

BENZINA 

GILGANDRA SERVICE STATION

Statement of Environmental Effects

6415 Newell Highway
Gilgandra NSW

December 2021



MEMPHIS
STRATEGIC

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Executive Summary

This Statement of Environmental Effect (SEE) supports the development of a service station at Lot 2632, DP 749017 (No. 6415), Newell Highway, Gilgandra. The development is proposed on the site of the Village Motor Inn, adjacent to an existing Caltex service station at the southern highway entry to Gilgandra.

Gilgandra is located approximately 60 km north of Dubbo, at the junction of the Newell, Oxley and Castlereagh highways. It is approximately 432 km north-west of Sydney (about six hours' driving time) and is situated approximately halfway on the inland route from Melbourne to Brisbane. Gilgandra is an important travel and freight junction. It is an important service centre for its surrounding agricultural areas and is also a gateway to the Warrumbungles National Park.

The Newell Highway is a national highway and is a major freight route for NSW. It is the subject of both federal and state funding to improve its level of service and safety. Importantly, traffic and freight levels on the Newell Highway are predicted to increase substantially and relevant corridor strategies recognise the need to accommodate more and better rest facilities to combat driver fatigue. The proposal is entirely consistent with this aim.

The proposed development will include:

- The construction of a service station incorporating a convenience store and drive-thru facility and a 'truckies lounge' with associated gym and shower/change facilities
- The installation of double-sided fuel dispensers under a car canopy
- The installation of double-hose dispensers under a truck canopy
- Associated parking and loading bays, including separate truck parking spaces

The review of the site's planning suitability and assessment of its potential impacts that is outlined in this report have found that the project is consistent with local and regional planning objectives for the area and the highway corridor and is unlikely to have a negative impact on the township of Gilgandra or adjoining landowners.

As the site's only road frontage is to the Newell Highway, it is imperative that the development's ingress and egress arrangements are designed to minimise traffic disruption and that sufficient parking spaces are included to meet demand. A traffic assessment is included with the application, attesting to the site's suitability from a traffic management and safety perspective.

It is noted that the proposed service station will adjoin an existing service station located immediately north of the site. This reflects the volume of regional traffic at Gilgandra and its popularity as a road stop for truck drivers and other highway travellers. The project does not seek to undermine the business potential of the existing Caltex station. Rather, it seeks to supplement existing services and to strengthen Gilgandra's reputation and suitability as a fuel and rest stop for freight vehicles and other highway users.

It is anticipated that the project will provide an economic stimulus for the township and, consistent with highway strategies, encourage drivers to stop and recuperate at the site, helping to mark Gilgandra as a suitable and welcoming place for highway users to rest.

Overall, this assessment finds that the proposal is well suited to the subject site and is worthy of Council's planning support.

1 Introduction

This Statement of Environmental Effects (SEE) supports the development of a service station at Lot 2632, DP 749017 (No. 6415), Newell Highway, Gilgandra.

The site has direct frontage to the Newell Highway, which runs from Victoria to Queensland through the townships and regions of Berrigan, Jerilderie, the Riverina, Narrandera, Parkes, Dubbo, Gilgandra, Coonabarabran, Narrabri and Moree Plains.

Gilgandra is situated directly north of Dubbo, approximately halfway on the inland route from Brisbane to Melbourne.

1.1 The Newell Highway

The Newell Highway is the longest highway in NSW, stretching over 1,060 kilometres from the Victorian border at Tocumwal to the Queensland border at Goondiwindi. It is Australia's third largest freight corridor, behind the Hume and Pacific Highways.

The Newell Highway is a 'national highway', meaning that its upkeep is partly funded by the Australian Government, generally with matching contributions from the states.

The Australian Government's **National Highway Upgrade Program (NHUP)** provides a \$225.8 million commitment over five years between the 2014-2019 financial years.

Supporting the national freight initiative, the program provides jurisdictions with funding towards priority improvements to Australia's key national highway networks through works such as shoulder and centre-line widening, ripple strips and wire rope barriers, overtaking lanes, turning lanes and pavement improvements.

Under the NHUP, the Australian Government has allocated \$61.35 million toward the improvement of the northern stretches of the Newell Highway, near the Queensland border, supporting the national freight task. The NSW Government will provide all funding for the project above the Australian Government allocation.



The Newell Highway is the economic backbone for freight and livestock transporters, tourism operators, caravanners and holiday makers, emergency services, government, media and business owners and is the economic ‘lifeline’ of the towns and hinterlands it passes through.

The Newell Highway provides:

- A major interstate transport connection between Victoria, New South Wales and Queensland for freight and passengers, including tourists.
- A significant regional traffic route serving and linking a range of towns and major centres.
- A link to domestic and export markets for agricultural products.

1.2 Newell Highway Corridor Strategy

Complementing the Australian Government’s NHUP, the NSW Government’s ***Newell Highway Corridor Strategy (2015)*** sets out how it will manage road transport (including road safety, transport efficiency and asset maintenance) along the Newell Highway (A39) - from Tocumwal on the Victorian border to Goondiwindi on the Queensland border.

The Strategy notes that traffic volumes along the Newell Highway vary significantly, from around 1,200 to 4,000 vehicles per day in rural areas. In the urban centres such as Dubbo, average daily traffic volumes exceed 20,000 vehicles a day.

A large number of heavy vehicles use the Newell Highway – on average, between 26 per cent and 52 per cent of all traffic on the route.

As the key freight route between Victoria and Queensland, the highway sees around 650 heavy vehicles per day north and south of the Sturt Highway intersection and up to around 1,500 heavy vehicles per day near the Queensland border.

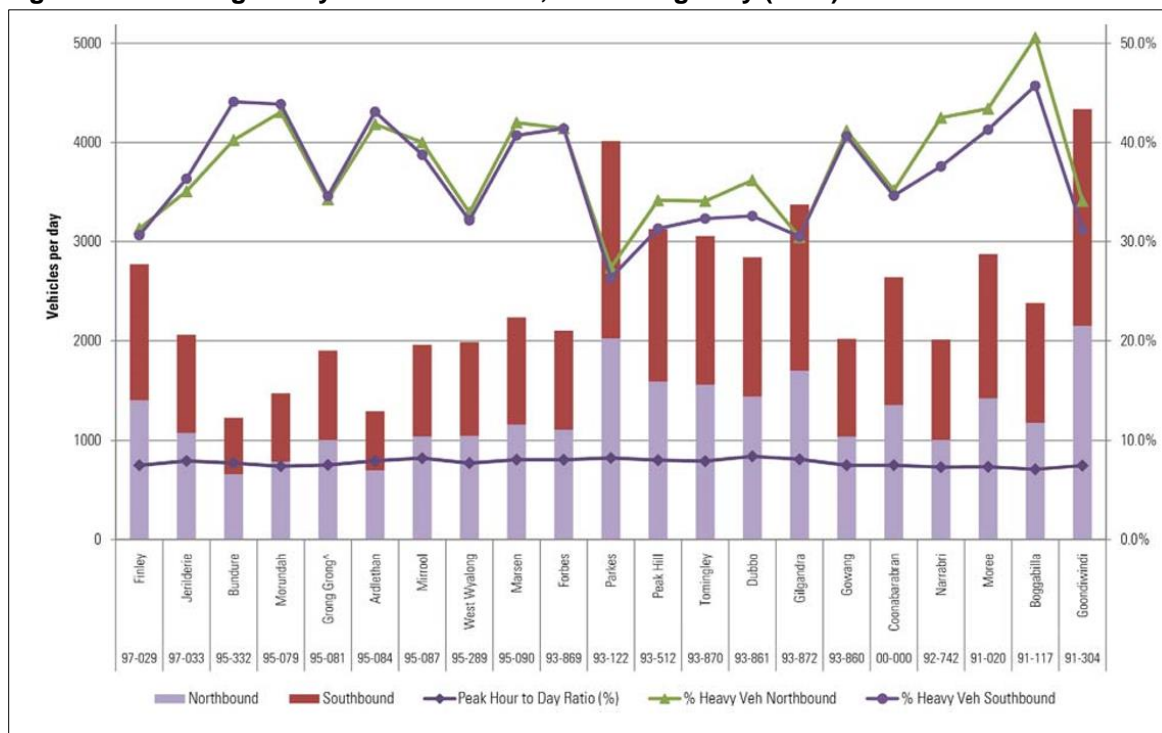
According to the Newell Highway Strategy, its freight load is expected to grow over the next 20 years, with daily truck movements and annual tonnage forecast to grow by approximately 67 to 103 per cent from 2009 to 2031¹.

