



Statement of Environmental Effects

Upgrades to Existing Rising Sewer Mains

Twin Service Centre Northbound

29 St Johns Road, Jillyby NSW 2259

Ampol Australia Petroleum Pty Ltd

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Basis of Report

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1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Central Coast Council (Council) in support of a Development Application (DA) for sewerage system maintenance works to support the continued operation of the Twin Highway Service Centres located at 29 St Johns Road, Jiliby NSW 2259 (the site). The works involve the replacement of the rising sewer main which extends from the Northbound service centre site and runs 4.5km south along the road verge of Brolga Way, Hue Hue Road, and Alison Road, refer to **Figure 1**.

This SEE has been prepared by SLR Consulting Australia Pty Ltd (SLR) on behalf of Mostyn Copper Group. It describes the site, its environs, the proposed development and provides an assessment of the proposal in terms of the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It should be read in conjunction with all supporting information and Architectural Plans included at **Appendix A**.

1.1 Council Consultation

An online pre-lodgement meeting was held with Central Coast Council, the Client and SLR on 24 May 2023 (PDA/72/2023).

Table 1 summarises the lodgement requirements raised by Council in the advice letter and provides comments on each of the key matters raised.

Table 1 Consultation with Central Coast Council

Items raised by Council	Comment
Planning	
<i>The applicant is to justify the proposed development has approval under the original consent as per Clause 4.2, Part 4 of the Environmental Planning and Assessment Act 1979 No 203 (EP&A Act) as follows:</i> <i>4.2 Development that needs consent (cf previous s 76A)</i> <i>(1) General If an environmental planning instrument provides that specified development may not be carried out except with development consent, a person must not carry the development out on land to which the provision applies unless—</i> <i>(a) such a consent has been obtained and is in force, and</i> <i>(b) the development is carried out in accordance with the consent and the instrument.</i> <i>Maximum penalty—Tier 1 monetary penalty.</i> <i>(2) For the purposes of subsection (1), development consent may be obtained—</i> <i>(a) by the making of a determination by a consent authority to grant development consent, or</i> <i>(b) in the case of complying development, by the issue of a complying development certificate</i> <i>The applicant is to submit documentation with the DA application that the proposed development is being carried out in accordance with the development consent the business is operating under. Council have been provided with Ordinary</i>	The proposed development does not contradict the conditions of consent within DA/1709/2022 (approved on 27 May 2023), and DA/1708/2022 (approved 6 February 2023). The works seek to support the safe and efficient operation of the approved land uses on site.



Items raised by Council	Comment
Meeting Minutes from 24 February 1976 but has not been provided with the development approval document.	
Division 4.9, Clause 4.55 Modification of consents - generally The Statement of Environmental Effects is to adequately address the provisions of s.4.55 under the Environmental Planning and Assessment Act 1979 (EP&A Act 1979). In particular, demonstrating the proposed changes to the development approval (the business is operating under) and additions/works will result in 'substantially the same' development for which consent was originally granted and before that consent as originally granted was modified. As the proposed development includes changes to the method of processing materials and the output of those materials, the applicant will need to demonstrate that these changes form part of an existing approval/modification as this may trigger Schedule 3, Part 2, cl. 42 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021).	Refer to Section 5.0 of this SEE for an assessment of provisions under s4.15 of the EP&A Act. The application is submitted as a new DA, not a modification to an existing development consent and therefore s.4.55 of the EP&A Act is not applicable.
Rural Fires Act 1997 The subject site is bushfire affected. The NSW Rural Fire Service (NSW RFS) has, under the Rural Fires Act 1997, a statutory obligation to protect life, property and the environment through fire suppression and fire prevention. Section 4.14 of the Environmental Planning and Assessment Act 1979 indicates that all new development on bush fire prone land to comply with Bush Fire Protection 2019 (BFP 2019).	Refer to Section 5.6 of this SEE for a discussion on bushfire risk.
Water Management Act 2000 The subject site has a 40 metres buffer area identified on the site. The proposed works are not located within the 40m buffer area. The applicant is to demonstrate the proposed works are outside of this area in the SEE and plans submitted with the DA and will therefore, not require a controlled activity approval under the Water Management Act 2000.	Refer to Section 5.2 of this SEE for a discussion on the potential impacts to waterways in the area.
State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) • Chapter 4 – Remediation of Land Clause 4.6 (b) requires that consent not be granted until Council has considered whether the land is contaminated. If the land is contaminated, the Council needs to be satisfied that the land is suitable in its contaminated state (or will be	Refer to Section 5.6 of this SEE.



Items raised by Council	Comment
<i>suitable, after remediation) for the purposes for which the development is proposed to be carried out.</i> <i>Details of the potential contamination of the subject site needs to be provided as part of the development application such as with a preliminary site investigation report.</i>	
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> <i>• Clause 2.119 – Development with frontage to classified road</i> <i>Clause 2.119 relates to development with frontage to a classified road (Brisbane Water Drive) and seeks to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads. The application will be referred to Transport for NSW (TfNSW) (Formally RMS) for comments regarding the proposal.</i>	The proposal does not front Brisbane Water Drive. The proposal will not cause significant adverse impacts on the operation of the state classified M1 Pacific Motorway. Refer to Section 4.5 of this SEE for a discussion.
<i>Central Coast Local Environmental Plan 2022</i> <i>Permissibility</i> <i>The proposed maintenance of a sewerage system is permitted with consent within the SP2: Infrastructure zone under the provision of the Central Coast Local Environmental Plan 2022 (CCLEP 2022). Maintenance is defined under the State Environmental Planning Policy (Transport and Infrastructure) 2021 as:</i> <i>maintenance</i> includes repair <i>A sewerage system is defined under the CCLEP 2022 as :</i> <i>sewerage system</i> means any of the following— <i>(a) biosolids treatment facility,</i> <i>(b) sewage reticulation system,</i> <i>(c) sewage treatment plant,</i> <i>(d) water recycling facility,</i> <i>(e) a building or place that is a combination of any of the things referred to in paragraphs (a)–(d).</i> <i>The proposed development is to demonstrate consistency with the objectives of the SP2: Infrastructure zone in accordance with Clause 2.3 of the CCLEP 2022 as follows:</i> <i>o To provide for infrastructure and related uses.</i> <i>o To prevent development that is not compatible with or that may detract from the provision of infrastructure.</i> <i>o To recognise existing railway land, major roads</i>	Refer to Section 4.6 of this SEE for a discussion and analysis.



