



STATEMENT OF
ENVIRONMENTAL EFFECTS



ALTERATIONS AND ADDITIONS –
ABOVE-GROUND FUEL TANK

5 Allnutt Street, Quirindi NSW 2343

For
Howard's Bus & Charter Pty Ltd

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Our Ref:	22/0546
Date	26 June 2023
Project	Above-ground fuel tank – 5 Allnutt Street Quirindi NSW 2343
Client	Howard’s Bus & Charter Pty Limited
Author	Courtney Rovere Planner Grad. Cert. Urban Planning and Design
Certification	<i>I hereby certify that this Statement of Environmental Effects has been prepared in accordance with the requirement of the Environmental Planning & Assessment Act 1979 and its associated Regulations. I certify that to the best of my knowledge the information contained within this report is neither false nor misleading.</i>
Signature	
Reviewer	Lachlan Sims Principal Planner B. Urban and Regional Planning
Signature	

This report was prepared by Monteath & Powys Pty Ltd.

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TABLE OF CONTENTS

1. INTRODUCTION.....	3
1.1 Owner Details	3
1.2 Site details	4
1.3 Approval Pathway.....	6
2. PROPOSED DEVELOPMENT	6
3. STATUTORY AND POLICY CONSIDERATIONS.....	10
4. ENVIRONMENTAL IMPACT ASSESSMENT	18
5. SITE SUITABILITY.....	20
6. PUBLIC INTEREST	20
7. CONCLUSION.....	20

APPENDICES

APPENDIX A: Site Map for Proposed Fuel Tank

APPENDIX B: Smart Tank Spec Sheet Drawings

APPENDIX C: Before You Dig Australia

1. INTRODUCTION

This Statement of Environmental Effects (SOEE) has been prepared on behalf of Howard's Bus & Charter Pty Ltd by Monteath & Powys Pty Ltd. The purpose of this SOEE is to accompany a Development Application (DA) submitted to the Liverpool Plains Shire Council. The application seeks development consent for alterations and additions consisting of the construction of an above-ground fuel tank at the existing Quirindi Transport Depot, located at Lot 74 DP 664554 - 5 Allnutt Street, Quirindi.

The Subject Site falls within the 'MU1- Mixed Use' Zone, as defined in the *Liverpool Plains Local Environmental Plan 2011* (LEP). The proposed development involves alterations and additions to a bus depot/industrial shed. This development is permissible with consent under the provisions of the LEP.

This SOEE seeks to overview the proposed development against matters referred to in Sections 4.15(1) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and other relevant matters.

The purpose of this SOEE is to:

- Describe the existing environment to which the DA relates and the character of the surrounding area.
- Describe the proposed development.
- Outline the statutory planning framework within which the DA is assessed and determined.
- Assess the proposed development in considering the relevant heads of consideration (Section 4.15(1) of the EP&A Act).

1.1 OWNER DETAILS

The Applicant:

Howard's Bus & Charter Pty Limited
C/- Monteath & Powys
PO Box 2270
DANGAR NSW 2309

Contact:

Courtney Rovere
Phone: (02) 4926 1388

The Owner(s):

The Subject Site, located at 5 Allnutt Street, Quirindi - Lot 74 DP 664554, is the legal property of Howards Bus and Charter Pty Ltd.

1.2 SITE DETAILS

The Subject Site is encompassed within the Liverpool Plains local government area.

Situated within the Liverpool Plains local government area, the Site includes an existing office and amenities building constructed in 1963 as part of a previous fuel depot use. The lot, with an area of approximately 3876m², has a rectangular shape with a small portion at the North-West corner snipped off due to its Allnutt Street frontage (as illustrated in **Figure 1**).

The Council approved the construction of a shed at the eastern end of the lot on 12/12/2007 (DA 195/2007), which was erected in 2010.



Figure 1: Subject Site (Source: SixMaps, 2022)

The current site context and location of the proposed development is depicted in **Figure 2** and **Figure 3**, providing visual documentation of the site.



Figure 2: View of the Shed facing South-East (Source: Howards Bus Pty Ltd, 2023)



Figure 3: View from the shed facing West (Source: Howards Bus Pty Ltd, 2023)

The Site is within the “MU1” Mixed Use zone under the LEP. The surrounding area comprises a mix of low-density residential, light industrial, and rural land uses. Refer to **Figure 4**.