Freight volumes on the highway near the Queensland border are forecast to grow by 82 per cent from 2011 to 2031.

In NSW, the stretch of the Newell between Parkes and Goondiwindi, passing through Gilgandra, is one of the busiest, as indicated in the following graph from a ‘Newell Highway - Potential Overtaking Lanes Study’ undertaken by Cardno for the NSW Roads and Traffic Authority in March, 2011.

¹ The total freight task in the Melbourne to Brisbane corridor is estimated to increase from 4.5 million tonnes per year in 2007 to 11.5 million tonnes by 2029. Road transport is forecast to account for more than two-thirds of the total freight task in the Melbourne to Brisbane corridor by 2030, with much of this task assigned to the Newell Highway. Despite forecast improvements in the share of freight movement by rail corridor, it is likely that road transport will remain the dominant method of movement of both interstate and regional freight.

Figure 1. Average Daily Traffic Volumes, Newell Highway (2010)



Source: Cardno, 2011, *Newell Highway Study for NSW RTA*

Both the **NSW Long Term Transport Master Plan** and the **NSW Freight and Ports Strategy** identify the need to develop a corridor strategy for the Newell Highway to support greater use of higher productivity vehicles (HPVs), and to prioritise the necessary road upgrades to enable HPV access on the entire length of the highway.

The NSW Government's **Newell Highway Corridor Strategy (2015)** sets out the objectives, current performance, current and future challenges and the NSW Government's strategic response to managing the Newell Highway corridor over the long term. While investment will continue along the entire length of the corridor to enable access for HPVs, the initial focus complements the Australian Government's emphasis on the northern end of the corridor where there is a strong and growing freight demand.

The strategy identifies improvements needed to ensure continual access for Performance Based Standard (PBS) Class 3(a) vehicles (less than or equal to 36.5 metres) along its entire length, while progressively phasing out double road trains. It also identifies road safety, maintenance and traffic challenges at local, regional and interstate levels.

In a complementary program the NSW Government is providing overtaking lanes to ensure more frequent overtaking opportunities along the Newell Highway. Overtaking lanes improve travel time and level of service for our road customers. They also reduce driver frustration and unsafe behaviour.

To date 18 overtaking lanes out of the original 57 identified in the Newell Highway Potential Overtaking Lane Study 2011 have been constructed or are programmed for completion. These works include several upgrades between the Parkes and Gilgandra stretch of the highway.

A summary of key issues and challenges identified by ***Newell Highway Corridor Strategy (2015)*** is provided below:

- ***Urban amenity:*** The urban amenity of towns along the corridor is diminished by the through-movements of heavy vehicles, particularly when the highway passes through the main urban commercial centre of a town.
- ***Overtaking lanes:*** The lack of overtaking lanes along the corridor impacts travel times and increases safety risks. The high proportion of heavy vehicles and cars towing caravans restrict overtaking opportunities.
- ***Road geometry:*** Poor road geometry along some stretches of the highway such as through the Warrumbungles, Trewilga and Grong Grong is resulting in reduced travel speeds and increases in travel time.
- ***Intersections:*** Higher productivity vehicle access on some sections of the corridor is limited by current intersection configuration or narrow pavements.
- ***Pavement strength:*** The existing pavement strength and thickness does not adequately address the current and future needs of freight vehicles.
- ***Pavement remaining life:*** The annual target pavement replacement rate exceeds the actual replacement rate. Over a third of the highway has a structural remaining life of less than five years and over half has a remaining life of less than 10 years.
- ***Building material:*** There is a lack of good quality natural road building materials in the corridor. The few materials that are available near the corridor generally have low shear strength. There are significant transport costs in importing good quality road building materials from quarries hundreds of kilometres away.
- ***Flood immunity:*** There is a low level of flood immunity along the entire route. The highway is currently susceptible to nuisance flooding, as well as flooding from larger events and sheet flow over expansive flood plains.
- ***Detours:*** Road closures for bushfires and other natural disasters along the corridor currently require large detours because of the lack of a closely spaced support networks or local and regional roads
- ***Vegetation conservation:*** There are high value vegetation conservation communities along the corridor requiring protection. There is a need to balance the need to protect these communities and the need for adequate clear zones.
- ***Conflict points:*** The mix of vehicles along the highway is varied including cars, caravans, light vehicles, and heavy vehicles. Heavy vehicles represent a high percentage of vehicles, regularly exceeding 50 per cent; the interaction between the different vehicle types can cause potential conflict.
- ***Rest areas:*** Providing infrastructure and services to help manage driver fatigue and facilitate breaks for heavy vehicle operators on this interstate freight route.
- ***Rail level crossings:*** Rail level crossings are a safety risks for all road and rail users
- ***Various community needs:*** The length of the corridor means that there are many local government, local community and other stakeholder needs to be considered and addressed.

Notably, unlike work undertaken on other highways (e.g. the Pacific Highway), the Corridor Strategy does not seek to identify suitable locations for Highway Service Centres along the route of the Newell.

Some of the key challenges identified, however, relate to the road's safety and security and to accommodating the needs of its users. Importantly, the Strategy recognises the need for:

- Appropriate infrastructure and services to help manage driver fatigue and facilitate breaks for heavy vehicle operators on this interstate freight route;

and to

- Provide a consistent number and standard of rest areas to cater for all vehicle types along the full length of the route.

Major Rest Areas

In 2005, the National Transport Commission released the National Guidelines for the Provision of Rest Area Facilities with guidelines for three categories of rest areas, including major rest areas:

“Major rest areas – designed for long rest breaks, offering a range of facilities and separate parking areas for heavy and light vehicles where possible”.

In 2010, the NSW Roads and Maritime Services (RMS) published a *Strategy for Major Heavy Vehicle Rest Areas on Key Rural Freight Routes in NSW*, which outlines the requirements that major rest areas must meet, in response to NSW fatigue management legislation.