Items raised by Council	Comment
<i>and utility installations and to enable their future development and expansion.</i> <i>Relevant Clauses</i> • <i>Clause 5.10 - Heritage Conservation:</i> <i>The subject site, which is the topic of the Pre-DA is not impacted by Heritage Conservation as per this clause. However, it was discussed briefly during the Pre-DA meeting that further sewer works would be proposed at a later date on another site location which Council identified would likely impact on Local Heritage Item 173 Silos and Dairy shed located at 2 Watagan Forest Drive. This property and any future proposed works at that location do not form part of the scope of this Pre-DA. However, it is raised to the applicant that this clause should be considered when works are proposed at the heritage listed locations.</i>	No works are proposed in the vicinity of heritage items or heritage conservation areas under this application.
<i>Clause 7.1 – Acid Sulfate Soils:</i> <i>The area of the proposed works is mapped as potentially containing class 5 acid sulfate soils, therefore, the provisions of Clause 7.1 of the CCELP 2022 are to be addressed. Any Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land, requires the preparation of an acid sulphate soils management plan (ASSMP).</i>	Refer to Section 4.6.1 of this SEE for a discussion.
<i>Clause 7.6 - Essential services:</i> <i>The consent authority cannot grant consent unless it is satisfied that all services that are essential for the development are available or that adequate arrangements have been made to make them available when required. The development application must address the provisions of this Clause in the SEE.</i>	Refer to Section 4.6.1 of this SEE for a discussion.
<i>Central Coast Development Control Plan 2022</i> • <i>Part 1.2 - Notification of Development Proposals</i> <i>The proposed development will be notified as per APPENDIX A – NOTIFICATION TABLE of Part 1.2 Please note that greater than 10 submissions of objection will result in the application being determined by the Central Coast Local Planning Panel (CCLPP).</i>	Refer to Appendix B.
<i>2.14 Site Waste Management</i> <i>Submission of a Waste Management Plan (WMP) using Council's template in accordance with Chapter 2.14 – Site Waste Management of</i>	Refer to Appendix C.



Items raised by Council	Comment
<i>CCDCP 2022 and Council's Waste Control Guidelines for all clearing, demolition, site preparation, construction, subdivision, long term operation and on-going management of waste.</i> <i>All major demolition and construction components are required to be identified with an estimated volume of waste indicated. Ensure a figure is provided for residual waste to cover those materials that are unable or not feasible to separate. Rules of thumb for estimating waste can be found under Appendix B Waste/Recycling Generation Rates of the Better Practice Guide for Waste Management in Multi-Unit Dwellings published by Department of Environment & Climate Change i.e. timber 5-7% of material ordered, bricks 5-10% of material ordered etc.</i>	
<i>Part 3: Environmental Controls</i> <i>3.5 Tree and Vegetation Management</i> <i>The plans did not indicate any tree removal. If trees are to be removed, the application is to include a tree removal and retention plan. Tree Protection Zones and protection measures for trees to be retained, must be shown on the plan. This plan must be based on the advice of an AQF5 qualified Arborist and must specifically include consideration of any area where deep excavation is required. Any required bushfire protection measures and setbacks to vegetation will need to be provided on the development site.</i> <i>A landscape plan should also accompany the development application which details the existing and proposed vegetation to be provided on site.</i>	Refer to Arborist Impact Report (Appendix F) and Ecological Assessment Report (Appendix A) for an analysis.
<i>Part 5: Location Specific Development Controls</i> <i>The site is part of the Warnervale – M1 Pacific Motorway Service Centres character area of Central Coast Development Control Plan 2022 (Chapter 5.36). The character statement is to demonstrate that the proposed development is consistent with the desired character of the area as per the Scenic Quality and Character Statements.</i>	Refer to Appendix B.
<i>Other Matters</i> <i>Estimated cost of works</i> <i>This guide explains how Council determines the 'estimated cost of works' and the application fees payable and is applicable to Development Applications, Construction Certificates and Complying Development Certificates</i>	Noted.
Summary of Planning Comments	The proposed design accounts for possible maximum usage during peak times.



Items raised by Council	Comment
<i>The infrastructure is privately owned and therefore not permissible under SEPP Transport and infrastructure. A development application is required.</i> <i>During the meeting, the client noted repeated failures during holiday periods. Council is concerned that designs provided by the applicant will not consider holiday traffic loads. The client also mentioned that they conduct sewerage pump outs over these periods to compensate, which they likely do not have permission to do.</i>	
Water and Sewer	
<i>The site is connected to Council sewer network via a private sewer pumping system and associated private rising main.</i>	Noted.
<i>The proponent/applicant is required to confirm what is the current discharge flow rate (L/s) into Council sewer network.</i>	Refer to Section 3.0 of this SEE.
<i>The proponent/applicant is required to confirm what will be the proposed discharge flow rate (L/s) into Council sewer network.</i>	Refer to Section 3.0 of this SEE.
<i>Sewer developer charges may be applicable subject to review of the above and historical approval from Council.</i>	Noted.
<i>A S305 application will be required, and S307 Certificate will be required prior to commission the new private sewer pumping system.</i>	Noted.
Contributions	
<i>A detailed contributions quote can be obtained from Council's Section 7.11 Contributions Officer. Please note that fees are required to be paid prior to issue of the construction certificate and that contributions will be adjusted to the amount applicable at the time of payment. Please see link for access to full copy of Section 7.11 and 7.12 Plans.</i>	Noted.
Environmental Health	
<i>Flora and fauna surveys would need to be undertaken in accordance with the Central Coast Flora and Fauna Guidelines, inclusive of seasonal surveys for cryptic species. Tree removal schedule may also be required/ or fauna management plan.</i>	Refer to Ecological Assessment Report at Appendix A .
<i>An assessment for contamination of adjacent properties is required to be submitted with the development application. Preliminary Site Investigation to identify any potential contamination.</i>	Refer to Section 5.6 of this SEE.
<i>A report on the dilapidation of houses and adjacent structures maybe required.</i>	A Dilapidation Report can be provided as under the CC documentation.
<i>Construction noise and vibration assessment will be required to be submitted with the application.</i>	Refer to NVIA at Appendix D .
<i>Soil and water management plan required.</i>	Refer to Soil and Water Management Plan at Appendix E .
<i>Environmental incident classification and reporting procedure to be provided with the application.</i>	Environmental incident classification and reporting procedures will be identified within a



Items raised by Council	Comment
	CEMP, required before the commencement of construction.
<i>Acid Sulfate Soils assessment report to be provided with the application.</i>	Refer to Section 4.6.1 of this SEE.
<i>Construction Environmental Management Plan</i> <i>i. Details of complaints handling procedures during construction</i> <i>ii. Details of compliance incident management</i> <i>iii. measures to monitor and manage spoil, fill and materials stockpile sites including details of how spoil, fill or material would be handled, stockpiled, reused and disposed and a stockpile management protocol detailing locational criteria that would guide the placement of stockpiles and management measures that would be implemented to avoid/ minimise amenity impacts to surrounding residents and environmental risks (including to surrounding water courses).</i> <i>Stockpile sites that affect heritage, threatened species, populations, or endangered ecological communities</i> <i>iv. measures to monitor and manage dust emissions including dust from stockpiles, blasting, traffic on unsealed public roads and materials tracking from construction sites onto public roads</i> <i>v. construction noise management</i>	To be provided prior to the construction stage.
<i>Ongoing</i> <i>i. measures to monitor and manage hazard and risks including emergency management</i> <i>ii. measures for the handling, treatment, and management of contaminated materials</i>	Environmental monitoring and management will be included within a CEMP, required before the commencement of construction.



2.0 Site and Surrounds

The service centre site is generally known as the M1 Wyong Northbound and is formally recognised as 29 St Johns Road, Jilliby NSW 2259. It comprises of a single lot legally described as Lot 41 DP814963. The lot is irregularly in shape, with a total area of approximately 11.5ha, although the existing development footprint extends over less than half of the total lot area. The site fronts the Pacific Motorway to the east. A dense section of trees is concentrated in the western and southern undeveloped pockets of the site which help to buffer the existing development from adjoining land uses. A number of trees are located in and around the service centre complex.

A majority of the works will occur outside the service centre site. The works will follow the 4.5km route of the existing rising sewer main, which traverses east from the service centre lot, along Brolga Way, south along Hue Hue Road, and west along Alison Road. Works outside the service centre site will occur solely on road reserves.

