirm that the site is provided with suitable access to all essential services. An extract from the LEP is provided below for reference.

*Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required—*

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on site conservation,*
- (e) suitable road access.*

With respect to the above, the proposed development is determined to comply on the following grounds:

- the site is identified to be benefitted by direct access to the electricity network, for which will be connected to for the purpose of the proposed development;
- The proposed development comprises no on-site ablution, therefore not requiring any access to sewer;
- It is understood based on the site survey (**Appendix B**) that the site is currently provided with water supply based on the existing Water Meter within the boundaries of the site. Accordingly, to the extent that any water supply is required to service the proposed development, this existing supply will be utilised.
- The site current benefits from direct access to Quambone Road, for which two crossovers are proposed in order to facilitate access and egress from the site for vehicle up to AB-Triple in size;
  - Quambone Road is identified on the National Heavy Vehicle Register route planner tool as a road corridor that a supports access for AB-Triple sized vehicles.

#### 5.2.3.2 Earthworks

The proposed development is determined to be subject to section 6.7 of the Coonamble LEP, outlining the considerations for earthworks on the premises. An extract of the LEP is provided below for reference.

*(3) Before granting development consent for earthworks, the consent authority must consider the following matters—*

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
- (b) the effect of the proposed 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 proposed 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.*

With respect to the above, the proposed development is determined to comply on the following grounds:

- The proposed earthworks are for the purpose of achieving appropriate stormwater management on the subject premises, and therefore is considered to be inherently minor in nature;
- The proposed development is considered to be generally consistent with historic uses of the premises and therefore is not expected to impact upon the ongoing amenity of the locality;
- Any imported fill material will be ensured to be free of contaminants;
- The subject premises is not identified to be on any state or local heritage register and therefore is not considered to have any potential impact upon relics;
- The subject premises is not identified to be located on land that forms part of or is located within proximity to a waterway, drinking water catchment or environmentally sensitive area.

#### **5.2.3.3 Stormwater Management**

The subject premises is determined to be subject to section 6.8 of the Coonamble LEP, in order to confirm that stormwater generated on the subject premises is appropriately managed. An extract from the LEP is provided below for reference.

- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—*
  - (a) is designed to maximise the use of water permeable surfaces on the site having regard to the soil characteristics affecting on-site infiltration of water, and*
  - (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and*
  - (c) avoids any significant impacts of stormwater runoff on adjoining downstream properties, native bushland and receiving waters, or if that impact cannot be avoided, minimises and mitigates the impact.*

With respect to the above, the proposed development is determined to comply on the following grounds:

- The permeable surfaces on the site have been maximised where possible in order to allow stormwater to permeate into the soil of the premises;
- The proposal comprises limited available roof area to sufficiently support rainwater collection and distribution within the premises;
- The proposed concept drainage plan nominates that the site is to be graded to ensure that stormwater across the site flows towards the road frontage. It is noted that the treated oily water is proposed to discharge to the neighbouring land to the south, however, this is considered to be acceptable on the grounds that:
  - The subject drainage corridor within this land is the point which the verge along Quambone Road flows to in any case;

- The extent of water generated within the under canopy area is anticipated to be minimal, posing minimal impact to the adjoining land.

### 5.3 Coonamble Development Control Plan 2013 (CDCP)

The *Coonamble Shire Council Development Control Plan 2013* (CDCP 2013) provides details and criteria for assessing development to support the provisions of the Coonamble LEP. DCP1 and the associated annexure provides requirements for the assessment of the Coonamble township and surrounds and the requirements for industrial land uses.

Table 3 and Table 4 provides a brief commentary as to how the proposal will fulfil the Coonamble Shire Council DCP1.

*Table 3: Development Control Assessment Responses – Coonamble Township and Surrounds*

Acceptable Outcomes	Development Response
<b>Residential development</b>	Not Applicable
<b>Residential Flat Buildings - General</b>	Not Applicable
<b>Aged persons housing</b>	Not Applicable
<b>Car parking</b>	
<i>Land uses which Council may require the provision of car parking space are:</i> <ul style="list-style-type: none"> <li>• Motels, flats: 1 - 1/2 car spaces per unit or dwelling;</li> <li>• Large retail establishments; and</li> <li>• Commercial and industrial establishments involving heavy vehicles.</li> </ul>	Carparking for the proposed development has been assessed within Table 4.
<b>Village residential sector (VR)</b>	Not Applicable
<b>Building setbacks - residential sector</b>	Not Applicable
<b>Village commercial sector (VC)</b>	Not Applicable
<b>Building setbacks - commercial sector</b>	Not Applicable
<b>General village sector (VG)</b>	Not Applicable
<b>Building setbacks - general village sector</b>	Not Applicable
<b>Industrial sector (VI)</b>	
<i>Preferred land uses: industrial uses which are compatible with the surrounding existing land uses.</i> <i>Development applications for other uses are to be advertised as for flats prior to Council's decision.</i>	Compatibility of the proposed land uses within the industrial zone are discussed within section 4.2 of this report.
<b>Building setbacks - industrial sector</b>	
<i>There is no building setback from laneways which are less than 6.0 metres wide and which provide rear access to allotments.</i>	Not Applicable The subject site is not determined to abut any identified laneways.
<i>Preferred land uses are to be set back a minimum of 9 metres from State Highways and a minimum of 7.5 metres from other roads.</i> <i>Exception: Council may permit buildings or parts of buildings to be erected within not less than 6 metres of any road</i>	The proposed structures are all separated from Quambone Road by over 9m.

