



ASSESSMENT REPORT

Section 75W Modification – Used Oil Transfer Station, St Marys

1 BACKGROUND

On 21 February 2007, the Minister for Planning approved a project application (MP 06_0022) from Klekies Pty Ltd (now known as Southern Oil Collection Pty Ltd (SOC)) for a used oil transfer station in the Penrith local government area (see Figure 1).

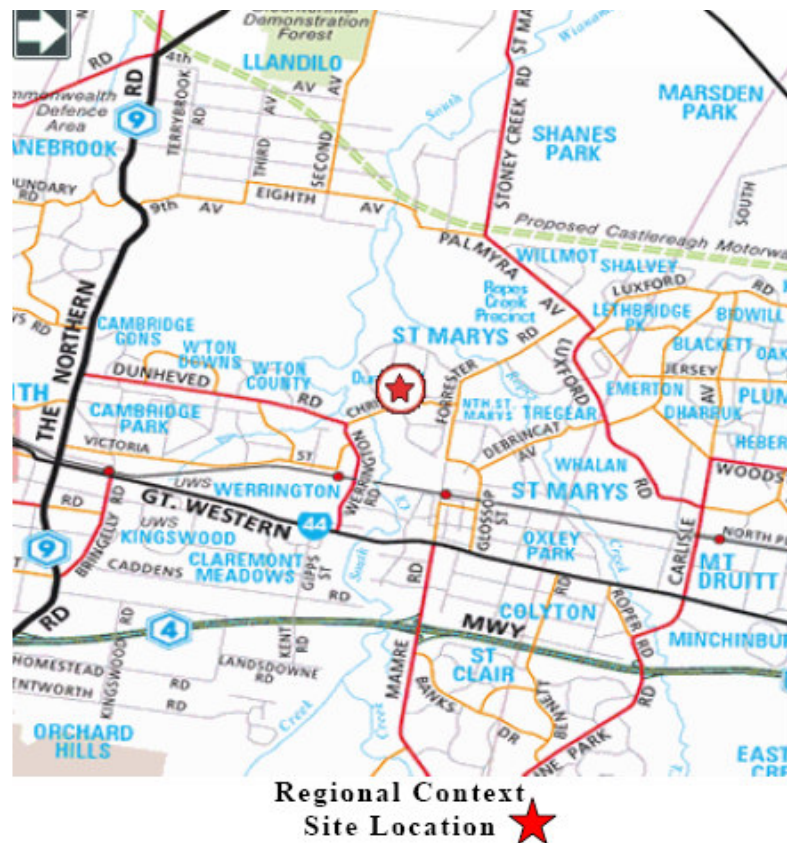


Figure 1: Regional Context

The approved project is illustrated in Figure 2, and involves the construction and operation of a used oil transfer station with a throughput of 5,500,000 litres or 5,000 tonnes annually. Oil would be received at the facility from various locations in the Sydney metropolitan region. It would then be pre-treated (heating only) on-site before being transported by bulk tanker to a used oil refinery facility in Wagga Wagga. The project includes:

- installation of 9 tanks (total storage capacity of 540,000 litres), allowing the storage of different grades of used oils;
- a warehouse/office in the north east corner of the site with a total floor area of 512.5m²; and
- associated infrastructure including bunding around the tank farm and the unloading/loading area, stormwater management system, dewatering plant, site access and parking.