The works will occur within the suburbs of Jilliby, Alison and Wyong, all located within the Central Coast Council Local Government Area (LGA).

Figure 1 Site Aerial (Source: Nearmap)



3.0 Proposal

The proposed development relates to the upgrade and maintenance of the existing rising sewer mains infrastructure connecting to the Northbound service centre.

The proposal includes:

- Installation of a larger capacity sewer pipeline from 29 St Johns Road, along Brolga Way, Hue Hue Road and Alison Road – totalling 4.5 km of pipeline; and
- Decommission and removal/demolition of the existing pipeline.

The completion of works would involve the following elements:

- Removal of vegetation, subsoil and topsoil;
- Demolition works;
- Construction and establishment of services and infrastructure;
- Vehicle and machinery movements; and
- Where possible, the reinstatement of landscaping.

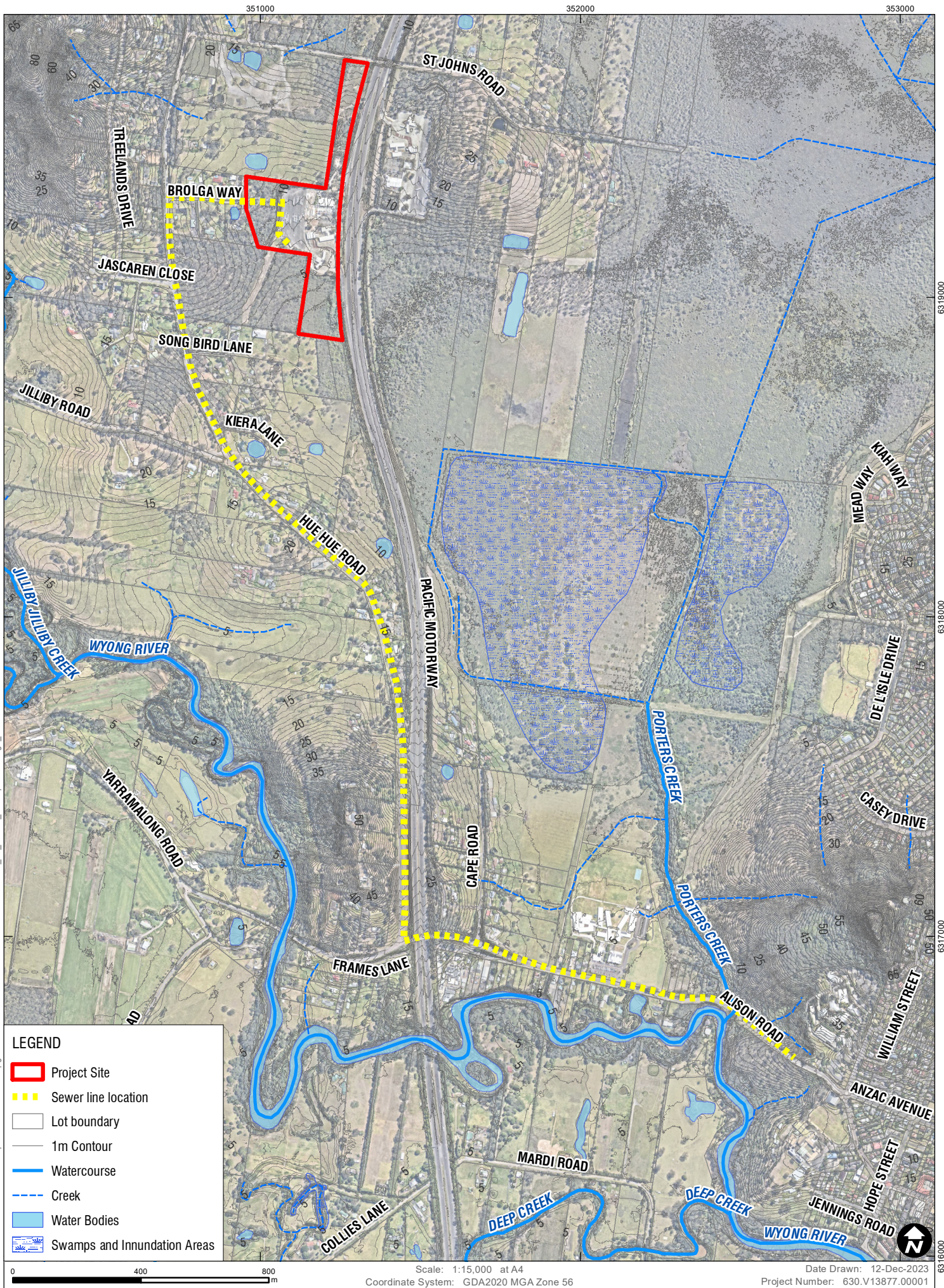
The works will mainly utilise the minimal-impact method of trenchless Horizontal Directional Drilling, also known as ‘underboring’. This technique aims to minimise contact with above ground flora and fauna, thereby reducing any potential adverse risks.

Current flow rate into Council’s assets is no more than 6L per second, which amounts to 100kL per day. The proposed flow rate would not deviate significantly from this rate.

Refer to **Figure 2** for the proposed development overview.



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PROPOSED DEVELOPMENT

FIGURE 2

4.0 Legislation and Planning Controls

The following Environmental Planning Instruments (EPIs) and Development Control Plan (DCP) are relevant to the proposed development:

- *Environmental Planning and Assessment Act 1979*;
- *Biodiversity Conservation Act 2016*;
- *Rural Fires Act 1997*;
- *Water Management Act 2000*;
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*;
- *State Environmental Planning Policy (Planning Systems) 2021*;
- *State Environmental Planning Policy (Resilience and Hazards) 2021*;
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*;
- *Central Coast Local Environmental Plan 2022*; and
- *Central Coast Development Control Plan 2022*.

4.1 Environmental Planning and Assessment Act 1979

The proposal is subject to the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Section 4.15(1) of the EP&A Act provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 4.15(1) is provided within this SEE.

4.2 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) aims to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. To achieve its goals, the BC Act 2016 governs endangered species and communities and provides a framework for a Biodiversity Offset Scheme.

An assessment was undertaken by AEP (**Appendix A**) in accordance with Section 7.3 of the BC Act to determine the significance of potential impacts of the proposed development on any threatened species or communities which are listed within the Act.

