

Statement of Environmental Effects

Installation of New Shed 144 Forest Road Moorland

February 2025

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1 Introduction

1.1 Summary

Site Details	
Address	144 Forest Road Moorland
Property Description	Lot 17 DP 1280426 and Lots 29, 30 DP 754415
Area	95 ha approximately
Local Government Area	Mid Coast Council (Greater Taree LEP)
Current Use	Pasture based dairy

General Details	
Applicant	Lands Advisory Services
Proposal	Installation of new shed
Application Type	Development Application
Level of Assessment	Local Application
Consent Authority	Mid Coast Council
Key Applicable Codes	Greater Taree LEP 2014 SEPP Resilience and Hazards SEPP Primary Production SEPP Transport and Infrastructure SEPP Biodiversity and Conservation Greater Taree DCP

1.1 Preamble

This Statement of Environmental Effects (SEE) has been prepared by Lands Advisory Services Pty Ltd (Landsas) to accompany a Development Application (DA) to Mid Coast Council (Council) seeking approval for the installation of a new shed to cover an existing feed pad at an existing dairy located at 144 Forest Road Moorland, NSW (the site).

The purpose of this report is to describe the proposed development and review the relevant planning requirements relating to the proposal. It provides an assessment of the proposed development in terms of the Evaluation Criteria prescribed under Section 4.15 (1) of the *Environmental Planning and Assessment Act, 1979*.

In the preparation of this SEE for the Site and the locality has been considered, along with the proposed development.

The merits of the proposal have been considered with reference to the relevant State, Regional and Local Council planning instruments, codes and policies.

The proposed development is considered appropriate and worthy of obtaining development consent.

1.2 Site & Locality Description

Site is ~95ha in area and zoned RU1, Primary Production. The Site is bound by Forest Road and Coopernook State Forest to the south and rural properties to the north, east and west, and the Pipeclay Creek to the north.

The site has been developed and has a long history of use as an operating dairy milking approximately 350 cows.

The Site is currently being used as an operating dairy and farm. Location maps showing the Site in a regional and local context are set out below in Figures 1 and 2.