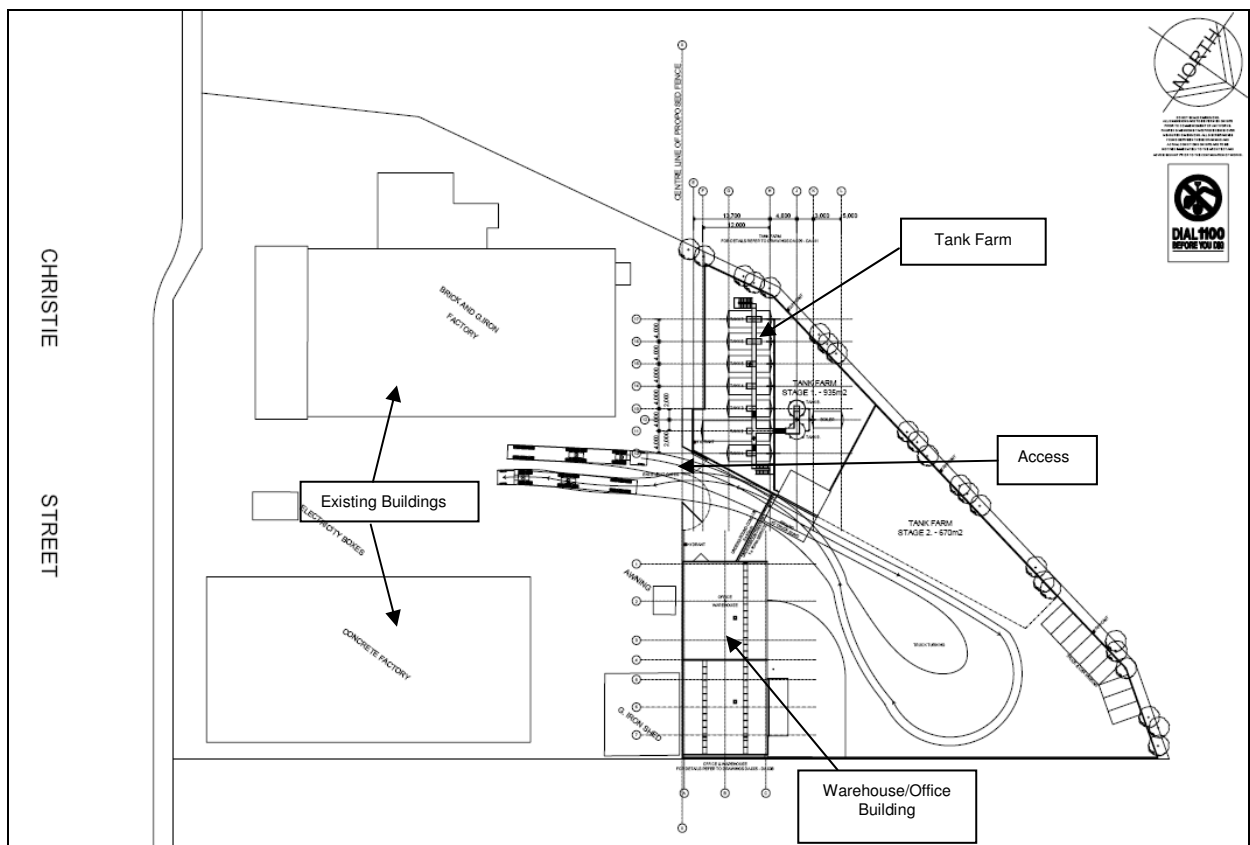


Figure 2: Approved Site layout

2 PROPOSED MODIFICATION

On 20 September 2007, the SOC submitted an application with the Department, seeking approval to amend the Minister's consent under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

SOC lease the northern portion of the site (see Figure 2). The owner of the site has requested that SOC relocate the proposed access from the centre of the site to the west of the site to reduce conflicts between vehicles and pedestrians on the entire site. To accommodate this change, SOC has been required to rearrange other structures on site.

In summary SOC is proposing the following modifications:

- 1) relocation of the proposed access from the centre of the site to the west of the site. The access would also be widened from approximately 9m to 10m;
- 2) relocation of the tank farm to the northern boundary of the site, inclusion of a roof over the tank farm and the provision of a wider loading/unloading bunded area;
- 3) relocation of the carpark from the northern boundary of the site. Two parking areas are proposed – 9 spaces adjacent to the warehouse/office building and 5 spaces located adjacent to the southern side of the tank farm;
- 4) minor changes to the design (pipe size and pipeline location) of the stormwater management system;
- 5) reduction in the size of the bunded area for the tanks; and
- 6) changes to the external finish of the warehouse/office from metal cladding to painted concrete panelling.

The proposed modifications to the facility are illustrated in Figure 3.