As a minimum, major heavy vehicle rest areas should:

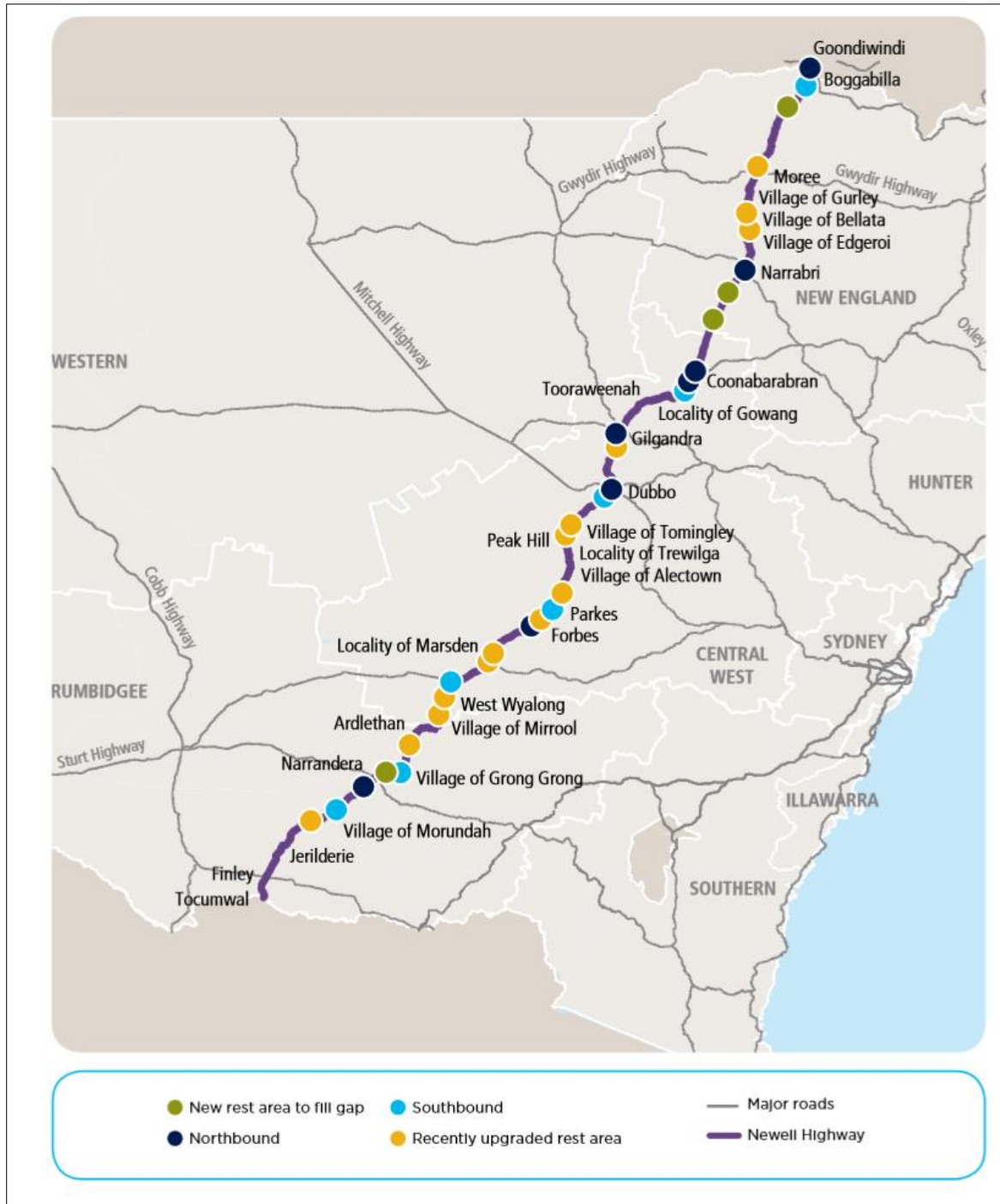
- Be generally located at 100-kilometre intervals, while geographical and other physical constraints may require the interval range to be between 80 and 120 kilometres, the maximum limit should be 120 kilometres.
- Provide sites on both sides of the road on parts of the network with high levels of demand.
- Be well signposted for heavy vehicle drivers and have suitable access for ingress and egress.
- Provide designated hard stand parking for heavy vehicles and an appropriate number of parking spaces in line with demand.
- Meet the basic needs of heavy vehicle drivers, including provision of sealed pavements particularly for ingress and egress lanes and ramps, at least one toilet on each site, shaded areas, rubbish bins and tables and chairs.

RMS has identified a range of northbound and southbound sites that qualify as major heavy vehicle rest areas on the Newell Highway. Several of these have recently been upgraded.

The proposal incorporates facilities for truck drivers and other highway users, providing fuel, dining and convenience services and a designated ‘truckies lounge’ and gym for freight drivers.

The proposal aims to provide a range of improved highway services, especially for heavy vehicle drivers, and is complementary to the national and state initiatives to provide more and better rest areas for drivers.

Figure 2. Newell Highway – major heavy vehicle rest areas



Source: Newell Highway Corridor Strategy (2015)

2 Site Context

2.1 Site Location and Characteristics

The subject site is located at Lot 2632, DP 749017 (No. 6415), Newell Highway, Gilgandra. The development is proposed on the site of the Village Motor Inn, adjacent to an existing Caltex service station at the southern highway entry to Gilgandra.

The site has an area of approximately 1.7 ha and is situated on the western side of the Newell Highway, which runs in a north-south direction.

The site is bounded by a managed pine forest at its southern and western boundaries, separated by generous cleared setbacks/fire trails, and is adjoined by an existing Caltex service station to its north.

The site has sole road frontage to the Newell Highway to its east.

Figure 3. Subject Site at Gilgandra



Source: Sixmaps, 2021

The site is developed as a motor village motel offering cabin accommodation in a landscaped garden setting with separate pool and restaurant facilities.

2.2 Gilgandra

The subject site is positioned at the southern entry to the town of Gilgandra, on the Newell Highway.

Gilgandra is located approximately 60 km north of Dubbo, situated approximately 66 kms north of Parkes. It is 432 km north-west of Sydney (about six hours' driving time) and is located approximately half-way on the inland route from Melbourne to Brisbane.

Gilgandra is the administrative seat of the Gilgandra Shire, located in the Orana region of New South Wales. It services its surrounding agricultural area where wheat is grown extensively together with other cereal crops, along with the raising of sheep and beef cattle.

Figure 4. Gilgandra Township, with Subject Site identified

Source: Google Maps, 2021

Gilgandra is a modest township of 4,236 people (Census 2016). Of these 49.4% are male and 50.6% female. Aboriginal and/or Torres Strait Islander people make up 14.1% of the population.

The median age of people living at Gilgandra is 45 years. Children aged 0 - 14 years make up 18.6% of the population (on par with the distribution of the state's population) and people aged 65 years and over comprise 23.6% of the population (compared to 16.1% of the state population). Gilgandra's population is ageing and is predominantly Australian-born.

As of Census 2016, there were 1,894 working residents of Gilgandra. Of these 58.6% were employed full time, 29.3% were employed part-time and 5.8% were unemployed.

Gilgandra is estimated to have an annual economic output of \$448.437 million².

The major employing industries at Gilgandra are Local Government Administration (6.3%), Grain Growing (5.6%), Sheep Farming (5.5%), Grain-Sheep or Grain-Beef Cattle Farming (5.1%) and Specialised Beef Cattle Farming (3.7%).