Acceptable Outcomes	Development Response
<i>provided that such structures have a lower profile than surrounding development and are unlikely to detract from the general visual amenity of the locality or unlikely to reduce safety to motorists.</i>	
<i>Other land uses are to be set back a minimum of 9 metres from all roads.</i>	Not Applicable
<b>Future residential sector</b>	Not Applicable
<b>Maximum building height</b>	
<i>In all village residential zones buildings shall not exceed two storeys in height or 6 metres measured from finished floor level to the underside of ceiling linings.</i>	Subject site does not form part of a village residential zone.

Table 4: Development Control Assessment Responses – Development Requirements for Industrial Land Use

Acceptable Outcomes	Development Response
<b>2.0 Building Line Setbacks</b>	
<p><b>(a) Front Boundary</b></p> <p>Front building setback shall be determined on the following criteria:</p> <ul style="list-style-type: none"> <li>i) Provision of landscaped area to a minimum depth of 2 metres;</li> <li>ii) Provision of car parking facilities;</li> <li>iii) Building height, bulk and layout;</li> <li>iv) The nature and needs of the industrial activity;</li> <li>v) The general streetscape</li> </ul> <p><b>Main Roads</b></p> <ul style="list-style-type: none"> <li>• Buildings are to be set back from all main roads/state highways a minimum of 9 metres from the property boundary.</li> </ul> <p><b>Other Roads</b></p> <ul style="list-style-type: none"> <li>• Buildings are to be set back from all other front boundaries a minimum of 7.5 metres.</li> <li>• Secondary Street Frontage: Where an industrial building has a frontage to more than one street the above setback applies to at least one frontage while a setback from the other street property boundary shall be 3 metres minimum</li> </ul>	The proposed canopy structures are all located over 9m from the road frontage.
<p><b>(b) Side and Rear Boundaries</b></p> <p>There are no side and rear boundary setbacks all buildings are to be set back from the side boundaries to comply with the requirements of the Building Code of Australia.</p>	All buildings and structures are located at least 6m from all side and rear boundaries.
<p><b>(c) Boundaries Adjacent to Public Reserves</b></p> <p>Where a building backs onto a public reserve the building shall be set back a minimum of 3 metres from the property boundary to permit adequate landscaping.</p>	Not Applicable
<b>2.2 Setbacks for landscaping and car parking</b>	

Acceptable Outcomes	Development Response
<p><b>(a) Front Boundary</b></p> <p>Main Roads - Car parking shall be setback a minimum of three metres (3) from the front boundary.</p> <p>Other Roads - Car parking shall be setback a minimum of three (3) metres from the front boundary.</p> <p>The area between the front property boundary line and the above setback line for car parking shall be landscaped to Council's satisfaction. The area between the above setbacks and the adopted building line shall maximise the use of landscaping, including as a minimum, one metre wide landscape perimeters along the side boundaries.</p> <p>Product display may be allowed in the area between the above setbacks and the adopted building line in some circumstances. Details of areas to be used for product display will need to be submitted with the development application and will be assessed on its merits.</p> <p>The proposed landscaping for this area will be a consideration in the assessment.</p>	Not Applicable
<b>2.3 Height of Industrial Buildings</b>	
<p>Council shall assess the height all industrial development applications on individual merit, height considerations will be determined with consideration for the following –</p> <ul style="list-style-type: none"> <li>Existing streetscape, scale, context and setting of existing and proposed uses;</li> <li>Adjoining land uses; and</li> <li>Potential for overshadowing</li> </ul> <p>Height shall be measured from the natural ground level to the highest point of the building.</p>	<p>The proposed development comprises a low rise built form, noting the proposed canopies are to be a maximum of 6m. Accordingly, the proposed development is not considered to cause significant impact to the streetscape, or adjoining land.</p>
<b>2.4 Parking and Access Driveways</b>	
<p><b>(a) Location and Design</b></p> <ul style="list-style-type: none"> <li>Parking areas should be easily accessible and adequately identified.</li> <li>Minimum dimensions for a car parking space is 2.6 metres x 5.5 metres.</li> </ul> <p>Where the car parking space is enclosed on both sides the minimum width shall be 3.1 metres. Where a car parking space abuts a wall or a solid object, the minimum width shall be 2.9 metres. Car parking shall be in accordance with the following. and shall be compliant with AS/NZS 2890.1-2004 Parking Facilities Part 1: Off-Street Car Parking. Council reserves the right to consider off street car parking on a merit basis should it be seen that the proposed development standard is too onerous.</p>	Not Applicable
<p><b>(b) Parking Space Requirements</b></p>	<p>The proposed land use of Liquid Fuel Depot applies no parking rate under the DCP. Additionally, as no rest facilities or other parking generating components are proposed, no parking is considered to be required.</p>
<p><b>(c) Access Driveways</b></p> <ul style="list-style-type: none"> <li>In areas where kerb and gutter is provided for, driveways should have a minimum width of six metres</li> </ul>	<p>Based on street view of the surrounding area, Quambone Road is identified to be a road corridor that does not support kerb and channel. The proposed development is to incorporate 2</p>