Figure 4: Zoning Map (Source: ePlanning Spatial Viewer, 2022)

1.3 APPROVAL PATHWAY

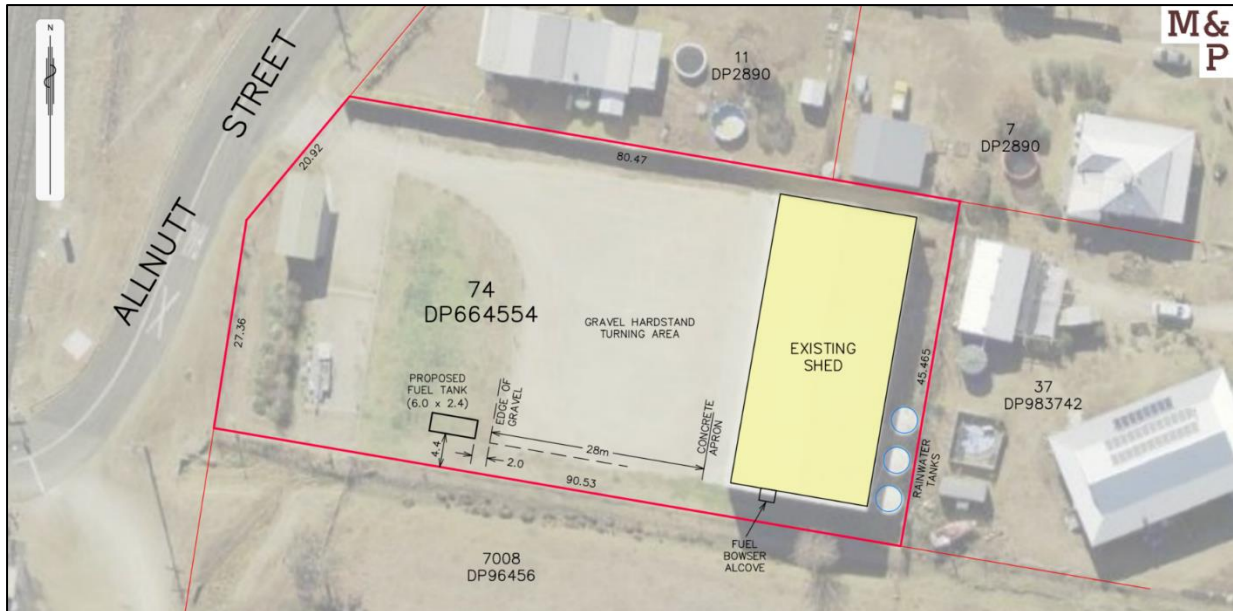
The proposed development involves the installation of an above-ground fuel tank within the existing bus depot, subject to obtaining consent from the appropriate authorities. The approval process for the proposed development involves submitting a DA to the *Liverpool Plains Shire Council* for assessment and the subsequent issuance of development consent.

2. PROPOSED DEVELOPMENT

The proposed development involves alterations and additions to the bus depot to accommodate an above-ground fuel tank. The intended location for the fuel bowser is at the southern end of the lot, positioned on the right-hand side when facing the shed. The placement is approximately 2 metres from the end of the 28-meter concrete apron at the front of the shed. It will be situated on the gravel area about 4.4 metres from the southern boundary.

For a visual representation of the proposed changes, please refer to the site map in **Figure 5**. Full site details are attached as **Appendix A**.

The fuel tank will connect to the bowser/pump via an underground fuel pipe. This setup will enable the refuelling of buses within the existing shed. Fuel delivery vehicles will replenish the fuel storage tank as needed.



- IMPORTANT NOTES**
1. THE BOUNDARIES SHOWN ON THIS PLAN ARE APPROXIMATE ONLY AND HAVE BEEN COMPILED FROM SURVEY PLANS ON PUBLIC RECORD. NO FIELD SURVEY HAS BEEN UNDERTAKEN TO DETERMINE THE ACCURACY OF THE BOUNDARIES AS SHOWN.
 2. DUE TO THE AGE OR COMPILED NATURE OF THE DEPOSITED PLANS USED, THESE DIMENSIONS REMAIN SUBJECT TO VERIFICATION BY SURVEY.
 3. THIS PLAN SHOULD NOT BE USED FOR BUILDING WORKS CLOSE TO OR ON THE BOUNDARY, OR TO PROSCRIBED SET-BACKS WITHOUT FURTHER SURVEY INVESTIGATION.
 4. THIS PLAN MUST REMAIN UNALTERED AS ISSUED BY MONTEATH & POWYS. ALTERING ANY PART OF THIS PLAN DESTROYS THE INTEGRITY OF THE PLAN. ANY REVISIONS REQUESTED MUST BE ISSUED BY MONTEATH & POWYS.
 5. THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN. REPRODUCTION OF THIS PLAN OR OF ANY PART OF THIS PLAN, WITHOUT THESE NOTES BEING INCLUDED IN FULL, WILL RENDER THE INFORMATION SHOWN ON SUCH REPRODUCTION INVALID AND NOT SUITABLE FOR USE.