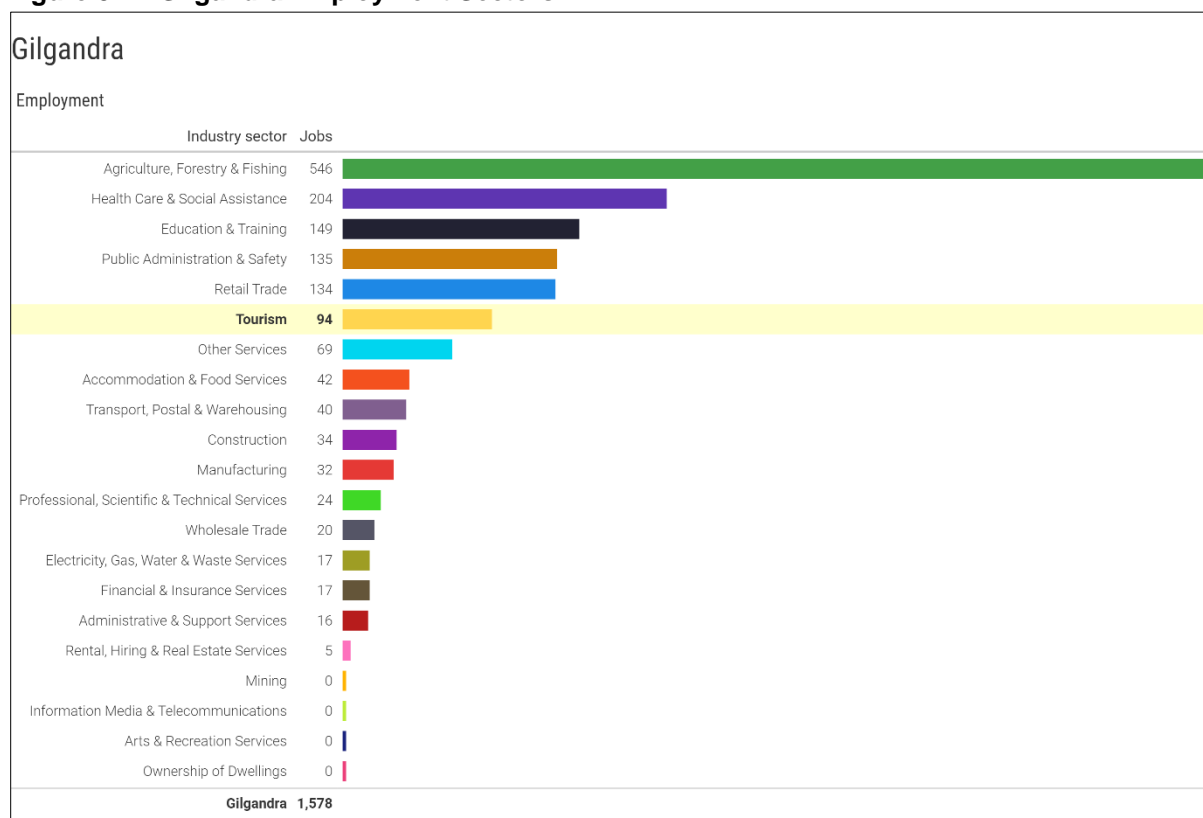
Agriculture, Forestry and Fishing together account for 34% of jobs in Gilgandra and have been the backbone sectors of the region for some time.

More recently, aged care and other health care services have also emerged as important employment sectors, in addition to tourism, education and retail trade.

² Remplan, Gilgandra Shire Council, 2021

Tourism relates to people spending money in places they don't usually live or work. In Gilgandra, tourism supports an estimated 94 jobs, which is 6% of total employment. The largest sub-sector in Gilgandra is Accommodation & Food Services with 70 jobs (direct and indirect) supported by tourist expenditure.

Figure 5. Gilgandra Employment Sectors



Source: Remplan, Gilgandra Shire Council, 2021

Whilst the Gilgandra economy has traditionally been driven by agriculture (wool, fat lambs, cattle and cereal cropping) new industries have recently emerged, emphasising the service nature of the town and providing greater economic diversity for the region.

The proposed additional service station at Gilgandra is in keeping with its function as a service-oriented town – providing fuel, food and related services to travellers and highway users, deepening the diversity of employment opportunity for Gilgandra's residents and enhancing the service reputation of the town.

2.3 Service Station Facilities at Gilgandra

There are currently two functioning service stations located along the southern town approach stretch of the Newell Highway and positioned on the same (northbound) side of the highway as the proposed facility – a Caltex service station immediately adjacent to the northern boundary of the subject site and a BP service station at the corner of the Newell Highway and Gumble Street, a further 1.1 kms down the Newell Highway.

The BP service station closer to town is an older style 'local' BP station providing limited on-site dining facilities or services for freight vehicle drivers. It offers traditional workshop ('Gil Auto Electrics') and tyre change services.

The Caltex service station immediately adjacent to the subject site is located on a similar-sized land holding. It offers double diesel fuel pumps for large vehicles and truck parking at the rear of the site and has a separate restaurant and accommodation wing. The facility offers similar services to those proposed at the subject site, although without the designated 'truckies lounge' and related amenities.

Other service station facilities are provided in the Gigandra town centre (at the corner of Court and Miller Streets) and Easman's on Warren Road but these are located to trade to specific town catchments and are not configured to accommodate large numbers of heavy vehicles.

A further Shell service station that caters for freight vehicles is located on the Newell Highway bypass to the west of town, east of the Castlereagh River. This centre is quite busy. It services northbound traffic but also caters for southbound traffic that is able to turn into the site. The facility also benefits from an adjacent truck parking area that allows southbound vehicles to park (and for drivers to cross the road to access the centre).

The location of all existing service station sites at Gilgandra is depicted below.

Figure 6. Subject Site + Other Service Stations at Gilgandra



Source: Google Maps, 2021

3 Proposed Development

3.1 Proposed Service Station Development

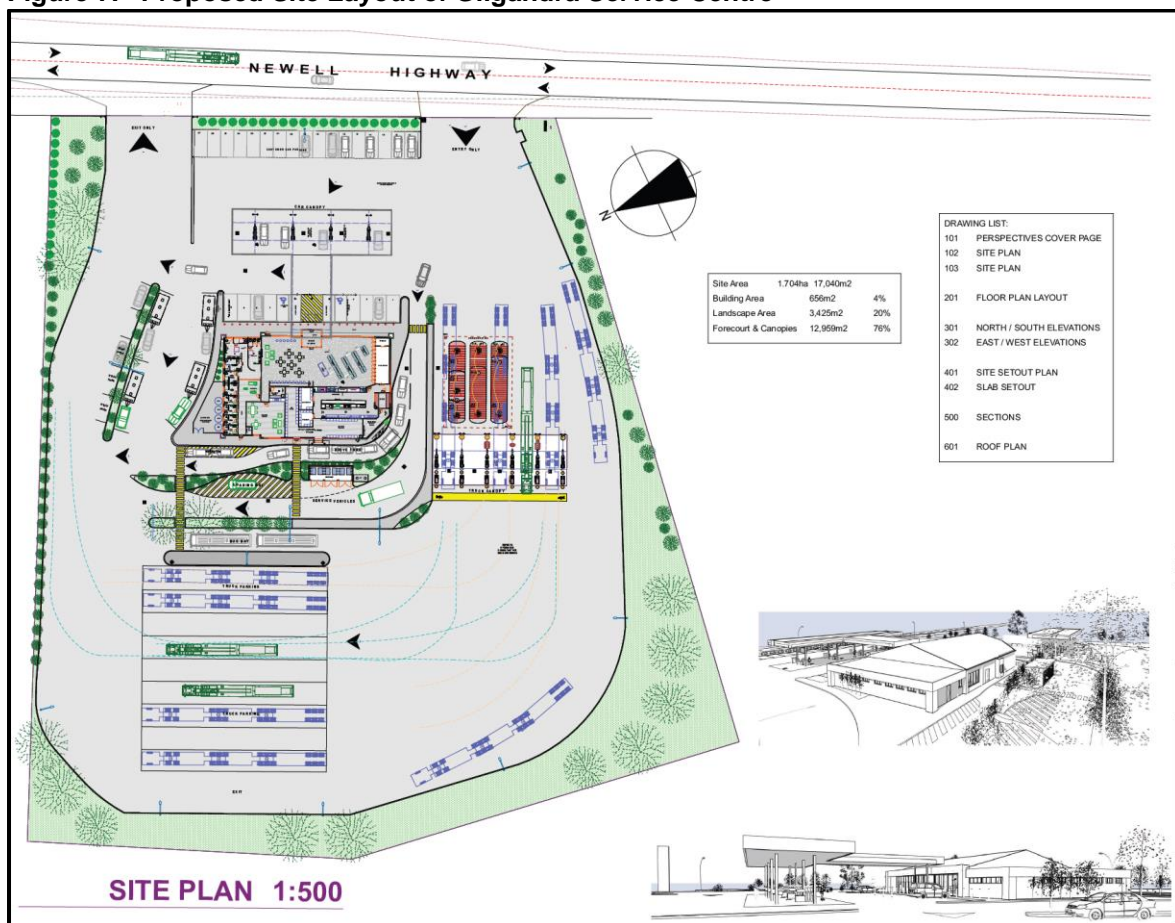
The proposal seeks to develop the site as a service station with associated facilities. Proposed works include the demolition of the existing motel cabins and associated structure and the construction of a new fuelling area and service centre building, comprising:

- A new service station building with associated convenience store and drive-thru facilities
- The installation of double-sided fuel dispensers, under a car-only canopy and separate dispensing facilities for heavy vehicles, under a truck-only canopy – supplied via an underground petroleum storage system (UPSS)
- Ancillary car-parking for customers, staff, trucks, caravans and drive-thru users
- Ancillary loading bays for service vehicles and rubbish collection.