Acceptable Outcomes	Development Response
<p><i>across the full width of the footpath crossing, and have a perpendicular alignment to the street. All such driveways shall incorporate concrete or paved crossovers. However, this width may be increased depending on the use of the building and the type of vehicles using the site.</i></p> <ul style="list-style-type: none"> <li><i>In areas where kerb and gutter is not provided for driveways, all access ways shall be constructed so as to incorporate a minimum six metre wide all weather gravel crossing, extending from the edge of the existing formwork on the public road to the entrance gate. All such driveways or access ways shall be sealed (bitumen, loose aggregate).</i></li> <li><i>All access driveways are to be located so as to provide maximum sight distances.</i></li> <li><i>The applicant shall ensure the erection of signs that clearly indicate to drivers of vehicles, both on and off the subject land, the driveway by which they are to enter or leave the subject land so that the entrance and exit function in the proper manner and to minimise the likelihood of accidents occurring.</i></li> </ul>	<p>coat bitumen spray seal crossovers to Quambone Road, which is considered to be suitable for the purpose of the proposal.</p> <p>The access ways have been designed to accommodate the largest anticipated vehicle from entering and exiting the site in an efficient and safe manner. Additionally, as per the provided drawing package, signage is to be established to manage traffic within the site.</p>
<p><b>(d) Gates</b></p> <ul style="list-style-type: none"> <li><i>Where possible, gates shall be of a "sliding" type in order to prevent problems relating to access to and within industrial developments and vehicle sight distance.</i></li> <li><i>Where "swinging" gates are being installed, gates shall open away from the street and in doing so shall not restrict access to any part of the development, including car parking spaces, manoeuvring areas, general access to/from the property and sight distance.</i></li> <li><i>Where driveways are located on a main road, gates from front boundaries are to be indented to provide storage area for vehicles when the gates are closed.</i></li> </ul> <p><i>The desirable minimum storage length should cater for a six-metre vehicle. However, this length may need to be increased depending on the use of the building(s) and the type of vehicles using the site.</i></p>	<p>The proposed gates are located away from the front boundary of the premises and are to be designed to open away from the street as to prevent impacts to manoeuvring areas.</p>
<p><b>2.5 Manoeuvring Areas</b></p>	
<p>(a) <i>Access aisles adjacent to car parking areas shall generally be 7 metres wide. Council may allow a reduction in aisle widths down to 5.8 metres subject to car parking spaces being increased in width by 0.1 metres for every 0.4m reduction in aisle width below 7 metres.</i></p> <p>(b) <i>As a minimum standard for all new developments, garbage trucks, delivery vehicles and large single unit trucks will be able to manoeuvre on-site so as to enter and exit the site in a forward direction. Greater manoeuvring area may be required by Council according to advice received from Council's Engineering Services Department.</i></p>	<p>The site is able to allow access and circulation for vehicles up to AB-Triple in size for the operational areas of the site, permitting vehicles to access and exit the site in a forward direction.</p> <p>As nominated, the site is to comprise predominately of gravel surface treatment, with the exception of the proposed bunds, which are to be appropriately graded to drain and where necessary will be rated for the anticipated vehicle loads.</p>