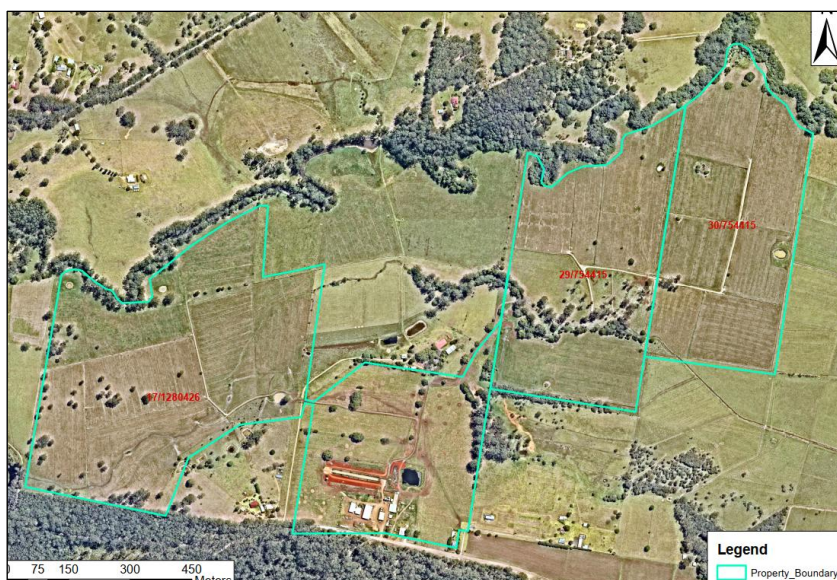


Figure 1: Subject site identified by green outline

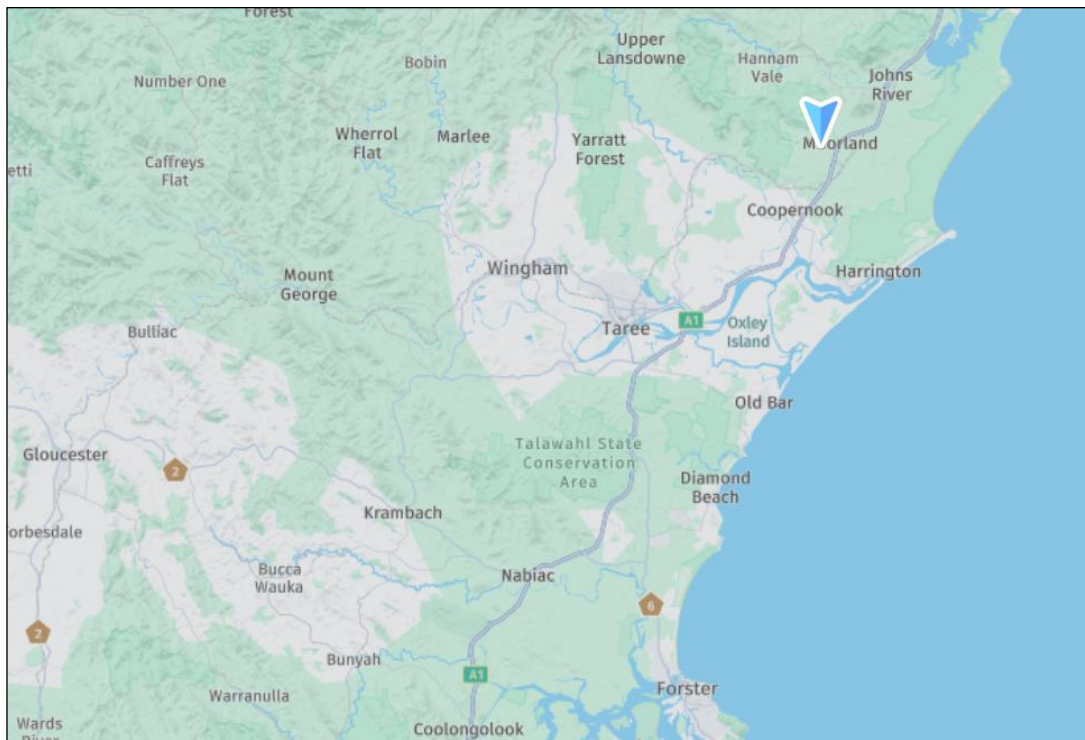


Figure 2: Locality diagram site location indicated by blue drop pin

1.3 Existing Development

Located on the Site is an operational pasture based dairy and associated infrastructure that milks approximately 350 cows per day. Existing on-site infrastructure includes a dairy, hay sheds, calf shed, workshop, milk room, feed pad and dwelling.

1.4 Context and Surrounding Land uses

The Site is currently zoned RU1 Primary Production under the *Greater Taree Local Environmental Plan 2010*. The site is primarily surrounded by land also zoned RU1 except to the south where the land is zoned RU3 Forestry.

2 Description of Proposal

2.1 General Description

The proposed development includes the installation of a new shed to cover the existing feed pad, approximate dimensions 120m by 35m, an example of the type of shed envisaged is detailed in figure 3. In addition to the installation of the shed rainwater tanks with an estimated capacity of 100,000L will be installed to capture stormwater runoff from the shed for use within the dairy. Overflow stormwater runoff will be pipe and/or channelled to the proposed effluent overflow/irrigation dam as depicted in the Dairy Effluent Management Plan.

Shed construction details and plans are provided in figures 3 and 4.

Building Type:	47 x 120 x 6m Cow barn	Columns:	610 UB 54 Hot Dipped Galvanised
Width:	30m	Trusses:	1600mm deep webbed truss, inline gal
Length:	120m	Purlins:	C 200 24 G
Eave Height:	6m	Construction Plans:	Included
Roof Pitch:	18°	Council Plans & Cert:	Included
Roof Cladding:	Zinc Corrugated	Unloading:	By Client
Wall Cladding:	Zinc Corrugated	Delivery Included:	Yes