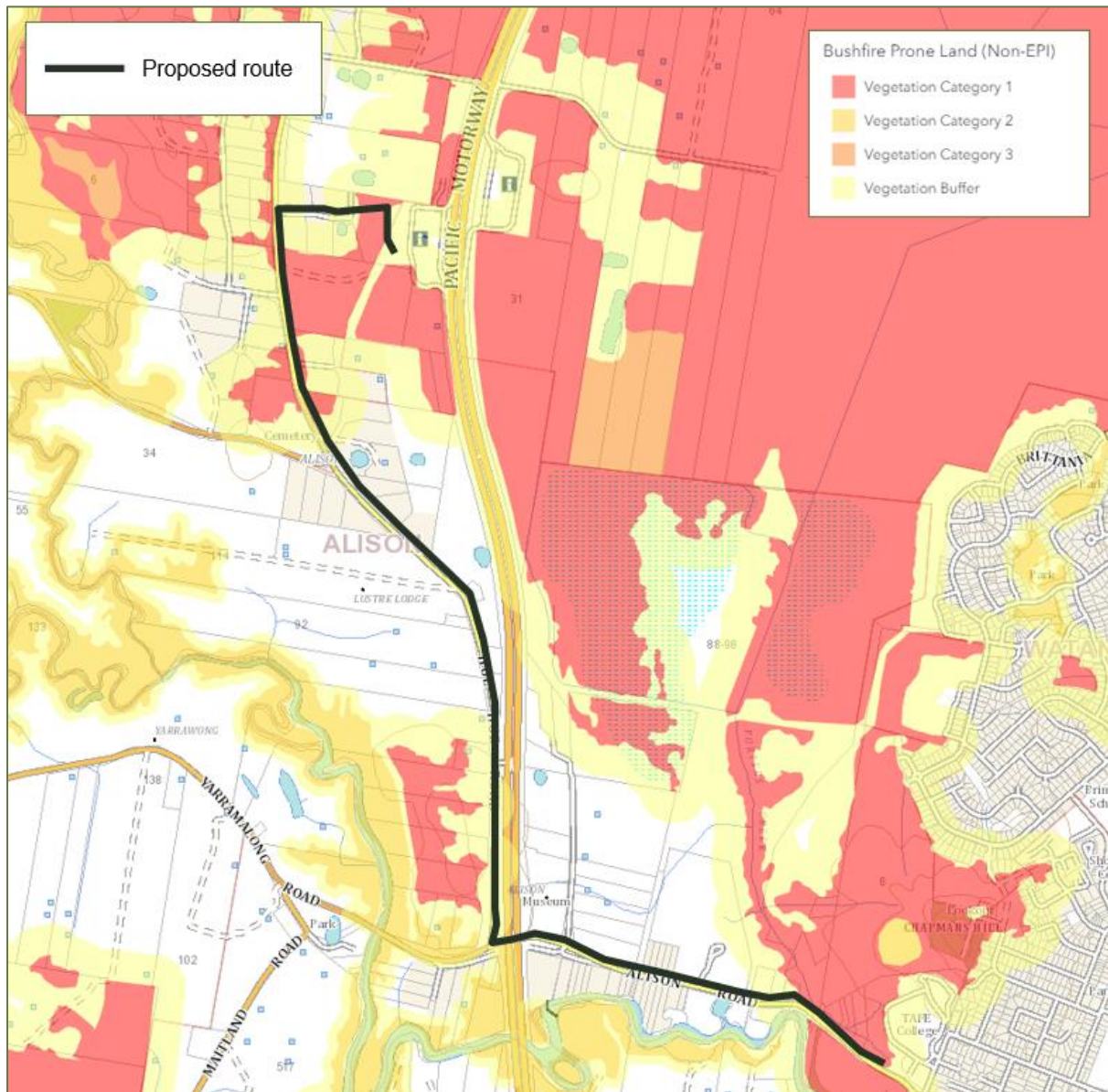
The proposed area to be cleared is minimal and consists of predominantly scattered landscaped areas managed as planted gardens, road verges and remnant native canopy. Therefore, it is unlikely that the proposal will have an adverse effect on any species. The proposed development has implementing underboring to avoid direct impact on high-quality native vegetation. The area of the alignment has also sought to use areas previously trenched for existing services alignments. The areas of impact that remain are kept to a minimum (0.05ha). Entry into the NSW BOS is not triggered by the proposed development.

4.3 Rural Fires Act 1997

The proposed works are to be conducted on land mapped as bushfire prone, including Vegetations Category 1 and Vegetation Buffer, refer to **Figure 3** below.



Figure 3 Bushfire Prone Land (Non-EPI) (Source: NSW Planning Portal Spatial Viewer)



Given the proposal is for the replacement of existing underground infrastructure, and no increase to the development footprint is proposed, the development is not considered to change the bushfire risk at the site. The use (as approved) is not defined as Special Fire Protection Purpose (SFPP) under the Rural Fires 1997 and therefore referral to the Rural Fire Service (RFS) is not necessary.

The development will continue to comply with the aim and relevant objectives of *Planning for Bushfire Protection 2019* including maintaining an adequate separation between the hazard and buildings/structures.

4.4 Water Management Act 2000

Any works located within a 40m buffer zone of an identified waterway or waterbody will require referral to the appropriate referral authority under the *Water Management Act 2000*. The proposal includes works within a 40m buffer to an existing waterbody, therefore will require referral. The works however will not affect the waterbody in an adverse way.



4.5 State Environmental Planning Policy (Biodiversity and Conservation) 2021

This SEPP aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas through the identification of core koala habitat and by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat. The SEPP is relevant to the proposal noting that Central Coast is a listed LGA in Schedule 2.

The Ecological Assessment Report conducted by AEP (**Appendix A**) included detailed koala surveys which did not detect evidence of koalas within the study area. Furthermore, the proposed native vegetation removal will occur on previously disturbed/ impacted land. Therefore, it is not anticipated that the proposal will impact koalas in the present or future.

4.6 State Environmental Planning Policy (Planning Systems) 2021

4.6.1 Part 2.4 Regionally significant development

Clause 2.19 Declaration of regionally significant development: section 4.5(b)

Under Clause 2.19 development specified in Schedule 6 of the SEPP is declared to be regionally significant. Under Schedule 6, 'Sewerage systems' with an estimated development cost of more than \$5 million is considered regionally significant development, which applies to the proposed works. Therefore, the scope of works for this DA can be considered regionally significant.

4.7 State Environmental Planning Policy (Resilience and Hazards) 2021

4.7.1 Chapter 2 – Coastal Management

A portion of the proposed area of works, primarily towards the south end of Hue Hue Road and Alison Road, is mapped as Coastal Use Area and Coastal Environment Area. As such, Division 3 and Division 4 of Chapter 2 apply. The clause states that development consent must only be granted if the consent authority is satisfied that the development will not cause adverse effects on the nearby coastal area. The proposed works, being primarily underground and include replacement of existing infrastructure, will not cause negative impacts to nearby coastal areas and species. The utilisation of underboring, as mentioned previously, will further ensure this.

4.7.2 Chapter 3 – Hazardous and Offensive Development

While the site includes a service station the proposed works are quite separate to the existing service station operation, the proposed works do not include any changes to existing fuel infrastructure. The proposed works, being maintenance and replacement of sewerage system is not hazardous or offensive development. As such, a risk screening assessment is not considered necessary.

4.7.3 Chapter 4 – Remediation of Land

In relation to development applications, Chapter 4 of this SEPP requires the consent authority to consider whether the land is contaminated. Clause 4.6 of the 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...*

The works will not result in any imported or surplus fill material and will not change the use of the site. Overall, the potential risks to human health and the environment as a result of the works is negligible and consistent with Chapter 4 of SEPP (Resilience and Hazards).