Figure 5: Site Map & Notes (Source: M&P, 2023)

The fuel tank specifications are as follows:

- 6.000m in length
- 2.400m in width
- 1.460m in height

The self-bunded (double-walled) Duro Tank model, specifically the Smart Tank, has a capacity of 15,000 litres (L) and a safe fill capacity of 13,500L. The weight of the tank itself is 4,200 kilograms. Please refer to **Figure 6 and 7** for Fuel Tank Specifications. See **Appendix B** for further fuel tank details.

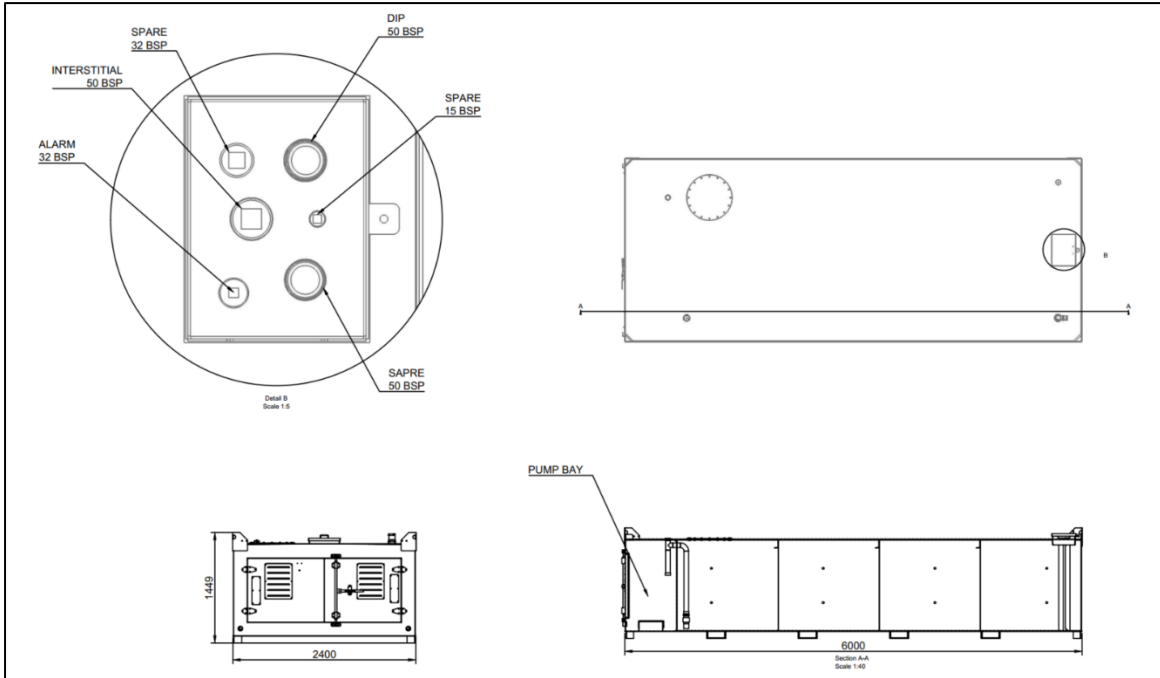


Figure 6: Fuel Tank Specifications (Source: Duro Tank, 2019)