Acceptable Outcomes	Development Response
<p>(c) <i>In addition to the requirement above, where an industrial development consists of two or more individual industrial units, a small single unit truck 8.8m long shall be able to access all individual units on the property.</i></p> <p>(d) <i>In the case of existing industrial developments where an extension to the existing industrial development is proposed, Council will consider waiving some of the above standards where it is felt these cannot physically be provided on-site and it can be demonstrated that they are unnecessary or unreasonable in the circumstances.</i></p> <p>(e) <i>All car parking areas, manoeuvring areas and the access aisles must be paved, drained and line-marked. The pavement and drainage must be designed by a suitably qualified Civil Engineer and certified to be satisfactory for the expected traffic loadings from a development of this size and type. Where suitable, provision shall be made to collect storm water and reuse within the approved landscaped area.</i></p> <p>(f) <i>Access and manoeuvring areas are to be designed to allow all vehicles, customer and service/delivery vehicles to enter and exit the site in a forward direction.</i></p>	
<b>2.6 Landscaping</b>	
<p><b>(a) Objectives of Landscaping Industrial Developments</b></p> <p>(i) <i>Landscaping of industrial buildings should aim to relieve any bulk associated with the building. Landscaping should be at a scale similar to the size and height of the proposed development;</i></p> <p>(ii) <i>Landscaping should incorporate formal garden beds, properly edged and have a mulch or bark chip base to foster low maintenance;</i></p> <p>(iii) <i>Species selection should complement the industrial building and improve the streetscape of the general area;</i></p> <p>(iv) <i>Integration of existing landscaping into the overall landscape design;</i></p> <p>(v) <i>Landscape design shall take into account the location of services and utilities including water, sewer, electricity, gas, telephone and storm water services.</i></p>	<p>While the proposed development is not considered to be a traditional industrial development, landscaping has been provided within the premises where possible.</p> <p>Regarding the specifics of the landscaping area, the following is noted:</p> <ul style="list-style-type: none"> <li>• Landscaping will be confined to formal garden beds;</li> <li>• Species selection for the development will complement the development and locality;</li> <li>• The landscaping will take into account the proximity of the surrounding infrastructure;</li> </ul>
<p><b>(b) Maintenance</b></p> <p><i>To ensure landscaping of individual industrial developments is maintained, Council will require the payment of a landscape bond prior to the release of the Construction Certificate for the proposed development. The amount payable will be determined by Council and specified on the Development Consent issued by Council and shall be held by Council until such time that the maintenance period has elapsed.</i></p> <p><i>The maintenance period will be no less than six (6) months and will commence from the date a Council Officer is satisfied that the landscaping works are completed in accordance with the approved landscape plan.</i></p>	<p>As required, a landscape bond will be paid to council for the extent of the maintenance period associated with the landscaping area of the premises.</p>



Acceptable Outcomes	Development Response
<b>2.7 Building Standards</b>	
<p><b>(a) Design</b></p> <p><i>The design of any buildings, as well as being functional, is to contribute to an attractive and cohesive streetscape and be compatible with surrounding development in the area.</i></p> <p><i>The design of the building when viewed from the street shall be of a high architectural standard, minimising expanses of blank wall space.</i></p> <p><i>Examples of desirable design elements include;</i></p> <ol style="list-style-type: none"> <li><i>The external walls of industrial buildings shall be of profiled colour treated cladding or masonry materials, or a combination of both;</i></li> <li><i>Particular consideration shall be given to the design and use of the above materials in the street elevation of industrial buildings, particularly where such buildings are in close proximity to residential or commercial neighborhoods or front main roads.</i></li> <li><i>Where the side or rear elevation of an industrial building is visible from residential areas, colours and wall profiles should be selected to minimize their visual impact.</i></li> <li><i>Buildings should be designed to be energy efficient through the use of insulation, correct orientation on the site, passive solar design and other energy saving technologies.</i></li> </ol>	<p>The proposed development comprises of a built form that is generally consistent with the existing structures of the locality. Additionally, the following is noted with regard to the design of the proposed development:</p> <ul style="list-style-type: none"> <li>• The premises supports minimal built form aspects, supporting mostly lightweight components;</li> <li>• The subject premises is not considered to be within close proximity to established commercial or residential areas.</li> </ul>
<p><b>(b) Materials</b></p> <p><i>The front elevation of the building and where side or rear walls will be visible from a public road, public reserve, railway lines or other public areas, are to be constructed of:</i></p> <ul style="list-style-type: none"> <li>• <i>face brick,</i></li> <li>• <i>a combination of face brick and colorbond type materials (providing brick is the most visually dominant material used),</i></li> <li>• <i>pre-cast concrete panels, concrete block-work or rendered brickwork and/or painted in suitable colours and treated against graffiti.</i></li> </ul> <p><i>All other walls of the building are to be either:</i></p> <ul style="list-style-type: none"> <li>• <i>brick, or</i></li> <li>• <i>concrete block, or</i></li> <li>• <i>combination of colorbond type materials, brick and concrete block, or</i></li> <li>• <i>pre-cast concrete panels, complying with the requirements of The Building Code of Australia.</i></li> </ul> <p><i>- Applications for developments proposing the use of materials different from those specified above will be considered on merit having regard to the external appearance of such materials and their relation to existing building materials in the vicinity.</i></p>	<p>The proposed development comprises no enclosed walls, that would require consideration under this part.</p>
<p><b>(c) Site Coverage</b></p> <p><i>To ensure that adequate area can be made available on each site for access, parking and landscaping.</i></p>	<p>The proposed development is determined to comprise a maximum site cover of approximately 3.5% and supports the provision of single storey structures.</p>