4.8 State Environmental Planning Policy (Transport and Infrastructure) 2021

4.8.1 Chapter 2 – Infrastructure

Clause 2.118 Development with Frontage to Classified Road

The objectives of Clause 2.118 of SEPP Transport and Infrastructure are:

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

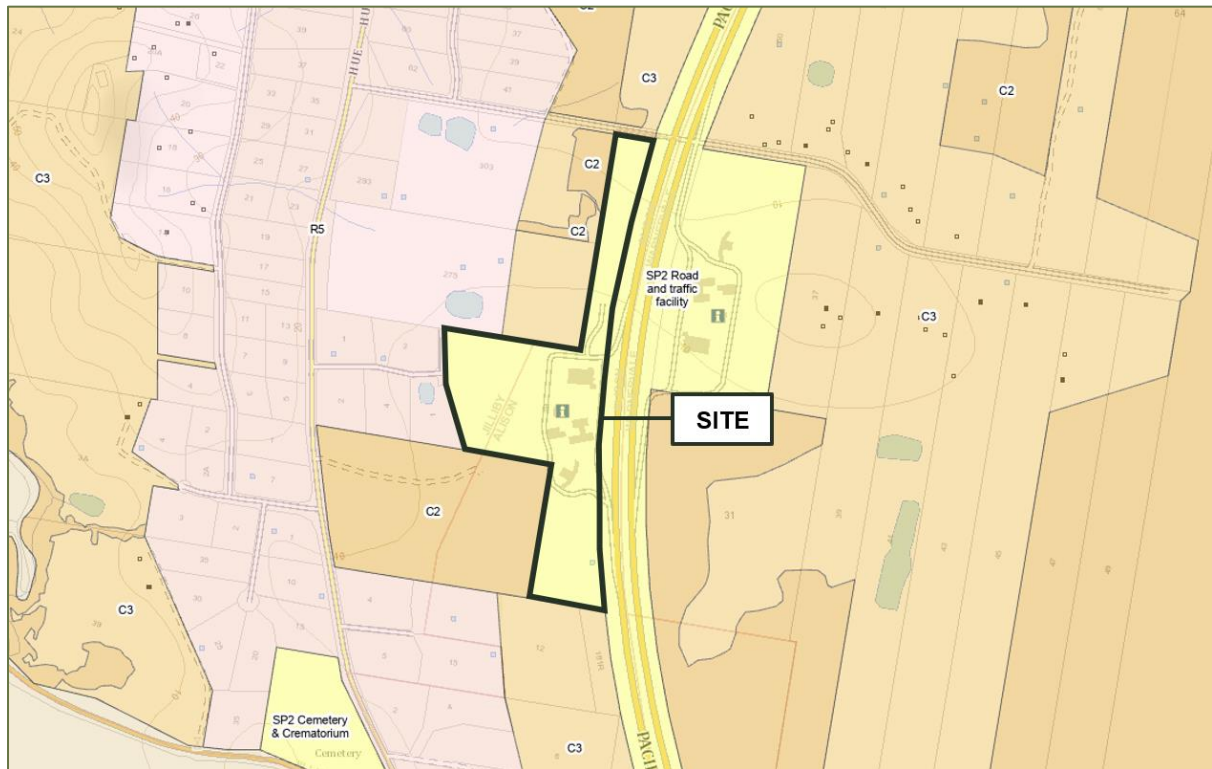
The M1 Pacific Motorway is a State Classified Road however no changes are proposed to any approved accessways. The proposed works will have no major impacts on the operation of the motorway.

4.9 Central Coast Local Environmental Plan 2022

The proposed works are located within the Central Coast LGA and is subject to the Central Coast LEP 2022. The main service centre site is zoned SP2 Infrastructure under the LEP, see **Figure 4**.



Figure 4 Land zoning map extract (Source: NSW Planning Portal Spatial Viewer)



Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To recognise existing railway land, major roads and utility installations and to enable their future development and expansion.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

The existing approved use of the subject site as a highway service centre will not be changing under the proposed works. The proposed maintenance of a sewerage system is permitted with consent as ancillary to the highway service centre within the SP2 Infrastructure Zone.

The works will also be undertaken on land zoned R1 General Residential, R5 Large Lot Residential, C2 Environmental Conservation, C3 Environmental Management. The proposed works is permissible with consent under these zones.



4.9.1 Relevant clauses within Central Coast LEP 2022

Clause 7.1 Acid sulfate soils

The proposed works will occur on land subject to Class 2, 3, 4 and 5 acid sulfate soils where Class 5 acid sulfate soils overlay the area of the proposed works, refer to **Figure 5**. The land is not below 5m AHD and the development will not affect the water table.

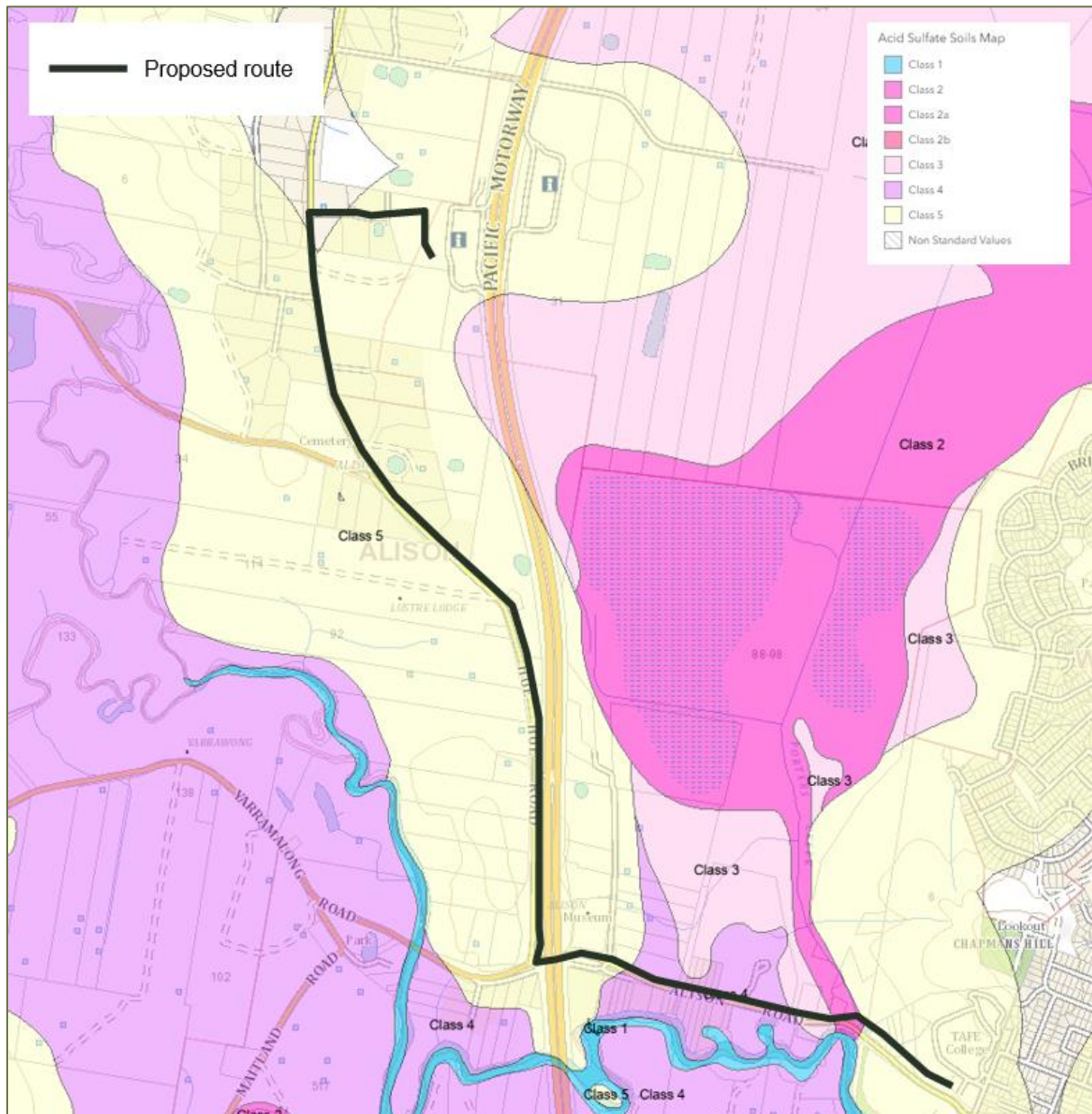
For Classes 2, 3, and 4 the following works would trigger the need for an acid sulfate soils management plan:

Class of Land	Works
2	• Works below the natural ground surface. • Works by which the watertable is likely to be lowered.
3	• Works more than 1m below the natural ground surface. • Works by which the watertable is likely to be lowered more than 1m below the natural ground surface.
4	• Works more than 2m below the natural ground surface. • Works by which the watertable is likely to be lowered more than 2m below the natural ground surface.

