



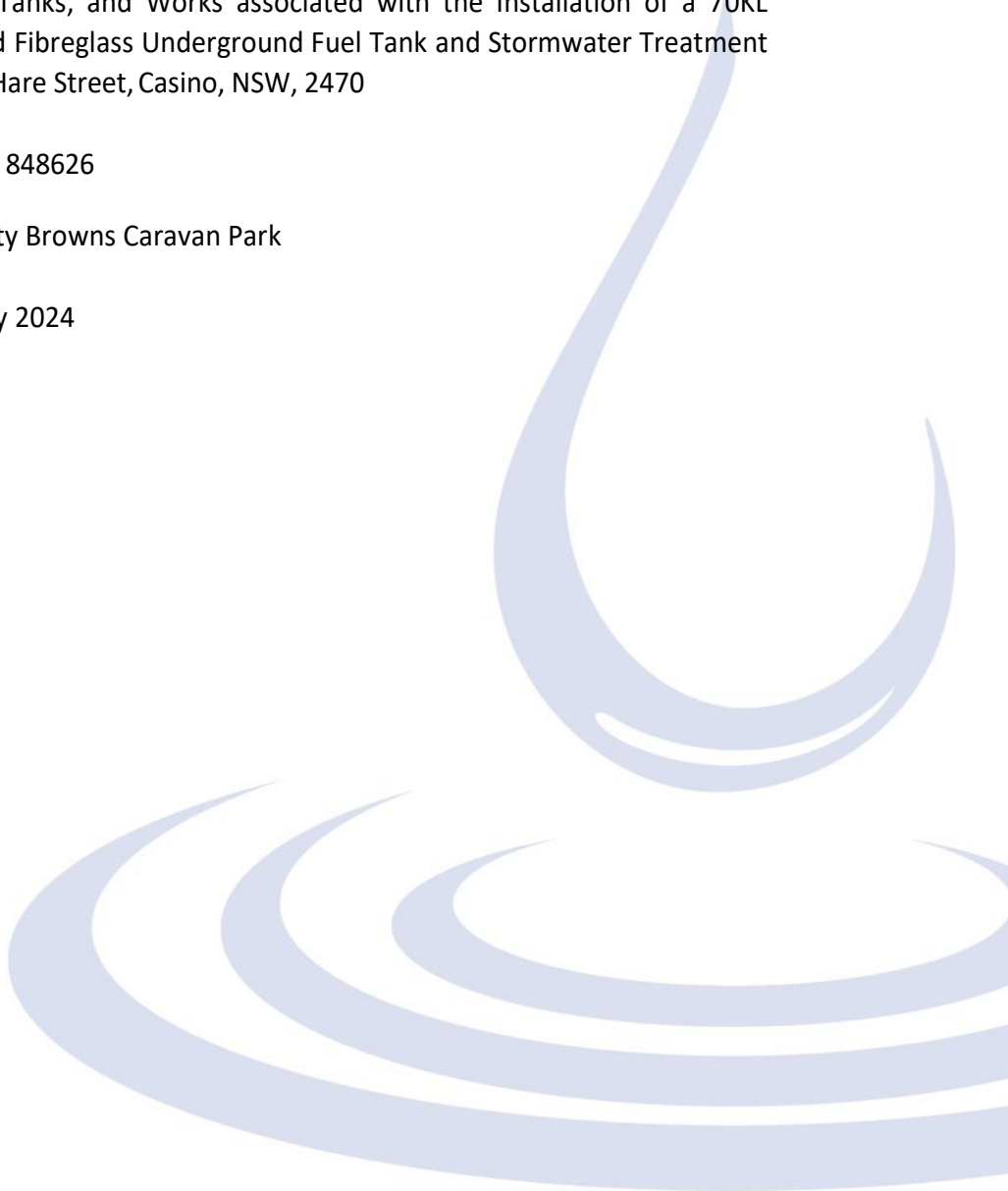
Statement of Environmental Effects

For Proposed Remediation Works for the Removal of Existing Underground Fuel Storage Tanks, and Works associated with the Installation of a 70KL Double Walled Fibreglass Underground Fuel Tank and Stormwater Treatment System at 60 Hare Street, Casino, NSW, 2470