Acceptable Outcomes	Development Response
<p>i) Maximum site coverage for any industrial development shall be 60% of site area.</p> <p>Note: Council may, in special circumstances only, consent to the erection of buildings which occupy greater than 70% of the total area of the site.</p> <p>ii) Maximum Number of storeys on any given site is restricted to three (3).</p> <p>iii) Rise in Storeys – a maximum number of three (3) storeys on any one allotment.</p>	
<b>(d) Caretaker's Flats in Industrial Development</b>	Not Applicable
<p><b>(e) Other</b></p> <p>Requirements:</p> <ol style="list-style-type: none"> <li>1. Windows, doors and other wall openings should be arranged to minimise noise impacts on residences, where an industry is located within 400 metres of a residential land use;</li> <li>2. External plant such as generators, air conditioning plant and the like should be enclosed to minimise noise nuisance;</li> <li>3. External and security lighting should be directed and shielded to avoid light spillage to adjoining residential areas;</li> <li>4. Driveways should be arranged or screened to avoid headlight glare on residential windows.</li> </ol>	<p>The proposed development is determined to comply on the following grounds:</p> <ul style="list-style-type: none"> <li>• No building openings are proposed.</li> <li>• The proposed pump equipment is not located within proximity to any sensitive receivers, therefore posing minimal acoustic impact;</li> <li>• All lighting associated with the development will ensure to be downward facing and shielded as to avoid any impact to residential land uses and/or the Siding Spring Observatory, for which Coonamble Shire is in the vicinity of;</li> <li>• The subject premises does not directly adjoin any residential areas.</li> </ul>
<b>2.8 General Site Requirements</b>	
<p><b>(a) Staff Amenities</b></p> <p>Staff amenities shall be provided in accordance with the requirements of Work Cover Authority of NSW and The Building Code of Australia, and are to be shown on plans submitted with both the Development &amp; Construction Certificates.</p>	The subject facility is not a long-term occupied site that would warrant the provision of amenities.
<p><b>(b) Waste Minimisation and Management</b></p> <p>In addition to the management of waste during demolition, subdivision or construction, applicants must plan for the management of waste generated during the operational life of the development by providing the necessary physical infrastructure. For the purpose of minimising waste and maximising resource recovery, an Operational Waste Management Plan must be submitted with the Development Application detailing:</p> <ol style="list-style-type: none"> <li>(i) the description, volume, mass and generation rate of all solid and liquid wastes likely to be generated during operations;</li> <li>(ii) the opportunities for resource recovery from the waste streams.</li> </ol> <p>There should be sufficient space to comfortably contain any on-site waste treatment facilities, such as compaction equipment. Waste management facilities should relate to other loading and unloading facilities and consideration shall be given to appropriate ventilation, fire safety and cleaning/drainage facilities;</p>	Not Applicable

Acceptable Outcomes	Development Response
<p>(iii) the domestic waste and recycling facilities including container capacities and storage locations suitable for the proposed development and must be consistent with Council's waste management policies, and the designated areas shall be appropriately signposted;</p> <p>(iv) waste management facilities shall be fully screened from the public and secured by walls and appropriate landscaping, adding to the visual quality of the development and not detracting from it;</p> <p>(v) access arrangements for the on-site movement and collection of recovered resources and waste for disposal;</p> <p>(vi) the proposed location, size and design of any communal waste management facilities. The preferred location for waste containers is within the boundary of each industrial unit. However, the provision of communal areas may be appropriate for some industrial development.</p> <p>Guideline for waste generation volume by type of development as generated by Council's Engineering Services Department:</p>	
<p><b>(c) Retaining Walls, Cut and Fill</b></p> <p>The maximum depth of cut on any portion of the allotment should be 1.5m and the maximum depth of fill should be 1.5m. Where the amount of fill exceeds 700mm below a slab on ground, a dropped edge beam at the perimeter of the slab should retain the fill. Cut and fill platforms should not extend over a drainage easement. Cut areas may exceed 1.5m provided the retained sections are located within the footprint of the building. The finished floor level of any building shall be at a minimum 300mm above finished ground level or the building shall be protected by an approved system of drainage.</p>	Refer provided stormwater management plan.
<p><b>(d) Access/Facilities for people with a disability</b></p> <p>All facilities/access for persons with a disability shall be provided in accordance with Australian Standard 1428.1 and the Building Code of Australia</p>	No facilities which require DDA compliance are proposed.
<b>2.9 Hours of Operation</b>	
<p>Operating hours of some industrial developments can have a significant detrimental impact on nearby residential and other sensitive areas due to noise, traffic and other emissions. Operating hours will be considered on the individual merits and should be justified in the Development Application or application for a modification of an existing consent.</p>	<p>The proposed development is to comprise 24/7 operational hours. This is determined to be suitable at the subject site on the following grounds:</p> <ul style="list-style-type: none"> <li>The site is located on the fringe of the Coonamble township, with minimal adjoining uses that would be incompatible with operations on the subject premises;</li> <li>The proposed development is not considered to be a high intensity traffic generating use.</li> </ul>
<b>2.10 Fencing</b>	
<p>Fencing should provide adequate security for industrial developments without detracting from the streetscape. In this regard, Council requires the submission of all details of fencing materials, height and colours to be submitted with the Development Application for the proposed development.</p>	<p>The subject site is currently fenced to the side and rear boundary of the site, with additional fencing proposed to be provided around the proposed above ground storage tanks and loading gantries.</p>