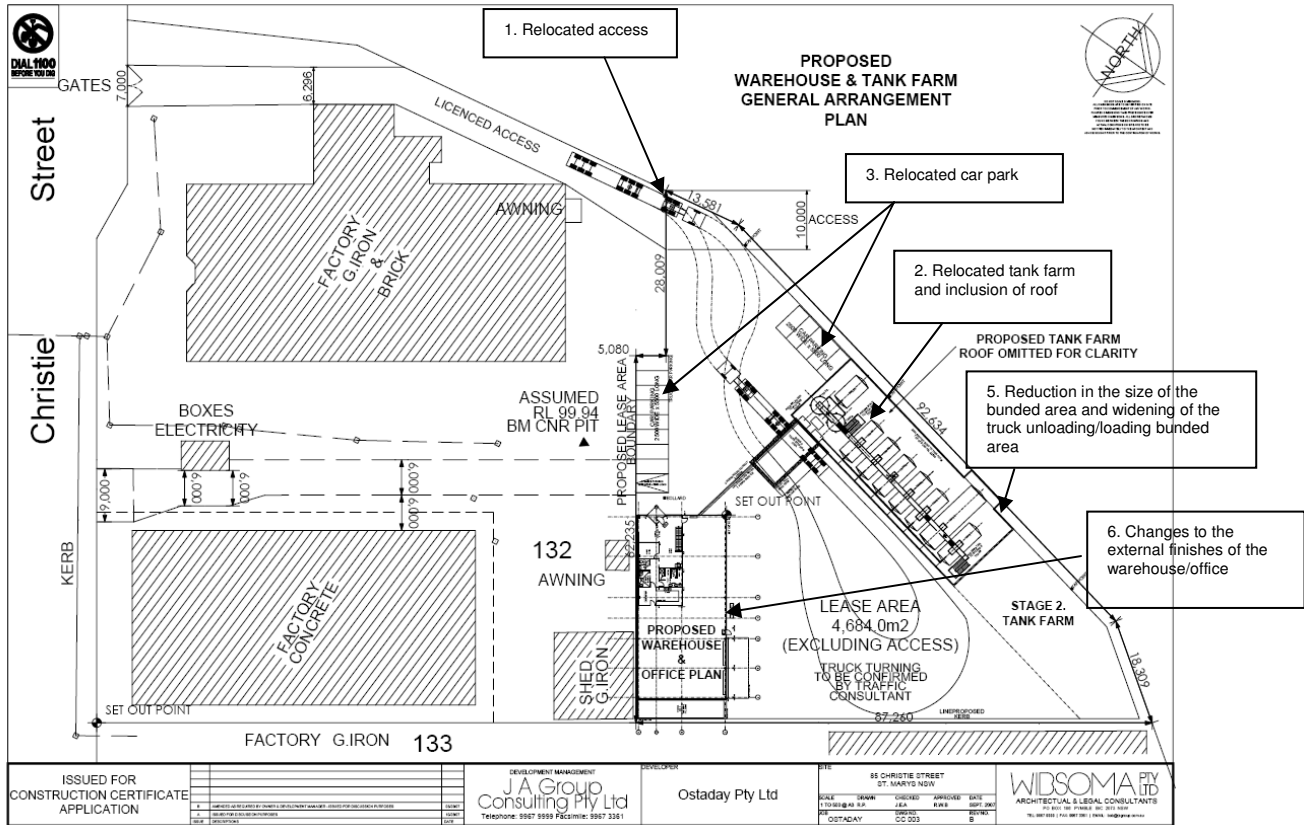


Figure 3: Proposed Modified Site Layout

3 STATUTORY FRAMEWORK

The Minister was the consent authority for the original project application, and is consequently the consent authority for this modification application.

On 7 June 2007, the Minister delegated his powers and functions as an approval authority to modify certain project approvals under section 75W of the EP&A Act to the Executive Director, Major Project Assessment. This modification application meets the terms of this delegation, consequently, the Executive Director may determine the application under delegated authority.