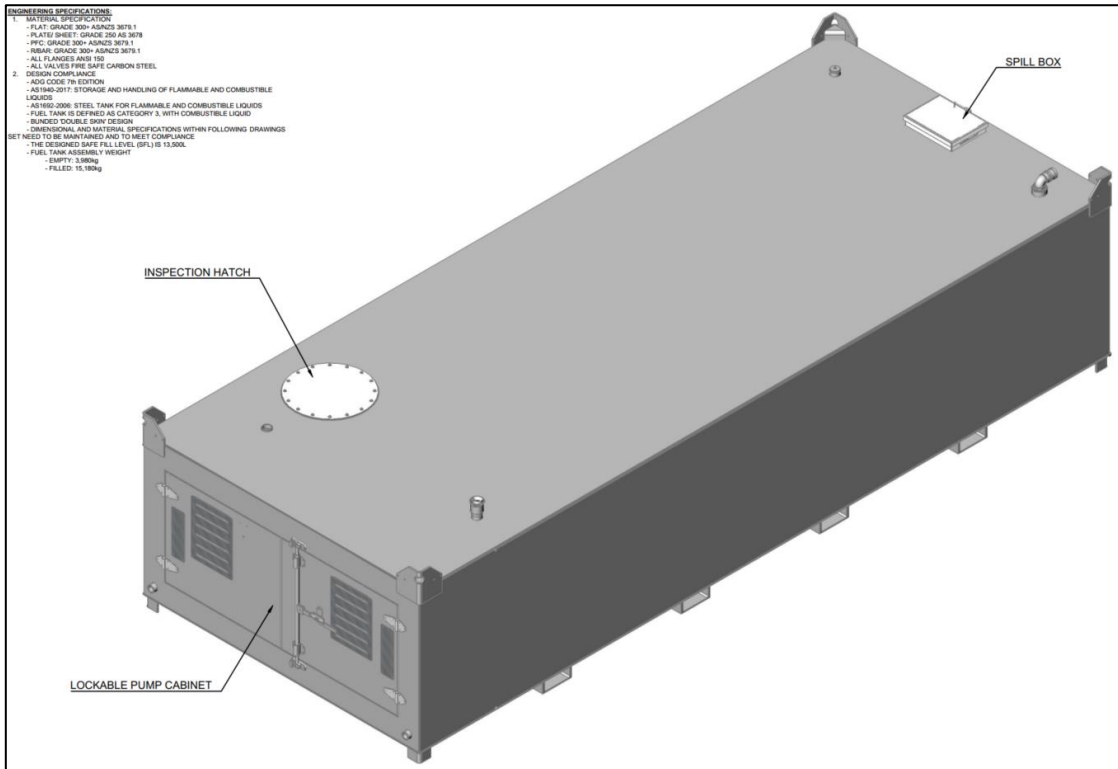


Figure 7: Fuel Tank Specifications (Source: Duro Tank, 2019)

2.1 ACCESS AND TRAFFIC

The current access to the Site is through Allnutt Street. The proposed development will have minimal impact on traffic flow, local roads, and intersections due to being setback from the front property boundary and parallel to the south side property boundary.

2.2 GEOTECHNICAL

According to the *Liverpool Plains Local Environmental Plan 2011*, the Subject Site does not contain any acid sulfate soils.

2.3 SERVICES

The subject site is equipped with access to Telstra and Essential Energy services, as confirmed by the Before You Dig Australia (BYDA) report provided in **Appendix C**.

2.4 FLOODING AND STORMWATER

As per the Liverpool Plains Flood Map, a portion of the Site falls within flood planning land. However, the proposed development is located outside of the mapped flood overlay and does not involve any alterations to the existing stormwater arrangements.

2.5 VEGETATION AND ECOLOGY

The proposed development does not necessitate the removal of any trees or shrubs, thereby avoiding any adverse impact on the existing vegetation and ecology.

2.6 WASTE

Storage and collection of waste on the Site are not anticipated to result in any adverse effects.

3. STATUTORY AND POLICY CONSIDERATIONS

This section identifies the statutory planning provisions that apply to the Subject Site. The proposed development is being determined under the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act), subject to determination by *Liverpool Plains Shire Council*.

3.1 COMMONWEALTH LEGISLATION

Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environmental Protection and Biodiversity Conservation Act (EPBC) 1999, in conjunction with the Commonwealth Environmental Protection and Biodiversity Conservation Regulations 2000, provide the basis for national environmental protection and conservation. The EPBC Act specifically aims to:

- *Provide for the protection of the environment, especially matters of national environmental significance.*
- *Conserve Australian biodiversity.*
- *Provide a streamlined national environmental assessment and approvals process.*
- *Enhance the protection and management of important natural and cultural places.*
- *Control the international movement of plants and animals (wildlife), wildlife specimens and products made or derived from wildlife.*
- *Promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources.*
- *Recognise the role of Indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity.*
- *Promote the use of Indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.*

The EPBC requires Commonwealth approval for development which significantly impacts matters of National environmental significance. The nine matters of national environmental significance protected under the EPBC Act include:

- *World heritage properties.*
- *National heritage places.*
- *Wetlands of international importance.*
- *Listed threatened species and ecological communities.*
- *Migratory species.*
- *Commonwealth marine areas.*
- *The Great Barrier Reef Marine Park.*
- *Nuclear actions (including uranium mines).*
- *A water resources, in relation to coal seam gas development and large coal mining development.*

It should be noted that the Subject Site is not identified as containing matters of National Environmental Significance following a review of the Protected Matters Search Tool of the EPBC Act.