Acceptable Outcomes	Development Response
<p><i>Fencing will be considered in conjunction with the proposed landscaping concept plan for the development.</i></p> <p><i>Fencing shall be designed in a way that maximizes natural surveillance from the main street and illustrates a regard for the amenity and purpose of the site. Front fencing – must not be less than 1.8 metres in height nor exceed a maximum height of 2.1m.</i></p> <p><i>All other perimeter fencing must not be less than 1.8 metres in height nor exceed a maximum height of 2.1m.</i></p> <p><i>The preferred style of fencing is galvanized chain wire incorporating a green coloured PVC coating or painted steel/aluminum tube fencing. 'Colorbond' or galvanised solid sheet steel fencing in front of the adopted building line is not permissible. Open yard activities and other unsightly areas are to be screened from public view.</i></p>	

## 5.4 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, Education and Childcare SEPP, Corridor SEPP, and Three Ports SEPP. The Transport and Infrastructure SEPP comprises of 4 parts, as outlined below:

- Chapter 2 – Infrastructure;
- Chapter 3 – Educational Establishments and Child Care Facilities;
- Chapter 4 – Major Infrastructure Corridors; and
- Chapter 5 – Three Ports-Port Botany, Port Kembla and Newcastle.

For the purpose of this report, review and assessment of the provisions applied under chapter 2 has been undertaken for the proposed development. This assessment has been undertaken within sections 5.4.1 of this report.

### 5.4.1 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.

#### 5.4.1.1 Development involving Access via Level Crossings

Section 2.97 of the Transport and Infrastructure SEPP applies to development involving access via level crossings, where the development involves:

- a new level crossing, or*
- the conversion into a public road of a private access road across a level crossing, or*
- a likely significant increase in the total number of vehicles or the number of trucks using a level crossing as a result of the development.*

Having regard to the above, it is understood that within proximity to the site there are currently two level crossings (located at Black Gull Road and Railway Street). By way of traffic, while the proposed development is not considered to be a traffic generating development (as outlined within subsequent sections of this report), there is potential to increase the number of vehicles using these level crossings. However, in consideration of subsection (2)(b) and (4) of this section, the development is considered to pose limited impact to these crossings on the basis that:

- these level crossings are not located on the primary transport routes to the site from the broader region, with this anticipated to primarily occur via Quambone Road and the Castlereah Highway;
- the portions of Black Gular Road which contains a level crossing are not supported for the largest anticipated vehicle to the site under the NHVR;
- there may be additional vehicle crossing to the level crossing within Railway Street, however, this is anticipated to be generally in line with the expectations of the surrounding industrial uses.

Based on the above, it is considered that referral to the transport authority on the above grounds may be warranted.

#### **5.4.1.2 Development Adjacent to Rail Corridor**

Section 2.98 of the Transport and Infrastructure SEPP applies to development undertaken on land adjacent to rail corridors, if the development:

- (a) is likely to have an adverse effect on rail safety, or*
- (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
- (c) involves the use of a crane in air space above any rail corridor, or*
- (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.*

With respect to the above, on the basis of the land directly adjoining the subject site to the east and south, the following is noted with respect to the proposed development:

- the works comprise no direct interaction with the rail corridor, only minor discharge of stormwater to the drainage channel to the south, which the surrounding road corridor is understood to currently flow into;
  - as above, the catchment area of land directly discharging to this channel is minor, with the balance of the site to be regraded to flow to Quambone Road (away from the rail corridor)
- the proposed tank and canopy(s) are to comprise of a metal finish, however, from review of the railway corridor it is understood that there is no existing power supply along the railway. It is therefore considered that this railway is not utilised by Electric Trains;
- it is not anticipated that the use of a crane above the railway would be required.

#### **5.4.1.3 Excavation in, above, below or adjacent to rail corridors**

Section 2.99 of the Transport and Infrastructure SEPP applies to excavation of land within proximity to a rail corridor. In particular, this provision applies to excavation of at least 2m below existing ground level, where:

- (a) within, below or above a rail corridor, or*
- (b) within 25m (measured horizontally) of a rail corridor, or*
- (c) within 25m (measured horizontally) of the ground directly below a rail corridor, or*
- (d) within 25m (measured horizontally) of the ground directly above an underground rail corridor.*

As above, the proposed works may require the excavation of greater than 2m of soil for the purpose of installing the proposed stormwater / oily water devices. To this extent it is considered that referral to the rail authority is warranted for the purpose of this application.