The proposal is somewhat unique in that it proposes to include a ‘truckies lounge’ and associated gym and shower/change facilities, providing specialised services and amenities for freight drivers.

The site layout of the proposed development is shown below.

Figure 7. Proposed Site Layout of Gilgandra Service Centre



Source: Eco in-house, Dwg No.102, December 2021

The proposed development is described in detail in the following.

Demolition, Construction and Site Management

The proposed development involves the demolition of the existing motel accommodation buildings including the manager's residence and associated motel services (pool, parking, barbecues) and separate storage units located at the south-eastern corner of the site. A separate demolition and waste management plan will be prepared prior to the commencement of demolition works. This will inform procedures that will be undertaken to ensure generated waste is minimized and is correctly disposed of or recycled.

Site Access

Access to the proposed site will be via the Newell Highway. The site has road frontage only to the highway.

The proposed site access accommodates vehicles entering and exiting in a forward only direction, with sufficient on-site manoeuvring space for all classes of vehicles.

As the Newell is a national highway, feedback from Transport for NSW (TfNSW) will be sought as part of the assessment process.

Site Operations and Employment

The site is proposed to contain a service station with convenience shop, restaurant and associated facilities.

The site is zoned Industrial and is well separated from residential properties. Accordingly, the facility is proposed to be operate on a 24-hour basis, 7 days a week.

The proposed service station building incorporates a floor space of approximately 600m².

A typical service station of this size and operating 24-7 would generate employment for around 30 equivalent full time (EFT) staff, albeit on a shift basis.

On-site Parking

Council's DCP incorporates separate requirements for service stations and highway service centres.

The Guide to Traffic Generating Developments (RMS, 2002) recommends that service stations with convenience stores provide 5 car spaces per 100m² of the convenience store GFA plus the greater of 15 spaces per 100m² GFA of the restaurant component or 1 space per 3 seats. The Guidelines require the provision of 60 spaces for the development.

Provision is made on site for 60 parking spaces, including parking for customers, staff, caravans, heavy vehicles and for vehicles using the drive-thru facility.

An assessment of the proposal against relevant planning policy and the adequacy of the site to accommodate the use is provided in the following chapter.

4 Planning & Impact Assessment

4.1 Zoning and Other Local Planning Provisions

The subject site is zoned IN1 General Industrial under the provisions of the Gilgandra Local Environmental Plan (LEP) 2011.

Pursuant to this zoning the following categories of development are permissible:

2. Permitted without consent

Environmental protection works; Roads

3. Permitted with consent

*Bee keeping; Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Heliports; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; **Any other development not specified in item 2 or 4***

And the following categories of development are prohibited:

4. Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Open cut mining; Pond-based aquaculture Public administration buildings; Registered clubs; Residential accommodation; Respite day care centres; Schools; Tourist and visitor accommodation; Wharf or boating facilities

Development for the purpose of a 'service station' or a highway service centre' is separately defined under the Gilgandra LEP as:

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

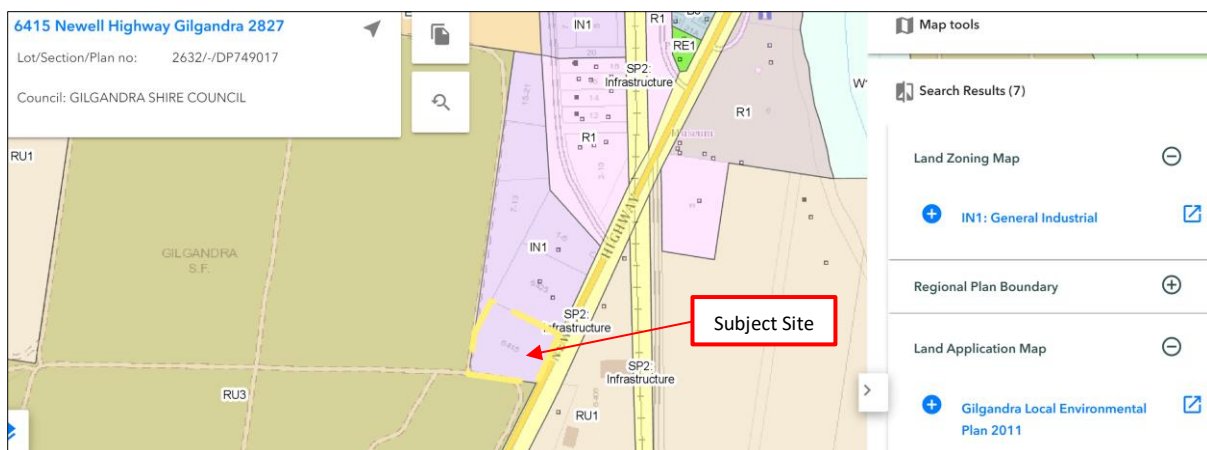
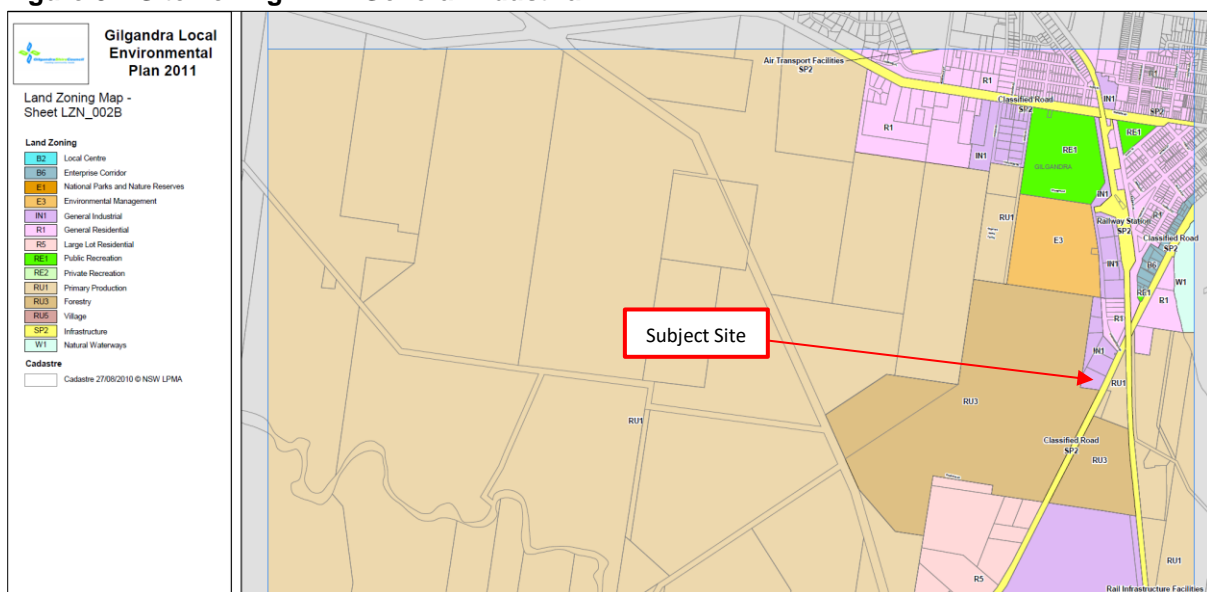
- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),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

highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) service stations and facilities for emergency vehicle towing and repairs,
- (d) parking for vehicles,
- (e) rest areas and public amenities.