3.2 STATE LEGISLATION

Environmental Planning and Assessment Act 1979

The following demonstrates the proposal's compliance with the relevant heads of consideration in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as amended, in particular:

- *Any Environmental planning instrument, and (Section 4.15(1)(a)(i)).*
- *Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and (Section 4.15(1)(a)(ii)).*
- *Any development control plan, and (Section 4.15(1)(a)(iii)).*
- *Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4, and (Section 4.15(1)(a) (iia)).*
- *The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and (Section 4.15(1)(a)(iv)).*
- *Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates, (Section 4.15(1)(a)(v)).*
- *The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, (Section 4.15(1)(b)).*
- *The suitability of the site for the development, (Section 4.15(1)(c)).*
- *Any submissions made in accordance with this Act or the regulations, (Section 4.15(1)(d)).*
- *The public interest, (Section 4.15(1)(e)).*

The following table (**Table 1**) outlines the compliance of Section 4.15 and refers to the relevant sections of this SOEE.

Table 1: Section 4.15 – Matters for Consideration

4.15 – Matters for Consideration	
Provision	Considered
Section 4.15(1)(a)(i) – Any environmental planning instrument.	Planning Instruments have been addressed in Section 3.2 of this SOEE.
Section 4.15(1)(a)(ii) – Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified by the consent authority.	No matters of relevance are raised concerning the proposed development.
Section 4.15(1)(a)(iii) – Provisions of any development control plan that apply to the land.	Liverpool Plains DCP 2012 has been addressed in Section 3.6 of this SOEE.
Section 4.15(1)(a)(iiia) – Provisions of any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4.	No matters of relevance are raised concerning the proposed development.
Section 4.15(1)(a)(iv) – Provisions of the regulations that apply to the land.	No matters of relevance are raised concerning the proposed development.
Section 4.15(1)(b) – The likely Impact of the Development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The likely Impacts have been addressed in Section 4 of this SOEE.
Section 4.15(1)(c) – The Suitability of the site for the development.	Suitability has been addressed in Section 5 of this SOEE.
Section 4.15(1)(d) – Any Submissions made in accordance with this Act or the regulations.	Submissions have been addressed in Section 6 of this SOEE.
Section 4.15(1)(e) – The Public Interest.	Public Interest has been addressed in Section 7 of this SOEE.

Other Acts

Consideration was afforded to other legislation, including legislation concerning whether the proposal is integrated development. Integrated development is development that, to be carried out, requires development consent and one or more of the following approvals:

- Biodiversity Conservation Act 2016
- Coal Mine Subsidence Compensation Act 2017
- Fisheries Management Act 1994
- Heritage Act 1977
- National Parks and Wildlife 1974
- Protection of the Environment Operations Act 1997
- Roads Act 1993
- Rural Fires Act 1997
- Water Management Act 2000

The proposed development is reviewed against the relevant provisions of the other legislation mentioned above.

Biodiversity Conservation Act 2016

According to the Biodiversity Values Map, the Subject Site is not situated on or near an area of environmental significance and contains no national environmental significant items. The proposed development does not require the clearing or removal of significant vegetation and will not have any direct impact on threatened species, ecological communities or their habitats. Based on this, no further approvals under this Act are required.

Coal Mine Subsidence Compensation Act 2017

The Site is not identified as a mine subsidence area on the Mine Subsidence District Map.

Fisheries Management Act 1994

The development will not have any direct impact on waterways or fish habitats.

Heritage Act 1977

The *Heritage Act 1977* protects Non-Indigenous heritage and is administered by the NSW Office of Environment and Heritage (OEH). Under Section 139 of the Act, an excavation permit must be obtained for the excavation or disturbance of a relic unless an exemption applies. A search of the State Heritage Register and Local Environmental Plan revealed no record of any heritage sites or places on the Subject Site.

National Parks and Wildlife Act 1974

The NPW Act is the primary legislation dealing with Aboriginal cultural heritage in NSW. Sections 86, 87 and 90 of the NPW Act require consent from the NSW OEH for the destruction or damage of Aboriginal cultural heritage. A search of the Aboriginal Heritage Information Management System (AHIMS) found no record of any Aboriginal sites or places on the subject site.