4 CONSULTATION

The Department is not required to notify or exhibit the application, and does not consider it necessary to notify or exhibit the application.

5 ASSESSMENT

The Department's assessment of the key issues is provided below.

5.1 Hazards and Risks

The used oils to be stored on site are classified as Class 9 products under the Australian Dangerous Goods Code. While the used oils are non-hazardous to human health, they are an 'environmentally hazardous substance/liquid' and thus pose a level of risk to environmental health. As such the design of the facility is required to meet the requirements of Australian Standard 1940-2004: *The Storage and Handling of Flammable and Combustible Liquids* (AS 1940), particularly in regards to location of the storage tanks (separation distances) and the capacity of the bunded areas.

The distance between the tank farm and other surrounding buildings including the proposed warehouse/office building exceeds 15 metres, and therefore complies with AS 1940. The Department notes that the closest residences are located approximately 800m from the site.

AS 1940 requires the capacity of the bunded area to be at least the capacity of the largest tank, or for this facility, 120,000L. The capacity of the bunded area for the approved tank farm was 540,000L. SOC propose to reduce the capacity of the bunded area from 540,000L to 308,000L. However, the proposed capacity of the bund would still be considerably greater than that required by AS 1940. The capacity of the bunded area for the unloading/loading facility also exceeds the requirements of AS 1940. The Department is therefore satisfied that the bunding proposed is more than adequate to contain any spills on site, and that the reduction in the bunding capacity would not increase the risks of the project. Additionally, the existing conditions of approval would adequately manage hazard and risk issues for the amended proposal.

5.2 Visual

The facility would be located at the rear of the site, with views from Christie Street restricted by two existing buildings on site. Additionally, views from the Dunheved Golf Club, which is located to the north west of the site, are restricted by existing vegetation.

The Department considers that no adverse visual impacts would arise from the proposal to modify the external finish of the warehouse/office building (from metal cladding to painted concrete panelling), to relocate the tank farm and the addition of a roof structure over the tank farm. This is primarily due to the industrial nature of the site and surrounding land uses, as well as the distance to residential areas. Additionally, the size and height of the warehouse/office building and the tank farm would not be altered.

No detailed plans of the new roof structure have been provided. As such, the Department has recommended that SOC be required to submit detailed plans of the new roof structure for approval, prior to the commencement of construction. The recommended condition also requires that the plans be prepared in consultation with Penrith City Council (Council) to ensure any requirements of Council are incorporated into the design of the roof structure.

5.3 Traffic and Parking

The relocation of the access to the facility requires a new access off Christie Street. SOC is also proposing to install gates at this access. The Department has recommended that the driveway be designed and constructed in accordance to Australian Standard AS 2890.2-2002: *Parking facilities - Off-street commercial vehicle facilities*, and any requirements of Council.

The relocation of the access has also resulted in the relocation of other components on site including the car parking area. SOC is proposing to increase the number of car/truck parking spaces from 9 to 14. The number of parking spaces meets Council's requirements for industrial land, and the Department is satisfied that adequate parking has been provided.

The proposed modification has also resulted in a minor realignment of the truck turning area, however, sufficient area has been provided to allow vehicles to enter/exit the site in a forward direction. The Department is satisfied that SOC has provided sufficient measures to minimise the potential for traffic accidents, and the relocation of the access would resolve conflicts between pedestrians and vehicles.

5.4 Stormwater

The proposed changes to the stormwater system relate to minor changes to the realignment of pipes and pipe sizes. SOC is not proposing any changes to the volume of stormwater that would be detained on site or the rate stormwater would be discharged from the site to Council's stormwater/drainage network. The Department considers that the proposed changes to the stormwater system are minor in nature and would not impact on the local stormwater/drainage network.

6 RECOMMENDATION

It is RECOMMENDED that the Executive Director:

- consider the findings and recommendations of this report;
- approve the proposed modification under section 75W of the EP&A Act; and
- sign the attached notice of modification.



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 8/10/07

David Kitto
Director
Major Development Assessment



10.10.07

Chris Wilson
Executive Director
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