#### 5.4.1.4 Development with Frontage to Classified Road

Section 2.121 of the Transport and Infrastructure SEPP applies to land with frontage to classified roads. As per Figure 4 below, the subject site directly fronts a regional road (Quambone Road) and is identified to be within 90m of a classified road (Abertford Street).



Figure 4: Classified Road Map

Given the above, the relevant assessment considerations for the purpose of the proposed development section 2.118 (2) of the Transport and Infrastructure SEPP is relevant to the application assessment. Subsection (2) is included below for reference.

- (2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*
- (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
  - (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
    - (i) *the design of the vehicular access to the land, or*
    - (ii) *the emission of smoke or dust from the development, or*
    - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

In accordance with the above, the proposed development is determined to achieve compliance with the above matters on the following grounds:

- The subject premises does not have access to any lower order road frontages that would permit alternative access arrangements;
- The proposal is to support the provision of two vehicle crossovers to the subject premises, intended to facilitate access for vehicles up to AB-Triple in size. The crossovers are to be constructed of 2 coat bitumen spray seal decomposed granite within the identified manoeuvring area.
- The proposed development is not anticipated to be an operation that would attract high levels of traffic.

#### 5.4.1.5 Traffic Generating Development

Section 2.121 of the Transport and Infrastructure SEPP applies to new or enlarged premises that comprise a size or scale in excess of the traffic generation thresholds outlined within schedule 3 of the SEPP. In accordance with Schedule 3, it is determined that the proposed land use 'Liquid Fuel Depot' is identified under schedule 3 of the Transport and Infrastructure SEPP. The threshold relevant to the proposed land uses are outlined within Table 5 below.

Table 5: Traffic Generating Development

Development Purpose	Site with access to a Road (Generally)	Site with access to a Classified Road or a road that connects to a Classified Road (If access is within 90m of Connection)
Liquid Fuel Depots	8,000m <sup>2</sup> in site area or (if the site area is less than the gross floor area) gross floor area	8,000m <sup>2</sup> in site area or (if the site area is less than the gross floor area) gross floor area

In accordance with the above, given that the proposed Liquid Fuel Depot is intended to provide the loading of fuel for heavy vehicles, it is determined that the proposed development would not constitute a traffic generating development given that the subject site does not comprise an area in excess of 8,000m<sup>2</sup> and proposes no components with any GFA.

## 5.5 State Environmental Planning Policy (Resilience and Hazards) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) comprises the environmental planning provisions associated with the management of risk and hazard associated with certain developments and land features and operates as the consolidation of the now superseded Coastal Management SEPP, SEPP 33, and SEPP 55. The Resilience and Hazards SEPP comprises of 3 parts, as outlined below:

- Chapter 2 – Coastal Management;
- Chapter 3 – Hazardous and Offensive Development; and
- Chapter 4 – Remediation of Land;

For the purpose of this report, review and assessment of the provisions applied under chapter 3 and 4 of the SEPP has been undertaken for the proposed development. This assessment has been undertaken within section 5.5.1 & 5.5.2 of this report.

### 5.5.1 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 70kL above-ground, self-bunded tank for the storage of diesel

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 SEPP (Resilience and Hazards) 2021, is not applicable as the proposed storage of diesel is not considered 'potentially hazardous'.

With respect to the above though, the tank is to be manufactured to comply with Australian Standard AS1692 (Steel tanks for flammable and combustible liquids) and Australian Standard AS1940 (The storage and handling of flammable and combustible liquids).

### 5.5.2 Remediation of Land

Chapter 4 of this SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

Section 4.7 of the Resilience and Hazards SEPP states:

- 1) *A consent authority must not consent to the carrying out of any development on land unless:*
  - (a) *it has considered whether the land is contaminated, and*
  - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
  - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Given the historic use of the subject site has been for a service station/ fuel depot, it is considered that there would be potential for the site to be contaminated. However, as the proposed development is for similar land uses, it is considered that any contamination would be suitable for the operation of the proposed development.

Additionally, it is also understood that upon ceasing use of the site for a service station / fuel depot, the previous landowner as part of the decommissioning of the site, fully remediated the land. In this regard, no further consideration of the potential contaminated status of the site is considered to be warranted.

## 5.6 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 5.6.1 of this report.



### 5.6.1 Chapter 3 - Advertisements and Signage

The development application proposes the following signage:

- Two (2) x Canopy Fascia Sign(s);
- One (1) x Fence Sign;
- Two (2) x Restricted Area Sign(s);
- Two (2) x Directional Sign(s);
- Two (2) x Traffic Control Sign(s).

The proposed signage is considered suitable for the site and is generally typical of a depot site.

#### 5.6.1.1 Part 2 – Signage Generally

Part 3.2 of State Environmental Planning Policy (Industry and Employment) 2021 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 this part 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 and is of a high-quality design and finish. The proposed signage is therefore consistent with the aims and objectives of this chapter.

The following section provides an assessment of the proposed signage against Schedule 1 (Assessment Criteria) of the SEPP. A proposed site signage plan is included in **Appendix C**.