Whilst the proposed development fits either of the above defined forms of development, the development is more likely to operate as a service station rather than as a fully-fledged highway service centre. Food services are intended to be provided by the service station operator rather than a franchised fast-food outlet.

Figure 8. Site Zoning – IN1 General Industrial

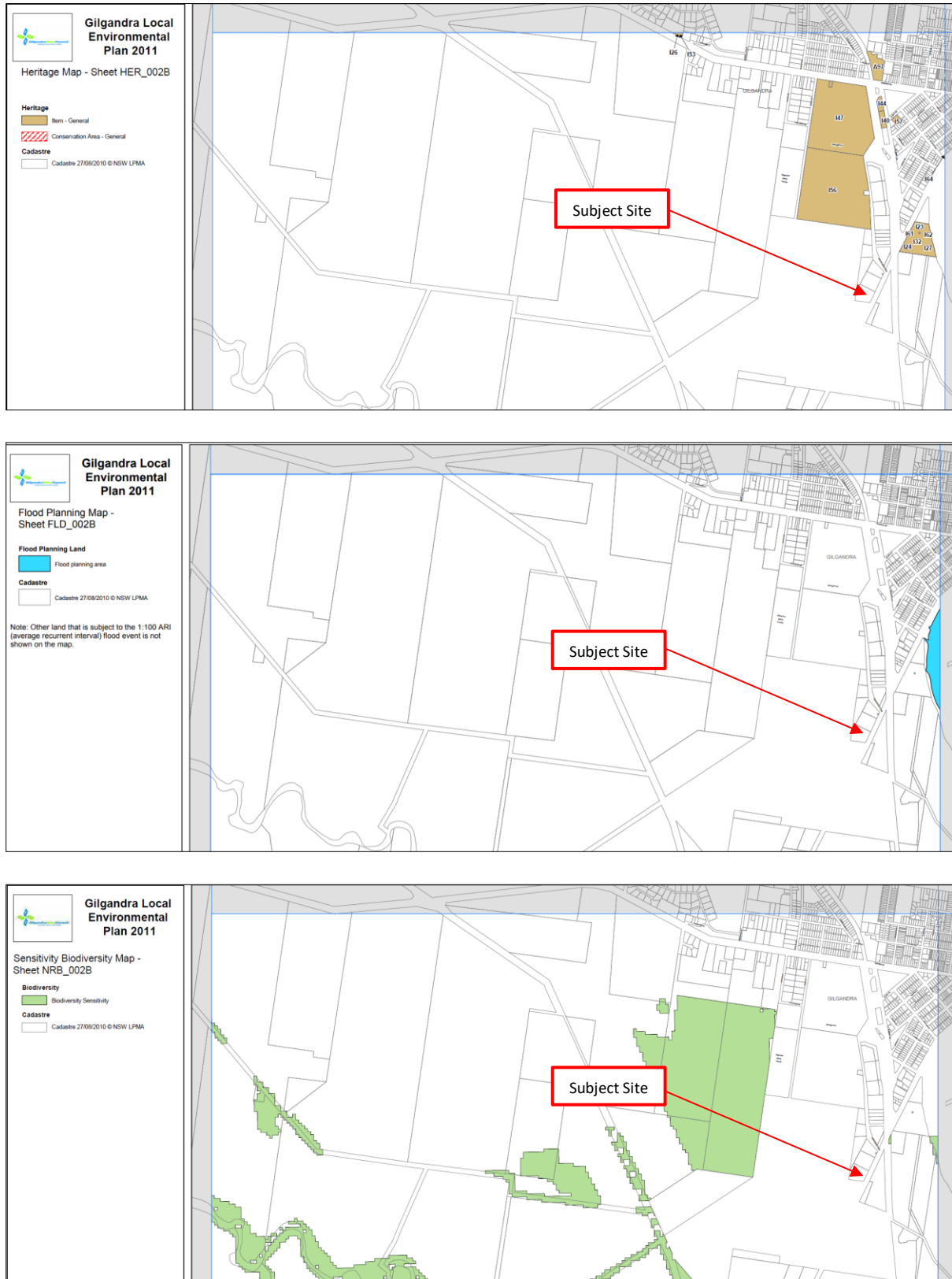


Source: Gilgandra LEP 2010 extract and NSW Planning Portal extract, 2021

Other LEP Provisions

The site is not identified on the Gilgandra LEP maps relating to heritage, nor is the site identified as part of a flood planning area or as biodiversity sensitive land, as shown in the following LEP map extracts.

Figure 9. Gilgandra LEP Maps – Heritage, Flooding & Biodiversity



Source: Gilgandra LEP 2011 Maps

The land also is not identified on the Gilgandra LEP 2011 'Urban Release Area' map, which relates to land further south on the Newell Highway.

Groundwater Vulnerability

The site is partially identified on the Gilgandra LEP's groundwater vulnerability map, as shown below:

Figure 10. Gilgandra LEP – Watercourse, Wetlands & Groundwater Vulnerability Map



Source: Gilgandra LEP 2011 Maps

According to Clause 7.4 of the LEP, prior to determining an application for development on such land, Council must consider:

- (a) whether or not the development (including any on-site storage or disposal of solid or liquid waste and chemicals) is likely to cause any groundwater contamination or any adverse effect on groundwater dependent ecosystems, and
- (b) the cumulative impact (including the impact on nearby groundwater extraction for potable water supply or stock water supply) of the development and any other existing development on groundwater.

... and must not grant development consent unless it is satisfied that:

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
- (b) if that impact cannot be avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 requires best practice design, installation, maintenance, and monitoring of UPSS installations in NSW.

Responsibility for proper installation and maintenance of UPSS infrastructure rests with the site operator. The regulation requires that the operator must have procedures and systems in place to detect and fix any fuel leaks and document these in a Fuel System Operation Plan for the site.

The underground petroleum storage system ('UPSS') forming part of the proposed development will be designed and installed in accordance with relevant Australian Standards (AS1940-2017 and AS4897-2008). All tanks are double fibreglass and are corrosion resistant. The UPSS is also designed to minimise the ingress of rain water, and all piping is suitable for the expected working pressures, temperatures and structural stresses.

Appropriate forecourt design and site management can significantly improve the quality and reduce the quantity of surface run-off from fuel handling and dispensing areas.

The service station forecourt and UPSS have also been designed in accordance with the Environment Protection Authority's (EPA's) guidelines for fuel handling dispensing areas as detailed below:

The service station will incorporate:

- an oil/water separator system designed to collect water from fuel dispensing areas.
- monitoring wells to monitor potential leakages.
- appropriate vapour recovery installations – the site is capable of accommodating both VR1 or VR2 installations – these typically do not take up 'space' as they involve physical hose connections from underground tanks to tankers (VR1) or from vehicles to pumps (VR2), i.e. the hose and fuel pumps are designed to extract vapours as they are filling.
- double-containment fuel tanks and pipes

A suitably qualified consultant will be engaged to prepare further details for the Construction Certificate outlining, inter alia, typical dispenser details, sump details, electrical conduit, earthing and bonding layout and a fire protection plan. These are standard procedures for new service station operations.

The site is capable of being designed and operated in accordance with contemporary standards and expectations for fuel handling and stormwater management. Conditions to this effect are expected to be required of the project.