Although the proposed works incur disturbance of soil, they can be considered minor in nature as they represent the replacement of existing sewer infrastructure. Therefore, together with the utilisation of underboring, there will be minimal soil disturbance. An acid sulfate soils management plan can be provided at the construction stage if deemed necessary by Council.



Figure 5 Acid Sulfate Soils Map Extract (Source: NSW Planning Portal Spatial Viewer)



Clause 7.6 Essential services

Clause 7.6 states that a consent authority can only grant development consent if the authority is satisfied that essential services for the development are available, or arrangements have been made to improve essential services. The proposed works will not impede on existing essential services, and will not require the enhancement of existing services. The works aim to service and improve existing sewerage services, thus in itself will provide an upgraded service to the subject site and surrounds.

4.10 Central Coast Development Control Plan 2022

The Central Coast Development Control Plan (DCP) 2022 provides detailed guidelines to guide the design and assessment of development applications for land covered by the Central Coast LEP 2022.



The components of the DCP relevant to the proposal are:

- Chapter 2.14 Site Waste Management; and
- Chapter 5.36 Warnervale – M1 Pacific Motorway Service Centres.

The proposed works are compliant with the DCP, a detailed compliance table is included in **Appendix B**.

5.0 Assessment of Environmental Planning Issues

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 4.15(1) of the EP&A Act relevant to the proposal.

5.1 Noise Impact

A Noise and Vibration Impact Assessment (NVIA) conducted by SLR has been included at **Appendix D**. The NVIA has found that construction noise impacts are predicted to vary between negligible and very high impact, depending on the location of works along the sewer line. The mitigation measures recommended in the NVIA include:

- Construction work limited to the standard daytime construction hours:
 - Monday to Friday 7 am – 6 pm;
 - Saturday 8 am – 1 pm; and
 - No work Sundays or Public Holidays.
- Use quieter and less vibration emitting construction methods where feasible and reasonable.
- Where possible, install purpose-built screening or enclosures will be used around long-term fixed plant (such as the underboring machine and associated pumps etc) that has the potential to impact nearby receivers.
- Truck routes to site will be limited to major roads, where possible.
- High-noise or vibration generating works will be carried out in continuous blocks no longer than three hours in length, with a minimum respite period of one hour between each block. 'Continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing these works.
- Dropping materials from a height will be avoided.
- The simultaneous use of multiple items of significant noise generating equipment will be avoided wherever possible, scheduling operations so they are used separately rather than concurrently.
- All machinery and plant will be maintained and operated in a proper and efficient manner to minimise noise generation.
- Noisy equipment will be sited behind structures that act as barriers, or at the greatest distance from the noise-sensitive area. Equipment will be oriented so that noise emissions are directed away from any sensitive areas, where possible.
- Switch off plant and equipment when not in use and avoid excessive idling.
- Maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not operational until fully repaired.



- Equipment that is noisy will be started away from sensitive receivers.
- All plant and equipment must be maintained in a proper and efficient condition, operated in a proper and efficient manner, and feature standard noise amelioration measures where applicable.
- Where practicable, tonal reversing alarms (beepers) will be replaced with non-tonal alarms (squawkers) on all equipment in use (subject to occupational health and safety requirements).
- Truck movements will be kept to a minimum, ie trucks are fully loaded on each trip.
- Trucks will not queue outside residential properties, where practicable.
- Compounds and work sites will be designed to promote one-way traffic and minimise the need for vehicle reversing.
- Where complaints are received, work practices will be reviewed and feasible and reasonable practices implemented to minimise any further impacts.
- Noise and/or vibration monitoring will be conducted (as appropriate) when noise/vibration intensive works are being undertaken in close proximity to sensitive receivers.
- If vibration generating works are required within the minimum cosmetic damage working distances and considered likely to exceed the criteria:
 - Attended vibration measurements will be undertaken at the start of the works to determine actual vibration levels at the site. Works will cease if the monitoring indicates vibration levels are likely to, or do, exceed the relevant criteria.
 - Where works are required within the cosmetic damage minimum working distances, building condition surveys will be completed before and after the works to ensure no cosmetic damage has occurred.
- Noise monitoring will be conducted (as appropriate) in response to formal complaints received to verify that levels are not substantially above the predicted levels.

5.2 Soil and Water Management

A Soil & Water Management Plan (SWMP) prepared by SLR has been included at **Appendix E**. The SWMP states that the primary risk to surface water quality during construction is ground disturbance associated with site earthworks. Construction works will expose site soils and there is potential for erosion to mobilise sediments into receiving watercourses. The SWMP therefore recommends the following mitigation measures and site management practices to be implemented:

- Minimising the disturbance footprint (staging construction as necessary);
- Separation/diversion of 'clean' water catchment runoff from disturbed runoff areas to minimise sediment laden water volumes for management (where possible);
- Excavation dewatering activities to ensure that no discharge of untreated sediment laden or contaminated water occurs to catchment areas or stormwater drains.
- This will be achieved via flocculation tanks and sumps where the water may be treated with flocculant and/or a pH adjuster. In addition, the water may be discharged via a dewatering tube (purely for Total Suspended Solids (TSS)) or trucked offsite and disposed of in a suitable manner;



- Minimising soil erosion (i.e., rehabilitation, drainage and erosion control measures) at the source, rather than trapping resultant sediment. Where this is not practicable, then all reasonable measures will be made to trap sediment by implementing sediment control measures compliant with the required treatment standards. Upslope and downslope Erosion and Sediment Control (ESC) measures shall be installed prior to any ground disturbance;
- Conducting best practice land clearing procedures for all proposed disturbance areas;
- Sediment fences will be utilised to control sheet flow from the disturbance areas during the construction works;
- If soil stockpiles are required, then these stockpiles will be placed in areas away from roadways and other drainage lines. Suitable sediment control measures will be installed downslope of soil stockpiles and upslope clean water runoff diverted (where possible);
- Sealing or revegetation of external disturbed areas as soon as reasonably practicable;
- Stabilised rock pads will be installed at site entry/exit points during the construction works;
- Visual inspections of all vehicles leaving the site will be undertaken and where it is deemed possible that sediment could be tracked onto roads, the vehicles shall be washed down in a suitable location such that the wash down water reports to appropriate sediment controls. Street sweeping will be used as an additional contingency measure where sediment is observed on roads;
- Where there is potential for sediment laden runoff to enter stormwater pits, suitable inlet protection measures will be installed around the pit inlets. These include straw bale filters and mesh/gravel inlet filters;
- Effective dust suppression measures (where required);
- Any liquid wastes, fuels and oils stored on-site will be sufficiently bunded to contain any potential spills. Accidental spillage or poor management of fuels, oils, lubricants, hydraulic fluids, solvents, and other chemicals during the construction phase will be controlled in accordance with a Spill Management Plan;
- Appropriate site storage of hydrocarbons within bunded areas, and adoption of a Spill Management Plan.
- Barrier fencing will be installed for each stage of construction to delineate no-go areas and to maintain disturbance areas and traffic movement to the designated areas; and
- Implementing an effective monitoring and maintenance program for the site.