##### 5.6.1.1.1 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 fuel depot / industrial use. It will be of modern design and is not considered to appear incongruous within the context of the broader area.

##### 5.6.1.1.2 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 an industrial and is suitably distanced from any sensitive areas.

##### 5.6.1.1.3 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.

##### 5.6.1.1.4 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 sign is of a scale and design considered both appropriate for the nature of the use and general context of the surroundings. Given the location of the sign, the proposal is not considered to contribute to visual clutter.

#### 5.6.1.1.5 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 is to convey information important to the identification of the site and indicating the traffic management throughout the site for any personnel.

#### 5.6.1.1.6 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** – the proposed signage package incorporates information signage, indicating traffic management for the site.

#### 5.6.1.1.7 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** – The proposed signage is not to be illuminated.

#### 5.6.1.1.8 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 pylon sign 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.

### 5.6.1.2 Part 3 – Advertisements

Part 3.3 of the 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 sign that is proposed is consistent with the definition of a business identification sign. Other promotional signage will indicate services and products available at the site and therefore is also defined as a business identification sign.

Part 3.3 of the 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.

## 6.0 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 3: Section 4.15 – Assessment Summary*

Section 4.15 Clause	Development Response
<b>(1) (a)(i)</b> – Provisions of any environmental planning instrument	<p>This SEE has provided an assessment against:</p> <ul style="list-style-type: none"> <li>• Transport and Infrastructure SEPP <ul style="list-style-type: none"> <li>○ Chapter 2 - Infrastructure</li> </ul> </li> <li>• Resilience and Hazards SEPP <ul style="list-style-type: none"> <li>○ Chapter 3 – Hazardous and Offensive Development</li> <li>○ Chapter 4 – Remediation of Land</li> </ul> </li> <li>• Industry and Employment SEPP <ul style="list-style-type: none"> <li>○ Chapter 3 – Advertising and Signage</li> </ul> </li> </ul> <p>The proposal has been shown to comply with the provisions of the above instruments.</p>
<b>(1) (a)(ii)</b> – Provisions of any draft environmental planning instrument	None applicable.
<b>(1) (a)(iii)</b> – Provisions of any development control plan	<p>An assessment against the relevant provisions of the CDCP has been provided in Section 5.3 of this SEE.</p> <p>In summary, the proposal is considered to comply with the relevant Council DCP provisions.</p>
<b>(1) (a)(iia)</b> – Provisions of any planning agreement	None applicable.
<b>(1) (a)(iv)</b> – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	The proposal is consistent with the regulations applying to development applications.
<b>(1) (b)</b> – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p><b>(i) Environmental Impact</b></p> <p>The environmental impacts of the proposal on the natural and built environment are addressed in the resilience and hazards SEPP.</p> <p><b>(ii) Social Impact</b></p> <p>The proposed development is not considered to have a detrimental social impact in the locality considering the size and nature of the proposal.</p> <p><b>(iii) Economic Impact</b></p> <p>The proposed development will not have a detrimental economic impact on the locality; however, it is considered a positive contribution to the area. The Liquid Fuel Depot facility will benefit local agricultural businesses that rely on fuel distribution to service their operations.</p>
<b>(1) (c)</b> – The suitability of the site for the development	The subject site is considered suitable for a service station and Liquid fuel Depot due to its location adjacent to a main road (Quambone Road).

Section 4.15 Clause	Development Response
	The development is consistent with the zone objectives and compliant with the relevant SEPP and DCP controls. As such, the site is considered suitable for the proposal.
(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 permissible in the zone and meets the zone objectives under the LEP. Further, the environmental impacts have been considered and can be appropriately mitigated accordingly.

## 7.0 CONCLUSION

This Statement of Environmental Effects (SEE) has been prepared by TfA Project Group on behalf of Castlyn Pty Ltd (the Applicant). The application is made over land located at 5-7 Quambone Road, Coonamble NSW 2829, formally described as Lot 1 on DP831655.

The application seeks approval for the construction of a liquid fuel depot. A summary of the proposed works is as follows:

- 1 x 70KL Aboveground Diesel Fuel Tank;
- 1 x loading/unloading gantry, with associated bunding and canopy;
- Diesel Pump, with associated bund and canopy;
- Oily Water Separator.

The subject facility is proposed to operate on a 24/7 basis.

The proposal has been assessed against the relevant provisions within the Coonamble Local Environmental Plan 2011 (CLEP) 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 E4 – General Industrial zone;
- 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 proposed storage of diesel (combustible liquid) will be carried out in accordance with the relevant Australian standard (AS1940);
- The proposed use will be suitably distanced from any areas of environmental value / sensitivity and any known hazard constraints;
- 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;

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 – SITE SURVEY**

## APPENDIX C – DEVELOPMENT APPLICATION DRAWINGS



**APPENDIX D – SITE BASED STORMWATER MANAGEMENT PLAN**