Essential Services

According to Clause 7.6 of the LEP, Council must not grant consent for development unless it is satisfied that the following services are available or that adequate arrangements have been made to make them available, including:

- (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.*

The development site benefits from current water, sewer and power connections and has direct road access to the Newell Highway.

Other than the above matters, there are no other specific provisions of the Gilgandra LEP that need to be considered in the assessment of the development proposal.

It is noted that the LEP does not include any provisions that seek to limit the height or floor space of development proposals.

4.2 Environmental Planning and Assessment Act, 1979

The Environmental Planning and Assessment (EP&A) Act 1979 and related EP&A Regulation 2000 provide for a number of generic and procedural matters that deal with the manner in which certain DAs are processed and assessed.

Bushfire Risk

The EP&A Act 1979 and the Rural Fires Act 1997 were amended in 2002 to ensure the consideration of bush fire avoidance and protection in the development assessment process.

The *Planning for Bushfire Protection (PBP) Guideline* provides a framework for the consideration of bush fire protection at the development assessment phase. The PBP outlines various requirements for a range of different land uses that ought to be set back and/or differently protected from a bushfire threat depending on the nature of land use proposed.

The subject site is identified under the NSW planning portal as being partially bushfire affected and therefore requires assessment with respect to its potential impact on or by bushfires.

An extract from the planning portal bushfire map layer is provided below:

Figure 11. NSW Planning Portal – Bushfire Hazard Map



Source: NSW Planning Portal, 2020

The threat of bushfire has been considered in detail by Australian Bushfire Protection Planners (ABPP). ABPP's report finds that the only unmanaged bushfire prone vegetation is located within the Gilgandra State Forest located to the south and west of the development site. All remaining vegetation on the land to the north and east is managed and therefore not deemed to constitute bushfire prone vegetation.

The report examines the provision of Defendable Spaces (Asset Protection Zones) to the proposed complex and confirms that the width provided between the service station structures and the bushfire hazard to the south and west satisfies the requirement that the building is located beyond the flame zone width.

ABPP recommends that an appropriate level of bushfire construction standard be provided to the building and that the layout of the complex provide safe access/egress is for customers, staff and fire-fighters. The project, overall, is found to comply with the objectives of the *Planning for Bushfire Protection 2019* policy document.

Integrated Development

Under Division 4.8 of the EP&A Act, certain development is classified as ‘integrated development’ – i.e. development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and approval under other legislation, including:

- Roads Act 1993 (s.138) - connect a road (whether public or private) to a classified road.

The subject site gains direct access to the Newell Highway, a classified road, but the proposal does not involve the connection of a road to the highway.

Notwithstanding, referral of the application to the road authority (Transport for NSW - TfNSW) is required under other legislation (see SEPP discussion below).

4.3 State Environmental Planning Policies (SEPPs)

4.3.1 SEPP 33 – Hazardous & Offensive Development

SEPP No. 33 – Hazardous and Offensive Development provides a merit-based process for the assessment of proposals that may contain potentially hazardous materials (e.g. LPG gas).

The SEPP primarily aims to:

- *ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account,*
- *ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimize any adverse impact, and*
- *require the advertising of applications to carry out any such development.*

In NSW, the assessment of service stations from a risk perspective has traditionally involved an assessment of such projects according to the Department of Planning’s ‘Hazardous Industry Locational Guidelines No.1 – Liquefied Petroleum Gas Automotive Retail Outlets’. The guidelines, however, are out of publication and are no longer referenced on the Department’s web site. The guidelines were concerned primarily with the storage and retail of LPG at service station sites and the potential explosive risks associated with storing LPG under pressure, especially when stored above ground.

The current application does not involve provision for the refuelling of vehicles by LPG.

A risk screening assessment, however, has been undertaken by Hazkem Pty Ltd. The assessment confirms that the site is deemed non-hazardous and will not impose a significant level of risk to the community or to surrounding lands.

It is also necessary for new service stations to be designed and operated in compliance with relevant Australian Standards and WorkCover requirements. The proposed fuel storage facilities at New Italy will be designed and installed to meet the requirements of the relevant Australian Standards (AS1940-2017 and AS4897-2008) and the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019. The service station forecourt is also designed in accordance with the Environment Protection Authority’s (EPA’s) guidelines for fuel handling dispensing areas.

This compliance further eliminates any likely hazard associated with the storage and sale of fuel on the site.

4.3.2 SEPP 55 – Remediation of Land

All development applications must be assessed against the SEPP 55 – Remediation of Land. Clause 7 of SEPP 55 requires the consent authority to consider whether land is contaminated or likely to have been contaminated from previous uses. Prior to the consent authority determining an application, the SEPP requires that the site is deemed suitable for its proposed use, in its current state or following any necessary remediation.

The subject is currently used as a motor inn, with cabin accommodation and related motel facilities (restaurant, pool facilities etc) and has been so used since the early-mid 1990's. The motel use has been the only use to which the site has been put. Given the nature of this use, the site is deemed unlikely to have come into contact with potential contaminants.

The proposal involves the demolition of the existing structures, a process that will need to be undertaken in a manner that ensures that proper procedures are followed, e.g. for the dismantling and disposal of potential asbestos materials. This will require the submission of a waste management plan to Council. This process / approach can be required as a condition of any development approval and does not need to be assessed in detail at the DA stage.

On the basis of the site's current (and only) use, it is considered fit for purpose. Further, the site will be developed in a manner that largely eliminates the risk of contamination into the future.

4.3.3 SEPP – Infrastructure (2007)

The site is located on the Newell Highway which is classified as a state road (A41) under Section 138 of the Roads Act 1993. As the proposed development has frontage to a classified road, the provisions of State Environmental Planning Policy (SEPP) – Infrastructure 2007 apply to the site.

Part 3 Division 17 refers specifically to road infrastructure and is relevant to the proposed site redevelopment. Clause 101 requires:

101 Development with frontage to classified road

“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, 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”.*

The SEPP further specifies that a consent authority must consult with the road authority and have regard for its feedback in relation to traffic safety, road congestion and other matters as specified under clause 104:

104 Traffic-generating Development

3. Before determining a development application for development to which this clause applies, the consent authority must:

- a) *give written notice of the application to the RTA within 7 days after the application is made, and*
- b) *take into consideration:*
 - i. *any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*
 - ii. *the accessibility of the site concerned, including:*
 - A. *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - B. *the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
 - iii. *Any potential traffic safety, road congestion or parking implications of the development.*

The subject site enjoys current safe access directly from the Newell Highway and its redevelopment will incorporate the provision of improved ingress and egress arrangements, suited to heavy vehicles.

A Transport Impact Assessment has been prepared by GTA Consultants.

The GTA Traffic Report has considered existing traffic conditions, proposed access arrangements for the site and its on-site parking provisions and has concluded that the project is capable of operating without adverse impact on traffic conditions.

In particular, GTA has found that:

- A total of 60 on-site parking spaces are proposed, including two accessible spaces and complies with TfNSW guidelines. This includes eight light vehicle refuelling spaces and five spaces at the high flow heavy vehicle fuel pumps.
- The car park layout and access driveways have been reviewed against the requirements of DCP 2011 and the Australian Standard for Off Street Car Parking (AS/NZS2890.1:2004, AS/NZS2890.2:2018 and AS/NZS2890.6:2009) and have been found to be satisfactory.
- The proposed development is expected to generate up to 50 vehicle trips (in + out) during any peak hour, with most demand associated with vehicles already on the Newell Highway passing the site. An estimated 10 per cent are expected to be associated with those making a purposeful trip to the site.
- There a good sightlines along the Newell Highway at the proposed access driveways and within a posted 60km/h speed zone.

GTA's review confirms that the layout of the proposed development is expected to operate well with appropriate separation of light and heavy vehicles, drive-through and loading facilities.