Site: Lot 10 DP 848626

Our Ref: Liberty Browns Caravan Park

Date: February 2024



Document and Project Details

Document Title:	Statement of Environmental Effects for Proposed Remediation Works for the Removal of Existing Underground Fuel Storage Tanks, and Works associated with the Installation of a 70KL Double Walled Fibreglass Underground Fuel Tank and Stormwater Treatment System at Lot 10 DP 848626, 60 Hare Street, Casino, NSW, 2470
Author:	John Chapple
Project Manager:	North Coast Petroleum Transport
Date of Issue:	February 2024
Project Outline:	This document presents a Statement of Environmental Effects for Proposed Remediation Works for the Removal of Existing Underground Fuel Storage Tanks, and Works associated with the Installation of a 70KL Double Walled Fibreglass Underground Fuel Tank and Stormwater Treatment System at the current Liberty Service Station.

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1.0 Executive Summary

1.1 Site Details

Property Description:	Lot 10 DP 848626 Parish of South Casino County of Richmond
Property Address:	60 Hare Street, Casino, NSW, 2470
Registered Owner:	McKinlay Properties Pty Ltd.
Applicant:	MCKINLAY ENTERPRISES PTY LTD
Proponent:	MCKINLAY ENTERPRISES PTY LTD
Local Authority:	Richmond Valley Council
Site Area:	1,095m ²
Current Land Use:	Service Station
Property Zoning:	R1- General Residential

1.2 Development Application Type

Development consent is sought for Remediation Works for the Removal of Existing Underground Fuel Storage Tanks, and Works associated with the Installation of a 70KL Double Walled Fibreglass Underground Fuel Tank and Stormwater Treatment System at Lot 10 DP 848626, 60 Hare Street, Casino, NSW, 2470. The works comprise the following components:

- Removal of 3 x existing underground fuel storage tanks;
- Installation of 1 x 70KL Double Walled Fibreglass Underground Tank (6,695mm by 2,600mm);
- 1 x "Class 1 Separator" for stormwater treatment of forecourt.

A full description of the development is provided in Section 3 of this report.

1.3 Further Information

Should Council require any additional information, or wish to clarify any technical matter raised by this proposal or submissions made to same, Council is requested to consult with John Chapple (6623 5500) prior to determination of the Development Application.

2.0 Introduction

2.1 Purpose

This Statement of Environmental Effects is intended to accompany the Development Application prepared by North Coast Petroleum.

The intent of this report is to describe the site, its existing and proposed uses and to address all the issues relevant to this application's assessment and determination.

This report should be read in conjunction with the accompanying Richmond Valley Council Development Application form together with the following drawings and technical reports which support the development as proposed:

- North Coast Petroleum: **Plan 1** – Existing plan
- North Coast Petroleum: **Plan 2** - Conceptual Plan
- Tank Layout
- Cross Sectional Drawing 70KL UST
- CEMP – Construction Environmental Management Plan
- Preliminary Hazard Analysis (PHA): **Attachment 1**
- ENV Solutions Due Diligence Investigation: **Attachment 2**
- Tank Details (70KL UST & 20KLSTS) – Supplied by Envirotank.

2.2 Location & Site Description

The subject land forming this development application is located at 60 Hare Street, Casino as shown in **Plan 1** – Conceptual Site Plan of this report. In Cadastral terms the site is known as Lot 10 DP 848626 and contains a registered land area of 1,095m². The site contains a service station. The surrounding locality typically comprises R1 General Residential zoned land. The site has good visual exposure to motorists given its setting within proximity to Hare Street and the Bruxner Highway.