5.3 Flora and Fauna

An Ecological Assessment Report (EAR) completed by AEP (**Appendix A**) has been conducted to determine the potential impacts to flora and fauna from the proposed sewer main works. The EAR utilised a study area of approximately 2.43ha, of which only 0.05ha of remnant native vegetation is expected to be removed. No hollow-bearing trees were identified within the subject area of the EAR. No threatened fauna species were recorded within the study area, and two (2) threatened flora species, *Melaleuca biconvexa* (Biconvex Paperbark) and *Thelymitra adorata* (Wyong Sun Orchid) were noted within close proximity to



the study area, however not identified within the site. Therefore, it is anticipated that no significant impacts will occur as a result of the proposed works.

The study area for the report by AEP contains two (2) areas under Biodiversity Values (BV) mapping. However, through the use of underboring which avoid disturbance of flora and fauna above ground, there will be minimal impacts as a result of the development. An assessment against the 5-part test under the *Biodiversity Conservation Act 2016* also found no significant impacts to threatened species as a result of the proposed works. Therefore, the requirement of a Biodiversity Development Assessment Report (BDAR) is not triggered.

5.4 Visual Impact

The proposed works will result in negligible visual changes given it is limited to below ground works. Selected tree removal will not have a significant impact on the landscape amenity at the site. Overall, the works are considered to have minimal visual impact to the existing environment.

5.5 Bushfire Risk

The proposed route of works is included in land classed as Vegetation Category 1 and Vegetation Buffer Zone, refer the **Figure 3**. The proposed works are not expected to create increased risk to bushfire prone land. The works are essential maintenance works that are predominantly underground and will not cause significant adverse impacts.

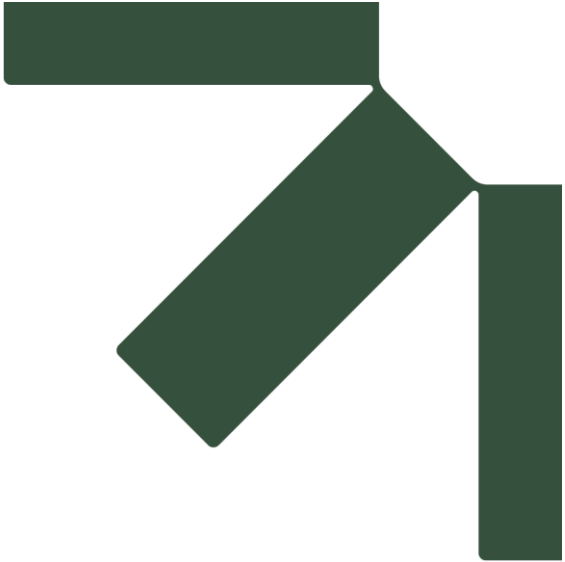
5.6 Contamination

The site is not listed on the EPA's contaminated land record of notices list, nor does the site appear on the list of notified contaminated sites. The proposed works are to utilise minimal-impact trenchless Horizontal Directional Drilling which is expected to have minimal impact.

6.0 Conclusion

The proposed rising sewer main maintenance works stemming from the M1 Northbound service centre at 29 St Johns Road, Jilliby will aim to update and enhance the existing infrastructure. The proposal is compliant with relevant legislative requirements and Environmental Planning Instruments (EPIs) including relevant SEPPs, the Central Coast LEP 2022 and Central Coast DCP 2022. Given the merit of the design and the absence of any significant adverse environmental impacts or planning issues, the DA is considered to be in the public's interest and worthy of Council's support.





Appendix A Ecological Assessment Report

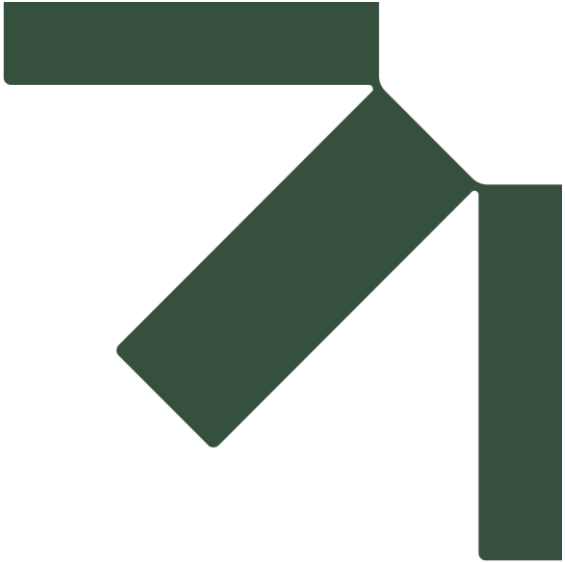
Statement of Environmental Effects

Upgrades to Existing Rising Sewer Mains

Ampol Australia Petroleum Pty Ltd

SLR Project No.: 630.V13877.00001

20 November 2024



Appendix B DCP Compliance Table

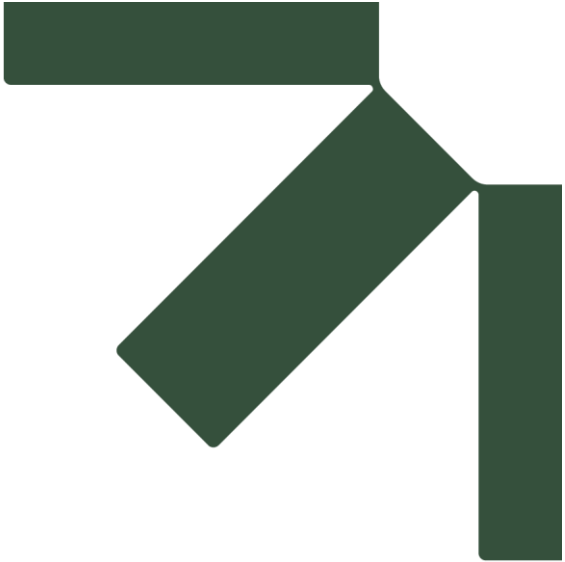
Statement of Environmental Effects

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Appendix C Waste Management Plan

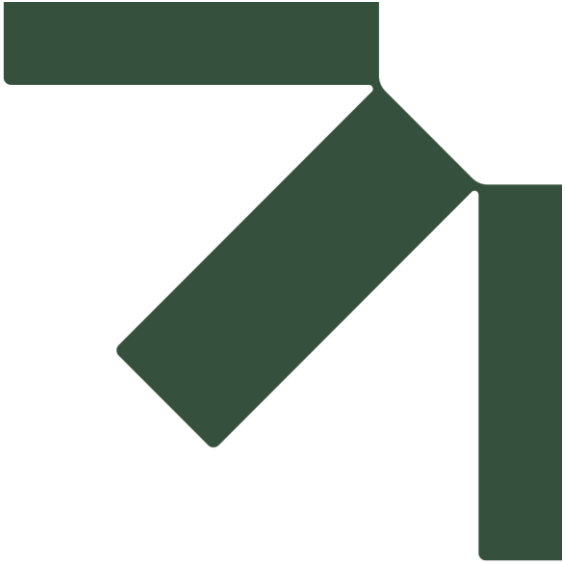
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Appendix D Noise & Vibration Impact Assessment