Accordingly, GTA find that the proposal is not expected to present a significant impact to the operation and safety of the Newell Highway and can be supported from a traffic and transport perspective.

4.4 Gilgandra Shire - Development Control Plan 2004

The Gilgandra DCP 2011 (2012 - version 2) incorporates specific requirements for development in industrial's zones and requirements for the provision of on-site parking.

The layout of the proposed service centre has taken into consideration the provisions of the Gilgandra DCP relating to site setbacks, car parking provisions, ingress and egress and site landscaping.

The provision of a modern, attractive service station at the subject site is consistent with the town's purpose and function as a part of a major transport route. It will provide local employment and will enhance Gilgandra's reputation as a welcoming place for freight drivers and highway travellers to rest.

Design and Built Form

The proposed development seeks to utilise the site efficiently in keeping with the DCP's requirements.

The DCP provides specific guidelines for development in industrial zones including that:

- The external front façade of buildings fronting public roads shall be sympathetic to the local amenity
- The maximum reflectivity of any glazing shall not exceed 20%, in order to minimise any potential glare impacts
- Construction shall comply with the requirements of the National Construction Code and in particular provisions for disable persons and essential fire safety measures
- All outdoor storage areas are to be positioned at the rear or side of buildings with no storage areas permitted in the front setback area

The proposed development will conform to these guidelines. The built form of the proposed development is essentially single level and is of a type that is consistent with modern oil company expectations and appearances.

Lighting and Noise

The DCP specifies that particular concern is to be had for development in sensitive locations with respect to site amenity.

The proposed service centre is located in land zoned for industrial purposes and is well clear of any residential premises. The site is positioned immediately north of a managed pine forest and immediately south of an existing service station, adjacent to the Newell Highway.

The closest residence is located some 360 metres north of the site on Hargraves Lane, on the other side of the Cooe Motel.

The proposed development is not located in a sensitive area. Also, no motor servicing activities are proposed at the site, such that industrial noise will not be generated.

All lighting proposed for the site will be designed and operated to meet relevant Australian Standards. Lighting will need to be installed and certified to meet such requirements.

The application at this stage does not include details of any proposed business identification / operational signage, although new signage is ultimately intended. This is because the major

oil company that will operate the facility is yet to be determined and each oil company has its own signage specifications. Also, the operator of the food service facility is yet to be decided, although the site is likely to appeal to an independent operator, as opposed to a franchised fast-food operator.

Further details (i.e. a separate DA) will be submitted once the service station and food operators for the site are determined. As all signage will need to meet relevant Australian Standards with respect to obtrusive light, it is not expected that future site signage and lighting will cause undue impact on surrounding lands, again noting that the immediate environment is zoned for industrial development.

Also, given the site's isolation from residential properties, a 24-hour operation is proposed. The facility will allow travellers to access services at all hours and will provide a rest stop for freight drivers.

Car Parking

The DCP includes different parking provisions for highway service centres and for service stations, the latter incorporating requirements based on the number of service bays. As the proposal does not include motor service bays, the DCP requirements for a highway service centre have been used to assess the project's parking requirements.

For a highway service centre, the DCP requires parking at the rate of 1 space per 5 customer seats or 1 per 10m² GFA (whichever is the greater) plus 1 space per 2 employees. Based on the proposed seating arrangements (50 in total) and the GFA of the proposed service centre building the greater parking requirement is for 59 spaces + employee parking.

The development incorporates provision for 60 on-site parking spaces. The adequacy of this provision is addressed separately in the traffic assessment of the project undertaken by GTA.

Landscaping

The proposed development incorporates site edge landscaping, presenting a neat and tidy frontage to the Newell Highway and to other site boundaries.

4.5 Economic Considerations

As stated, the proposed development is immediately adjacent to an existing Caltex service station/motel on the Newell Highway. Other service stations and highway centres are also located throughout Gilgandra.

Whilst competition per se is not a relevant 'planning' consideration in the assessment of new development proposals, it is acknowledged that country towns can be sensitive to competition.

The proposal could be viewed as a threat to existing service station facilities provided throughout the town. These facilities are identified in Figure 6 above.

The Newell Highway Corridor Strategy acknowledges that the number of large vehicles using the highway is anticipated to increase substantially (annual tonnage along the Newell Highway is forecast to grow by approximately 67 to 103 per cent from 2009 to 2031). An increased number of passenger vehicles is also anticipated, particularly in a post-Covid 19 environment, with international travel restrictions and caution more likely to be applied by Australian travellers.

In addition, the proposed facility will assist in catering for current need. Given Gilgandra's location as a halfway point on the Brisbane to Melbourne route, it is already a popular rest-stop for travellers. Indeed, it is not unusual for freight trucks to park randomly along the Newell Highway at Gilgandra to access existing facilities that may have insufficient on-site parking to cater for peak demand.

The use of the subject site for the purpose of a service centre will help to meet current demand and will enhance Gilgandra's reputation as a place to refuel and rest. In turn, it is expected that other service providers in the town (hotel, motel, shopping, and motor trades) will benefit from the project.

It is well known that service centre proprietors will not invest in new projects unless an expected amount of fuel sales can be achieved. Fuel sales are the basis for new investment by the oil companies. The project has the backing of major fuel companies and is regarded as viable in this sense.

The project will provide an economic stimulus for the township and, consistent with current highway strategies, encourage drivers to stop and recuperate at the site, helping to mark Gilgandra as a suitable and welcoming place for highway users to rest.

As previously noted, the project, which is proposed to be operated on a 24-7 basis will provide employment for around 30 persons.

The facility will provide both full-time and part-time employment opportunity for local residents and workers. Notably, the type of employment to be made available is suited to Gilgandra's increasing role as a service town and is suited to workers that seek either full-time or permanent part-time employment. The retail sector is a strong employer of women and teenage children. The project will provide opportunity for full and part-time workers from these cohorts.

Whilst the Gilgandra economy has traditionally been driven by agriculture (wool, fat lambs, cattle and cereal cropping) new industries have recently emerged, emphasising the service nature of the town and providing greater economic diversity for the region.

The proposed additional service station at Gilgandra is in keeping with its function as a service-oriented town – providing fuel, food and related services to travellers and highway users, deepening the diversity of employment opportunity for Gilgandra's residents and enhancing the service reputation of the town. Overall, its economic impacts are considered to be positive.

5 Conclusion

Our review of the planning suitability and potential impacts associated with the proposed new service station at Gilgandra finds that the project is in keeping with planning objectives for the area and the highway corridor and is unlikely to have a negative impact on the township or adjoining landowners.

Notwithstanding, as the site's only road frontage is to the Newell Highway, it is imperative that the site is provided with sufficient carparking spaces to meet demand and that its ingress and egress arrangements are designed to minimise traffic disruption on the highway.

Importantly, traffic and freight levels on the Newell Highway are predicted to increase substantially and relevant corridor strategies recognise the need to accommodate more and better rest facilities to combat driver fatigue. The proposal is entirely consistent with this aim.

It is noted that the proposed development will adjoin an existing service station located immediately north of the site. This reflects the volume of regional traffic at Gilgandra and its popularity as a road stop for truck drivers and other highway travellers. The project does not seek to undermine the business potential of the existing Caltex station. Rather, it seeks to supplement existing services and to strengthen Gilgandra's reputation and suitability as a fuel and rest stop for freight vehicles and other highway users.

The project is proposed to be operated 24-hours a day, 7 days per week and will offer around 30 FTE jobs for local residents.

It is anticipated that the project will provide an economic stimulus for the township and, consistent with highway strategies, encourage drivers to stop and recuperate at the site, helping to mark Gilgandra as a suitable and welcoming place for highway users to rest.

Overall, this assessment finds that the proposal is well suited to the subject site and should be a welcomed addition to Gilgandra.