Roads Act 1993

The proposal does not include or require any works on or adjacent to a public road and no approvals under this Act are required.

Rural Fires Act 1997

The land is not identified as being within a bushfire prone area, as per the Bushfire Prone Land Mapping.

Water Management Act 2000

The proposed development is not located within 40 metres of waterfront land and the application will therefore not be referred to the Office of Water.

Overall, the proposal is not considered to be integrated development following a review of the other legislation deemed relevant to the site and proposed.

3.3 STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy (Resilience and Hazards) 2021

The provisions of Chapter 3 (Hazardous and offensive development) of this SEPP have been considered in the assessment of the development. Given the low scale (13,500L) and self-contained, self-bunded nature of the proposed fuel storage tank, the development is not considered to be potentially hazardous industry or potentially offensive industry as defined in this SEPP. Further, the development is not defined as a hazardous or offensive storage establishment under this SEPP's provisions. Based on this, no further consideration of the SEPP requirements or the Department of Planning Hazardous and Offensive Development Application Guidelines have been considered.

3.4 LOCAL ENVIRONMENTAL PLANS

Liverpool Plains Local Environmental Plan 2011

The *Liverpool Plains Local Environmental Plan 2011* (LEP) applies to the land and specifies the relevant local planning provisions applicable to the development.

The site is within the MU1 Mixed Use zone (see also Section 1.2 of this SOEE above) and is development permitted with consent in the zone. The objectives of the MU1 zone area to:

- *encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*

The proposed development, being alterations and additions to an existing industrial use/bus depot is permitted with consent and generally consistent with the zone objectives.

The subject site is flood affected and the requirements of LEP clause 5.21 are applicable. Under clause 5.21, Council is required to be satisfied that the development:

- (a) *is compatible with the flood function and behaviour on the land, and*
- (b) *will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) *will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) *incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) *will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

The site is identified as flood affected in the *Quirindi Township and Surrounding Areas Flood Risk Management Study and Plan* (flood study) prepared in October 2011 and is therefore considered within the flood planning area for the purposes of clause 5.21.

The site is mapped in the flood study as being within the “probable maximum flood area” but is outside the 1% average recurrence interval (ARI) or 1-in-100-year flood level, is not within a flood hazard area and is outside the identified floodway and flood storage areas. Extracts of the flood study maps are provided in **Figures 7 to 9** below.

Based on the above, the Site is considered to have a relatively low flood risk, and the proposed fuel is deemed to not require any specialised flood assessment undertaken.