2.3 Utilities

The subject site is serviced with reticulated water, electricity and telephone services. The current land use is also serviced with reticulated sewer. The proposed development does not alter stormwater drainage provisions of the land, with the exception of a new 1 x "Class 1 Separator" for stormwater treatment of forecourt.

3.0 Development Proposal

3.1 Proposed Works

Development consent is sought for Remediation Works for the Removal of Existing Underground Fuel Storage Tanks, and Works associated with the Installation of a 70KL Double Walled Fibreglass Underground Fuel Tank and Stormwater Treatment System at Lot 10 DP 848626, 60 Hare Street, Casino, NSW, 2470. The works comprise the following components:

- Removal of 3 x existing underground fuel storage tanks;
- Installation of 1 x 70KL Double Walled Fibreglass Underground Tank (6,695mm by 2,600mm);
- 1 x “Class 1 Separator” for stormwater treatment of forecourt.

The 70KL Double Walled Fibreglass Underground Tank is proposed as the proponent is seeking to increase the onsite fuel storage volume, therefore reducing the number of deliveries each week and continuing to service the needs of the locals within the Richmond Valley LGA. The primary purpose of the additional tank capacity is fuel supply.

The 70KL Double Walled Fibreglass Underground Tank will require a tank pit to be excavated to a depth of approximately 4.0m. The tank pit excavation will be located directly adjacent to tanks (proposed to be removed) previously installed on the site.

The tank pit to be excavated will be approximately 4m deep by 3.8m wide by 16m long. All material will be pre classified in situ, prior to excavations being undertaken and will be analysed against the general solid waste guidelines to determine that it can be safely disposed of off-site.

Appropriate erosion sediment control measures will be applied prior and during excavation works. The proposed earthworks on site will not have any adverse impacts on the site in terms of bulk and scale. All excavated materials will be removed off site. Specified backfill material (blue metal) will be used to fill the tank pit void. The tank pit will be restituted with a 200mm concrete slab.

The proposed tank, associated pipe work and remote fill box are all self-contained.

The proposed class 1 separator will treat all under canopy stormwater prior to discharge to Council's stormwater system. The stormwater will achieve less than 5ppm (hydrocarbons) as required by RVC policy and the UPSS (Underground Petroleum Storage System) Regulation 2019.

3.2 Construction Environmental Management Plan (CEMP)

This development application is supported by a Construction Environmental Management Plan (CEMP) which is lodged herewith as part of the development application documentation. Reference should be made to this management plan for assessment purposes which addresses the following site-specific environmental issues, and complaints handling procedure:

- Erosion and sediment control;
- Water quality;
- Air quality;
- Noise;
- Hazardous substances;
- Contaminated soil/groundwater;
- Acid sulfate soil;
- Waste management;
- Flora and fauna;
- Cultural heritage;
- Complaints handling process.

4.0 Assessment of Relevant Planning Instruments

4.1 Richmond Valley Local Environmental Plan 2012

Richmond Valley LEP 2012 Zone Objectives

The subject site is zoned R1 – General Residential under the Richmond Valley Local Environmental Plan 2012.

Zone R1 – General Residential

The R1 General Residential zone contains various land use objectives which primarily relate to residential housing. However, two objectives are considered of relevance to the proposal that are underlined below, together with the proposal's response:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that housing densities are generally concentrated in locations accessible to public transport, employment, services and facilities.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*

Comment: The proposal relates to the removal and remediation of 3 current underground fuel storage tanks (18KL, and 2 × 4.5KL) and the installation of a self bundled double walled fuel tank (70KL) & storm water treatment system (Class 1 Separator) to an existing service station site. The proposal will enable the ongoing service station operation to service the day to day needs of residents with regards to fuel.

The proposal is not considered to result in land use conflict with any land uses within the zone, or land uses within an adjoining zone, as the proposal retains the use of the site for a service station. As provided above, the proposal seeks to increase the onsite fuel storage volume which will reduce the number of deliveries each week.

The site will be retained for use as a service station, and therefore the proposal is not considered to result in any adverse economic impacts to any surrounding industry or businesses.

