

Supporting Documentation

Request for SEARS for State Significant Development

1. Site Details – 130 Cormorant Road, Kooragang.

Surrounding Area

Kooragang Island is a major location for the export of coal and currently accommodates heavy industry and port related uses as well as associated loading and rail infrastructure.

To the north of the site is a Boral Cement facility which is accessed via a private road which runs close to the western boundary of the site.

Land to the west of the private road is largely vacant other than a railway which traverses the site from the south east to the north-west corner and a small substation and associated infrastructure fronting Cormorant Road.

To the south and south east of the site are a number of vessel berths with associated coal loading infrastructure.

To the east of the site, on the opposite side of Egret Street is Sims Metal Management and associated scrapyard, the main access for which is off Cormorant Road.

Further to the north east on the opposite side of Egret Street is a BOC Australia facility with associated gas storage infrastructure accessed off Egret Street. Cormorant Road is a dual carriageway along the frontage of the site and is the main thoroughfare between Newcastle and Stockton and further afield to Newcastle Airport and Port Stephens.

Egret Street has a wide single carriage way and can be accessed off Cormorant Road by both eastbound and westbound traffic. Egret Street services a number of industrial related activities further to the north and north east of the site, including but not limited to Boral, Port Waratah Coal and Newcastle Coal Infrastructure Group.

See Map attached for further details.

2. Development Description

Elgas Ltd proposes to operate a Liquefied Petroleum Gas (LPG) storage and cylinder filling and small truck loading facility on Egret Street, Kooragang, NSW. The facility will be developed and leased to Elgas by Sovechles Developments Pty Ltd.

The proposed site falls within the leased land in Kooragang, managed by the Port of Newcastle. Under the Three Ports SEPP, NSW (Ref.1), the Minister for Planning is the determining authority for the development.

The facility is to be located on the subject site fronting Egret Street in Kooragang, NSW.

The ELGAS offer includes the following:

- Administration Office
- Staff Parking Area
- Loading Docks
- Designated Area for LPG Storage Tank – aboveground
- Cylinder refilling dock
- Truck parking areas
- Concrete pavement to cover the majority of site
- Fencing
- Security Gate at entry

The ELGAS depot offer will consist of the following:

- One 50-tonne LPG tank, fireproofed with fendolite coating. Positioning aboveground on concrete pavement area as detailed on site map attached
- LPG loading/ unloading point (B-Double road tanker delivery and bobtail tanker loading)
- LPG pump supplying cylinder filling plant
- One 4.5 kl LPG tank for receiving residual LPG from returned cylinders before inspection and refill
- Cylinder filling and storage, loadout on flat top trucks.
- Overnight parking of laden bobtail tankers (1 x 6 tonne and 1 x 9 tonne) in a dedicated area

3. Permissibility & Strategic Planning

The proposed site falls within the leased land in Kooragang, managed by the Port of Newcastle. Under the Three Ports SEPP, NSW (Ref.1), the Minister for Planning is the determining authority for the development.

- The Site is zoned SP 1 Special Activities pursuant to State Environmental Planning Policy (Three Ports) 2014.
- As LPG Facility is not listed as being prohibited and they are permitted with consent in the zone.

The proposed development comes under NSW State Environmental Planning Policy (SEPP) No.33 (Ref.2), and will require a Preliminary Hazard Analysis (PHA) and this will accompany the Development Application.

Under the Environmental Planning & Assessment Regulation 2000 (Ref.3), Schedule 3, Part 1.10, the following requirements apply:

Chemical Storage facilities:

- (a) that store or package chemical substances in containers, bulk storage facilities, stockpiles or dumps with a total storage capacity in excess of:
 - (i) 20 tonnes of pressurised gas, or
 - (ii) 200 tonnes of liquefied gases, or
 - (iii) 2,000 tonnes of any chemical substances, or
- (b) that are located:
 - (i) within 40 metres of a natural waterbody or wetland, or
 - (ii) in an area of high water table or highly permeable soil, or
 - (iii) in a drinking water catchment, or
 - (iv) on a floodplain.

Based on the above requirements, the proposed development would meet the test of being designated development, due to the groundwater levels across the site varying between 1.9 and 3.2 metres below ground level.

The definition of high water table is described in the Regulation as being “areas where the groundwater depth is less than 3 metres below the surface at its highest seasonal level”.

Furthermore, the 3 Ports SEPP states that development within the lease area that is designated development, is considered to be State Significant Development SSD.

This means that the proposed Elgas facility will need to follow the State significant development assessment pathway.

4. Preliminary Environmental Assessment

The proposed development has been formulated having full and proper regard to the existing development controls and the environmental qualities of the site and surrounds. Please see below a brief summary of various environmental factors that are relevant to this site and a more detailed Statement will be provided with supporting documentation with the lodgement of a Development Application.