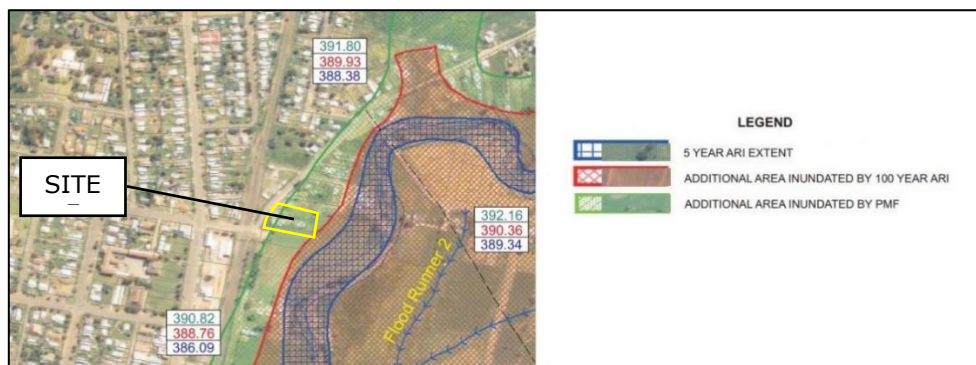


Figure 8 – Flood Study Extent Map Extract

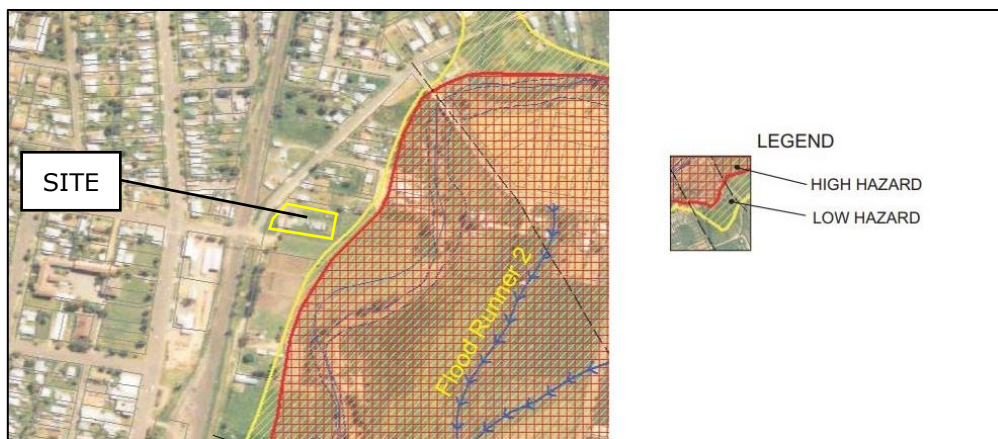


Figure 9 – Flood Study Hazard Map Extract

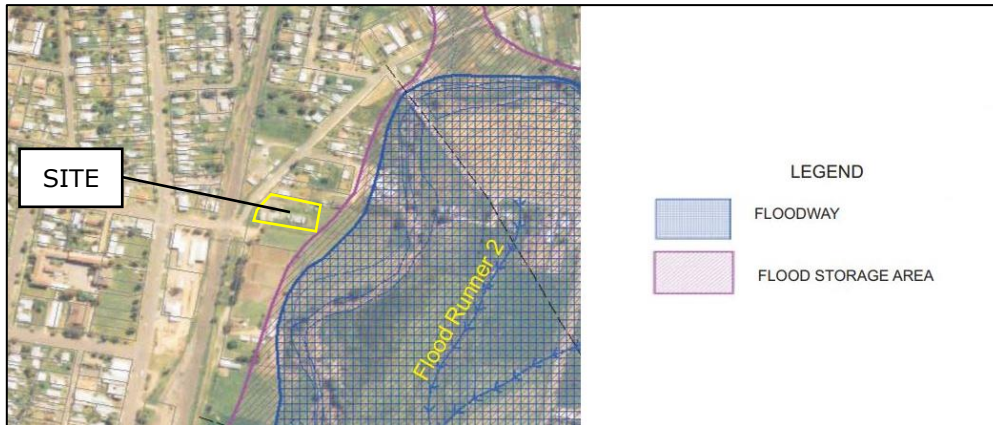


Figure 10 – Flood Study Categorisation Map Extract
(Figures 8-10 Source: Quirindi Township & Surrounding Areas Flood Risk Management Study and Plan, GHD 2011)

3.5 LIVERPOOL PLAINS DEVELOPMENT CONTROL PLAN 2012

The proposed development will not significantly increase the intensity of the current uses and activities on the site under existing approvals. No building works are proposed. There are minor structural alternations proposed for the fuel bowser alcove that will be recessed on the southern exterior of the shed. The location of the proposed fuel tank is sufficiently separated and set back from the site boundaries.

Based on this, the proposal is generally consistent with the Liverpool Plains Development Control Plan 2012 (DCP).

The relevant provisions of Section 4 of the DCP are addressed in further detail in **Table 2** below.

Table 2: Section 4 – DCP

SECTION	DEVELOPMENT CONTROL	STATEMENT OF COMPLIANCE
4.1.1	Development on Flood Affected Land	
4.1.1.1	<ul style="list-style-type: none"> • Development should be consistent with the principles and standards of the Flood Plain Management Manual and have regard to Council’s adopted flood studies. • Development must ensure safety to life and property. • Development on flood affected land must be structurally capable of withstanding the effects of flowing flood waters including debris and buoyancy forces • Development must not increase the risk or implications of flooding to existing areas • Development on flood affected land must incorporate the flood proofing guidelines 	Flood planning considerations are considered under the Liverpool Plains LEP provisions in Section 3.4 of this SOEE above. The development has been assessed having regard for the details in the Quirindi Township and Surrounding Areas Flood Risk Management Study and Plan 2011 with low or no risk from flooding expected and no impacts on surrounding properties likely.
4.2	Environmental Controls	
4.2.1	Environmental Effects	The proposed development will have no significant environmental effects given the minor scale of the works. The proposed fuel storage tank will be self-bunded and self-contained to mitigate impacts of spill and exposure. Fuel will be conveyed to the pump/bowser within the building by underground pipe. Refuelling activity will take place within the building in the existing bunded/graded area within the building. Aside from fuel deliveries, no refuelling activities will take place outside the existing building. Based on this, no significant noise or water quality impacts are expected.
4.2.2	Erosion and Sediment Controls	Minor earthworks may be required to establish a pad for the structure. Standard sediment and erosion control measures will be implemented during site works.
4.2.5	Waste Management	No significant waste will be generated. The fuel tank is pre-fabricated off site and will be delivered for installation with minimal waste generation.
4.2.6	Stormwater management	The proposal applies no changes to the existing stormwater arrangements
4.2.7	Noise	The fuel pump/bowser is located inside the existing shed which will minimise and mitigate noise impacts.