Based on the above assessment, it is considered that the proposal is consistent with the relevant objectives of the R1 – General Residential.

Richmond Valley LEP 2012 Principal Development Standards and Provisions

Part 5

Clause 5.10 – Heritage Conservation

The subject site is not located within a heritage conservation zone nor is it identified as a heritage item within the RVLEP 2012.

Clause 5.21 – Flood Planning

The property is not mapped as being subject to the 1 in 100 year flood planning event, however is subject to the 1 in 500 year and PMF flood events pursuant to the Draft RVC Flood Study 2023.

The proposal involves the excavation of part of the site to remove the existing underground fuel storage tanks, and to enable the installation of a new underground tank. Following the excavation and installation of the underground tank, the site will be filled and concrete capped to match the existing surface levels at the site. In this regard, the proposed development is considered to be compatible with the flood function and behaviour of the land. It is not considered likely the proposed development will result in any adverse changes in the flood behaviour as a result of climate change.

The objective of the proposal is to increase the fuel storage capacity at the site, and by doing so, reduces the amount of fuel truck deliveries to the site per week. In this regard, the proposal is not considered to 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. Rather, the proposal will result in a reduction of fuel truck transport movements utilising the point of entry to and from the site connecting to Hare Street.

With respect to the incorporation of appropriate measures to manage risk to life in the event of a flood, the proposed excavation and installation works will not be undertaken in the event of a flood.

Having regard to the proximity of the site to the Richmond River, the proposal is not considered likely to 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 application does not propose the construction of any additional buildings.

Clause 5.22 – Special Flood Considerations

The proposed works are associated with a service station, and on land subject to the 1 in 500 year and PMF flood events pursuant to the Draft RVC Flood Study 2023.

For the reasons provided above addressing Clause 5.21, the proposal is not considered to:

- affect the safe occupation and efficient evacuation of people in the event of a flood;
- increase the risk to life in the event of a flood, and
- adversely affect the environment in the event of a flood.

Part 6

Clause 6.1 – Acid Sulfate Soils

Council mapping does not identify the site as containing acid sulphate soils.

Clause 6.2 – Essential Services

As addressed in Section 2.3 of this report, all essential services are available at the subject site. The proposal does not alter the means of access to and from the site.

Clause 6.3 – Earthworks

The 70KL Double Walled Fibreglass Underground Tank will require a tank pit to be excavated to a depth of approximately 4.0m. The tank pit excavation will be located directly adjacent to tanks (proposed to be removed) previously installed on the site. This will include the excavation of material prior to disposal at an appropriate landfill.

Appropriate erosion sediment control measures will be applied prior and during excavation works. Further reference should be made to Section 3.1 of the CEMP lodged as part of this application, which addresses erosion and sediment control.

4.2 Richmond Valley Development Control Plan 2021

The relevant chapters of the Richmond Valley DCP 2021 applying to the proposed remediation, underground tank and storm water treatment system are addressed in:

- Part B – Commercial Development

4.2.1 Part B Commercial Development

Control B-2 Height

The proposal does not alter the building form of the service station.

Control B-3 Setbacks

The proposal does not alter the building line setbacks of the service station.

Control B-4 Streetscape and Character

The proposal involves the excavation of part of the site to remove the existing underground fuel storage tanks, and to enable the installation of a new underground tank. Following the excavation and installation of the underground tank, the site will be filled and concrete capped to match the existing surface levels at the site.

The proposal will not alter the appearance of the service station development upon cessation of the works. No additional building works are proposed.

Control B-5 Access and Loading

Following cessation of the works, the proposal does not impact on accessibility to and from the site, nor the vehicle manoeuvring paths as assessed by Council under DA 2022/0075. The 4.5m wide right of carriage way that services Browns Caravan Park will not be impacted by the proposal or during construction.