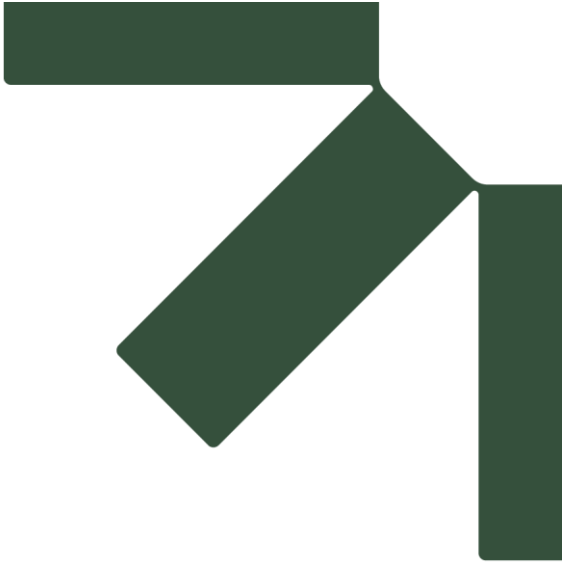
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Appendix E Soil & Water Management Plan

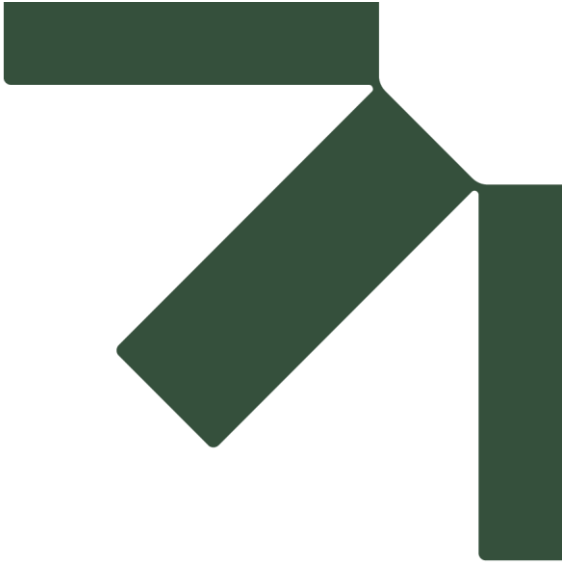
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Appendix F Arborist Impact Assessment

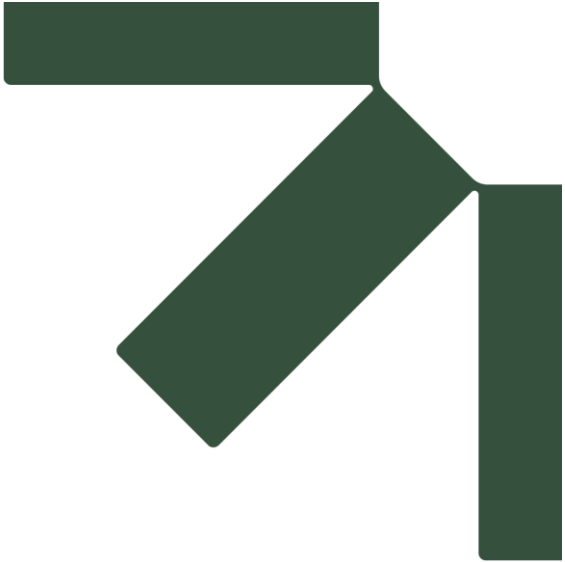
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Appendix G Engineering Plans

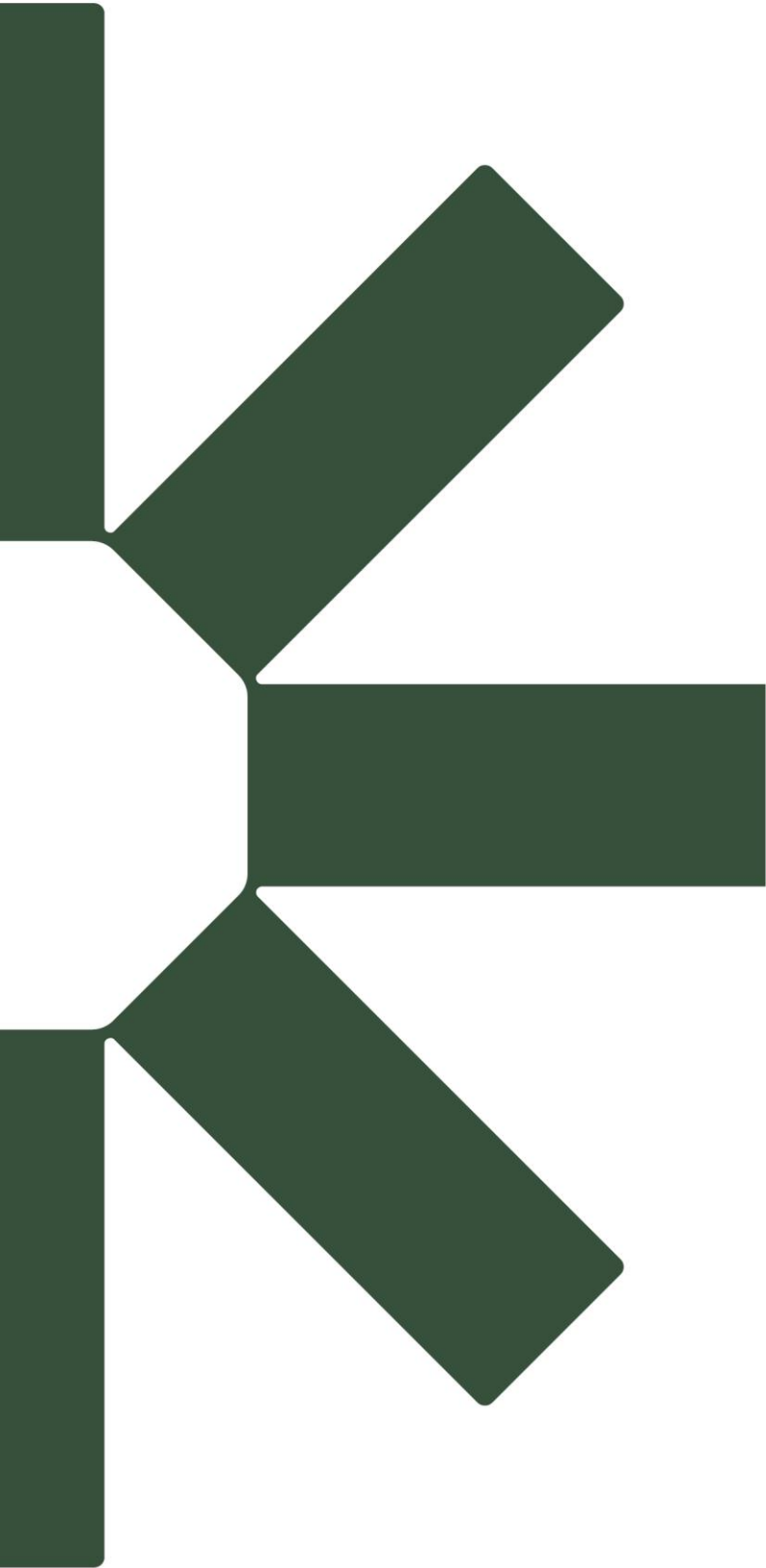
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