Mine Subsidence

The land is not located within a proclaimed Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961.

Bush Fire Prone Land

The site is not located within a bushfire prone area as defined by the Rural Fire Service.

Flora and Fauna

The site is not part of a wildlife corridor, nor does it provide any significant linkages with vegetation in the region. A small number of trees and shrubs are located on site, however the site is predominately cleared. The site is located in an established industrial area which contains many heavy industrial uses.

Flooding

A Flood Information Certificate was provided for the whole site in Stage 1 on the development and no part of the site is affected by a floodway or flood storage area. The estimated probable maximum flood level is 4.4m AHD. The building FFL is R.L. 4.5 (i.e. 100mm above the maximum probable flood level).

Traffic

The proposed Elgas facility is situated behind the recently completed Coles Service Station, Coolabah Food and Bay Wash Car Wash offers. These outlets average just over 2,100 vehicle movements per day inclusive of 100-200 truck movements, with the majority of the vehicular traffic entering the site from Cormorant Road.

All vehicle access to the proposed Elgas site is from Egret Street and there is no access from Cormorant Road and/or internal access from the existing offers to the site.

The proposed vehicle movements for Elgas have not been finalised but we have been advised to report the following:

Admin Staff = 9. Arrival 8am to 5.30pm Mon - Friday

Depot Drivers = 2. Mon - Friday

Delivery Drivers = 7. 24 hours

LPG Deliveries = 2. Deliveries per week

Working on the above numbers Elgas has advised the total Vehicle daily movements are as follows:

Light Vehicles = < 35VPD

Heavy Vehicles = < 25VPD

Traffic to and from the site can be readily incorporated into the existing road network. It is not anticipated that the proposed facility will significantly increase traffic levels above those already existing in Cormorant Road. Adequate truck and car parking is also provided within the site.

A full detailed Traffic report will be lodged with the Development Application.

Waste

Waste will be managed in accordance with the POEA Act and DECCW's Waste Classification Guidelines.

Impacts on the Natural Environment

The site has been found to be suitable for the proposed development. The site of the proposed development is an existing developed industrial area. There are no items of environmental significance that will be affected by the proposed development.

Impacts on the Built Environment

The proposed development comprises a contemporary single-storey administration building, depot facility, associated structures and signage within an established industrial area. Appropriate design elements and landscaping have been incorporated to ensure the development integrates with the existing character of the locality. The proposed building will not have an adverse impact on the built environment by way of overshadowing, overlooking or adverse visual impacts.

Social and Economic Impacts

The proposed development will have a positive economic and social impact in that it will create employment during construction and ongoing operation for approximately 18 people in the greater Newcastle area.

Ground Water & Permeable Soil

The proposed development is now classed as a designated development, due to the groundwater levels across the site varying between 1.9 and 3.2 metres below ground level.

The definition of high water table is described in the Regulation as being “areas where the groundwater depth is less than 3 metres below the surface at its highest seasonal level”.

Please refer to Report attached which was completed specifically for this development that details the possible inter-action between LPG, Ground Water and permeable soil.

5. Justification

The proposed development is consistent with the objectives for the SP1 zone for the following reasons:

- The proposed Elgas facility would reinforce the vitality of the port and the site constitutes a small parcel of land in the context of the port and is separated from waterfront land by Cormorant Road. It is therefore unlikely to hinder the future expansion of the Port.
- The facility would provide employment and due to its location would reduce delivery times and traffic movements as all the offers will now be all at one location.
- The proposed development, by its very nature is better suited to locations away from residential areas and other sensitive land uses.
- The development would be a use which is in keeping with the industrial characteristics of other uses around the site and on Kooragang Island.
- The proposed development would create employment during construction and ongoing operation for approximately 18 people in the Newcastle area.

6. Consultation

There has been a preliminary meeting with the Department of Planning and Industry on Tuesday 11th April 2017 and all applicable areas relating to this development were discussed. Preliminary development application plans have also been provided to the DPI.

The subject site is divided into 5 leased areas and they are as follows:

1. Shell Service Station – Approved, constructed and operational
2. Coolabah Food Offer – Approved, constructed and operational
3. Bay Wash Carwash – Approved, constructed and operational
4. Elgas Facility – Pre-development approval
5. Self-Storage Facility – Under design

Offers 1, 2 and 3 as detailed above have received full development consent and are operational and as such all relevant departments, agencies and communities were consulted as part of this process.

Offer 4 the Elgas Facility will follow the same consultation pathway, however, due to the assessment criteria we need to undertake a State Significant Development process.

7. Capital Investment Value

The value of the development is estimated at \$1,820,000. This development does not exceed the investment value threshold and therefore a quantity surveyors report is not required.