No changes are required to the existing delivery arrangements through the site. In this regard, delivery vehicles will continue to be able to maneuver through and enter / exit the site in a forward direction. No additional staff will be employed on site as the result of the installation

of the additional tank and accordingly additional parking is not required in association with the current application. Vehicles accessing the bowsers at the front of the premises will be able maneuver through the site in a forward direction utilizing the existing driveway and associated areas.

Control B-6 Parking

The proposal involves the excavation of part of the site to remove the existing underground fuel storage tanks, and to enable the installation of a new underground tank. The proposal does not impact the parking arrangements associated with the service station.

As provided above, no additional staff will be employed on site as the result of the installation of the additional tank and accordingly additional parking is not required in association with the current application.

Control B-7 Amenity

The proposed works will be undertaken in accordance with a Construction Environmental Management Plan (CEMP) which is lodged herewith as part of the development application documentation. Reference should be made to this management plan for assessment purposes which addresses site-specific environmental issues, and complaints handling procedure.

Control B-8 Safety and Security

The proposal does not alter the ongoing safety and security arrangements in place concerning the operation of the service station.

Control B-9 Signage

No additional signage is proposed as part of this application.

Control B-10 Landscaping

The proposal involves the excavation of part of the site to remove the existing underground

fuel storage tanks, and to enable the installation of a new underground tank. No additional landscaping is warranted in this instance.

Control B-11 Stormwater, Sewage and Water

As addressed in Section 2.3 of this report, all essential services are available at the subject site. The proposed class 1 separator will treat all under canopy stormwater prior to discharge to Council's stormwater system. The stormwater will achieve less than 5ppm (hydrocarbons) as required by RVC policy and the UPSS (Underground Petroleum Storage System) Regulation 2019.

Control B-12 Earthworks and Retaining Walls

The tank pit to be excavated will be approximately 4m deep by 3.8m wide by 16m long. All material will be stockpiled on site prior to disposal at an authorised landfill. Stockpiled soils will be analysed against the general solid waste guidelines to determine that it can be safely disposed of off-site. The stockpile will be created in accordance with Landcom's Managing Urban Storm Water (2004) (the 'Blue Book').

Appropriate erosion sediment control measures will be applied prior and during excavation works. The proposed earthworks on site will not have any adverse impacts on the site in terms of bulk and scale. All excavated materials will be removed off site. Specified backfill material (blue metal) will be used to fill the tank pit void. The tank pit will be restituted with a 200mm concrete slab.

Further reference should be made to Section 3.1 of the CEMP lodged as part of this application, which addresses erosion and sediment control.

Council mapping does not identify the site as containing acid sulphate soils.

Control B-13 Garage Waste & Storage

The proposed works will be undertaken in accordance with a Construction Environmental Management Plan (CEMP) which is lodged herewith as part of the development application documentation. Section 3.8 of the CEMP addresses waste management.

Control B-14 Natural Hazards and Constrains

Flooding – Clauses 5.21 and 5.22 of the RVLEP have been addressed earlier in this report.

The tank will be buried under a concrete apron slab. The tank supplied by Envirotank comes with buoyancy calculations and are based on the mass of:

1. Anchors;
2. Backfill material above anchors;
3. Backfill material over the tank;
4. Concrete cover over the subgrade; and
5. Tank size.

Based on this, the restraining force will exceed the buoyant force. The factor of safety will be greater as it is highly unlikely that the tanks will be completely empty. In the event of a potential flood or flash flood, the tanks will be filled with product to inhibit buoyant uplift.

Acid Sulfate Soils - Council mapping does not identify the site as containing acid sulphate soils.

Contaminated Lands – Reference should be made to Section 4.3.2 of this report which addresses Chapter 4 – Remediation of Land of SEPP (Resilience and Hazards) 2021.

Control B-15 Development over Roads

Not applicable.

Control B-16 Additional Considerations for Alterations and Additions and Change of Use to existing Commercial Premises

No additional building works are proposed, whilst the proposal retains the ongoing use of the site as a service station.