4. ENVIRONMENTAL IMPACT ASSESSMENT

This section assesses the likely impacts of the proposed development on the natural and built environments in the locality, including social, economic, and environmental effects. It is determined that the proposed development will result in minimal environmental and social impacts as outlined below.

4.1 AIR QUALITY / CLIMATE / ENERGY

The current development is situated in the ' MU1' Mixed Use zone, and the proposed use aligns with the zoning and surrounding development.

4.2 ABORIGINAL AND CULTURAL HERITAGE

A search on the State Heritage Register and the LEP identified no heritage items within the designated area of the proposed development.

Furthermore, a thorough examination of the Aboriginal Heritage Information Management System (AHIMS) revealed no records of Aboriginal sites or places on the subject site.

As such, there are no identified structures with potential aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific, or social significance that would be likely affected by the proposed development.

4.3 BUSHFIRE

The site is not identified as bushfire prone. Fire risk is managed by the self-contained, self-bunded nature of the fuel tank proposed which reduces and avoids unnecessary exposure of fuel materials.

4.4 CONTEXT AND SETTING

The proposed development is a change of use that will not detract from the existing environment or create adverse visual impacts given the minor scale of the development. The development is consistent with the surrounding land uses and the current consent.

4.5 EARTHWORKS

Minor earthworks and site preparation will be required. No significant ground disturbance or excavation will be required.

4.6 FLORA AND FAUNA

The proposed development does not involve the removal of any trees or vegetation.

4.7 HYDROLOGY, FLOODING AND WATER QUALITY

No modifications are proposed for the existing stormwater arrangements. A self-bunded (double wall) structure ensures that the contained tank will control spillage.

4.8 NOISE / VIBRATION

The proposed location of the fuel pump/bowser within the existing shed has been considered to minimise potential noise and vibration impacts on the surrounding area.

4.9 SOCIAL / ECONOMIC

The development is expected to have a minor yet positive impact on the community and contribute to the social dynamics within the local area by improving Howard's Bus & Charter operational efficiency.

4.10 TRAFFIC AND TRANSPORTATION

There is minimal impact anticipated from the proposed development on the traffic and transportation network in the surrounding area.

4.11 VISUAL CHARACTERISTICS

The Proposal aligns with the visual and operational compatibility requirements of the zone and the general area by the scale and setbacks proposed.

4.12 WASTE MANAGEMENT

Waste generated during construction will be handled and managed following the waste management plan implemented by the building contractor.

4.13 CUMULATIVE ENVIRONMENTAL IMPACTS

The impacts anticipated from the Proposal are deemed to be of minor significance. These impacts will be effectively managed by implementing the existing management measures on the site, as approved in the previous consent.

5. SITE SUITABILITY

Assessment has been conducted to determine the suitability of the site for the proposed development. The proposal is well-aligned with the current and anticipated future character of the area.

6. PUBLIC INTEREST

The public interest is best served through the orderly use of land in alignment with its designated zoning and adhering to the relevant planning controls and policies. The proposed development has been assessed and found to be permissible with consent and complies substantially with the relevant policies and controls governing the site's development. The proposed development is therefore regarded as being in the public interest.

7. CONCLUSION

The purpose of this report is to accompany the DA to Liverpool Plains Shire Council for the construction of an above-ground fuel tank.

The proposal is consistent with the Regional and Local Strategies and the objectives outlined in the MU1 Mixed Use zoning. The proposal is also consistent with the objectives of the *Liverpool Plains Local Environmental Plan 2011* (LEP) and the development controls under the *Liverpool Plains Development Control Plan 2012* (DCP). The proposal is permissible with development consent and aligns with the development standards and controls stipulated in the LEP and DCP applicable to the land.

Overall, it is considered that the fuel tank development will not have any significant environmental impact associated with the works nor will it jeopardise the public interest. As such, it is requested that the Liverpool Plains Shire Council support the proposed development.



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