4.3 SEPP (Resilience and Hazards) 2021

4.3.1 Chapter 3 – Hazardous and Offensive Development

This chapter aims to 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 minimise any adverse impact.

A Preliminary Hazard Analysis (PHA) has been prepared by North Coast Petroleum and contained within Attachment 1. The PHA has been prepared to address the provisions of the SEPP.

4.3.2 Chapter 4 – Remediation of Land

The following provides a summary of information to assist Council in assessment of the Development Application.

The subject land is located in the R1- General Residential zone and contains an existing service station. The subject land is adjoined by and adjacent to residential development to the north and east, south and west. The Richmond River is located approximately 400m to the north.

Service stations are listed in Appendix 1 of the Managing Land Contamination (Planning Guidelines SEPP 55 – Remediation of Land), and Schedule 1 of the Draft Contaminated Land Planning Guidelines.

One previous assessment has been completed relating to the soil condition on the site, which was prepared by ENV Solutions and is lodged herewith this development application. The report conducted by ENV solutions Pty Ltd (DUE DILIGENCE ENVIRONMENTAL ASSESSMENT at Liberty Service Station – 60 Hare Street, Casino, NSW, May 2021) stated “Laboratory analysis results of soils and groundwater samples report COPC concentrations below the adopted assessment criteria, comprising Tier 1 investigation and screening in levels outlined in the NEPM (NEPM, 2013), at all sampling locations. N.B. Due to current structures at the site the soil sampling program of this assessment was limited to accessible areas. Thus, the potential for elevated COPC concentrations beneath existing buildings cannot be discounted; however, is considered unlikely with respect to the location of the site’s UPSS and the results of this investigation. Based on the findings of this due diligence environmental assessment, the site is considered suitable

for continued commercial land use”.

Any other potentially contaminated soils will be laboratory tested, prior to removal off-site and measured against the general solid waste guidelines.

4.4 SEPP (Transport and Infrastructure) 2021

Chapter 2 – Infrastructure

Division 5 – Electricity Transmission or Distribution

Section 2.48 – Determination of development applications – other development

This Section states:

(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,*
- (b) development carried out—
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
 - (ii) immediately adjacent to an electricity substation, or*
 - (iii) within 5m of an exposed overhead electricity power line,**
- (c) installation of a swimming pool any part of which is—
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or*
 - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,**
- (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.*

Comment: The site is currently serviced by overhead power connection within the Hare Street road reserve. The proposal involves works immediately adjacent to the overhead power lines and power pole. In such circumstances, it is assumed that the application will be referred to Essential Energy.

All works will be required to be completed in accordance with applicable Australian Standards and Essential Energy requirements.

4.5 Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019

Comment: The proposed 70KL underground storage tank will be considered within the same frame work as the site currently operates. For the site to be considered compliant with the POEO (Underground Petroleum Storage Systems) Regulation 2019, the site must operate under a Fuel System Operation Plan, the site must implement an approved Statistical Inventory Reconciliation Analysis (SIRA) and the site must contain some form of secondary leak detection (groundwater monitoring wells).

4.6 Section 4.15 Evaluation

a) The provisions of:

i) Any environmental planning instrument:

Comment: All relevant provisions of the Richmond Valley Local Environmental Plan 2012 have been addressed within this report.

ii) 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

Comment: No draft EPI is considered to adversely impact this application.

iii) Any development control plan,

Comment: The Richmond Valley DCP 2021 applies and relevant comments have been provided in Section 4.2 of this report.

(iv) Any planning agreement that has been entered into or any draft planning agreement that a developer has offered to enter into under section 7.4.

Comment: No existing or draft planning agreements are applicable to the current application.

(v) the regulations that apply to the land to which the Development Application relates,

Comment:

Clause 61 Provision		Comment
(1)	Demolition	N/A

(2)	Land subject to a Subdivision Order	N/A
(3)	Dark Sky Planning Guideline	N/A
(4) & (5)	Application for a manor house or multi dwelling housing (terraces).	N/A
(6)	Residential building in Penrith City Centre	N/A
(7)	Repealed	N/A
(8)	Repealed	N/A

b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

Primary Matters	Proposal
Context & Setting	The proposal involves the excavation of part of the site to remove the existing underground fuel storage tanks, and to enable the installation of a new underground tank. The proposal is not envisaged to adversely impact the density, character and urban design of the surrounding locality.
Transport, Access & Parking	Upon cessation of the works, the proposal will not impact on the existing on-site parking spaces, or access to and from the site.
Utilities	The site is currently serviced with required utility infrastructure by virtue of the current development on the land. This infrastructure will remain available under normal operating conditions.
Heritage	The subject site is not located within a heritage conservation zone nor is it identified as a heritage item within the RVLEP 2012.
Water	Flooding has been considered and addressed in this report.
Soils	Council mapping does not identify the site as containing acid sulphate soils. ENV Solutions have previously prepared a Due Diligence Investigation for this site which addresses contamination. This report is included as Attachment 2 .
Air & Microclimate	The proposed works will be undertaken in accordance with a Construction Environmental Management Plan (CEMP) which is lodged herewith as part of the development application documentation. Reference should be made to this management plan for assessment purposes which addresses site-specific environmental issues, and complaints handling procedure.
Flora & Fauna	No clearing of vegetation is proposed.
Natural Hazards	Flooding has been addressed in this report.

Waste	The proposed works will be undertaken in accordance with a Construction Environmental Management Plan (CEMP) which is lodged herewith as part of the development application documentation. Section 3.8 of the CEMP addresses waste management.
Noise & Vibration	Work activities will adhere to Council's specified construction hours and consent conditions. The proposed works will be undertaken in accordance with a Construction Environmental Management Plan (CEMP) which is lodged herewith as part of the development application documentation. Section 3.4 of the CEMP addresses noise.
Site Design & Internal Layout	The works are proposed to facilitate the ongoing use of the site for a service station.
Construction	All works will be required to be undertaken in accordance with appropriate standards and conditions of consent.

c) The suitability of the site for the development,

Primary Matters	Proposal
Does the proposal fit in the locality	The scale, proportion and form of the proposed underground tank is considered visually appropriate for the immediate streetscape and context of the development it represents.
Site Attributes conducive to the development	The subject land is not listed as being an item of heritage significance pursuant to the Richmond Valley LEP 2012 and is not located within a heritage conservation area. The proposal is not considered to contribute to the loss or adverse impact upon any critical habitats or threatened species, populations or communities.

d) Any submission made in accordance with this Act of the regulations,

Primary Matters	Proposal
Public Submissions or Submissions from Public Authorities	All issues deemed relevant to the proposal, having regard to the location, nature and impacts, have been addressed in this report.

e) The public interest,

Primary Matters	Proposal
Federal, State, Local Government Interest & Community Interest	This application considers and addresses the relevant State and Local Government plans and policies and is therefore deemed to be in the public interest.

5.0 Conclusion

This Statement of Environmental Effects successfully addresses the issues relevant to Council's assessment of this application for Remediation Works for the Removal of Existing Underground Fuel Storage Tanks, and Works associated with the Installation of a 70KL Double Walled Fibreglass Underground Fuel Tank and Stormwater Treatment System at Lot 10 DP 848626, 60 Hare Street, Casino, NSW, 2470.

In consideration of the issues and information provided, approval of the Development Application is warranted in the manner prepared, subject to the inclusion of reasonable and relevant conditions. The grounds for justification are as follows:

- The proposal is consistent with the relevant provisions of the Richmond Valley Local Environmental Plan 2012;
- The relevant provisions prescribed within the Richmond Valley Development Control Plan 2021 have been addressed in this report;
- The installation of a new underground fuel storage tank will continue to service the ongoing use of the site for a service station, and therefore is not considered to adversely alter the character of the residential zone, or impact the scenic quality of the locality.

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John Chapple

Environmental Manager

Date: February 2024