Figure 3: Shed Construction Details

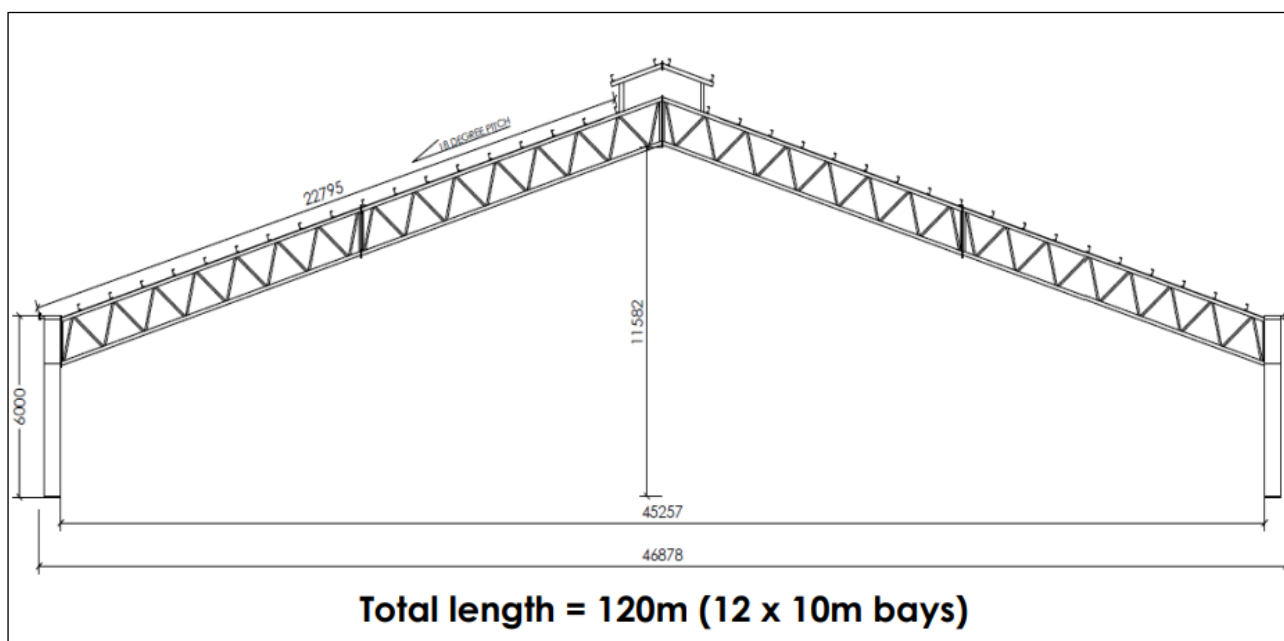


Figure 4: Proposed shed plans front and rear elevation

2.2 Current Use of the Site

The sites subject to this development application have a long history of being used for farming including a pasture based dairy. The current dairy milks approximately 350 cows per day. Existing on-site infrastructure includes a dairy, hay sheds, calf shed, workshop, milk room, feed pad and dwelling.

2.3 Heritage

Neither the site nor any buildings or features on the land subject to this development application are listed as heritage items as per the Greater Taree Local Environmental Plan. In addition, there are no state or national heritage listings.

2.4 Stormwater

There will be no impact to current stormwater management arrangements in relation to the operations of the dairy. Initial stormwater runoff from the proposed shed will be captured in rainwater tanks with an overall capacity of approximately 100,000L after which runoff will either be pipe or channeled into the proposed effluent overflow/irrigation dam.

2.5 Bushfire

The site is mapped as bushfire prone land Vegetation Category 3 with a low to moderate bushfire risk. As the proposed shed is classified as a class 10 non-habitable building or structure under the National Construction Code and located six metres from the onsite dwelling there are no bushfire protection requirements required under Planning for Bushfire 2019.

2.6 Ecology

No vegetation or trees of any significance will be required to be removed to enable the installation of the shed.

2.7 Social and Economic Impacts

Due to the low impact nature of this proposal this proposal will have no negative social or economic impacts.

2.8 Excavation/ Demolition/ Contamination

The proposal involves minimal excavation which is limited to the excavation of the footings only.

There is no demolition required as part of this proposal.

Given the existing approved land use activities on the Site there is an extremely low likelihood of any contamination being present on the site.

2.9 Access, Traffic and Parking

The Site currently has pedestrian and vehicular access from Forest Rd.

There is no change to site access, internal traffic movements, traffic use or parking as a result of this proposed development. The proposed development will not result in any additional traffic generation than what is already in place.

2.10 Services

The Park contains adequate services to support the proposed development.

2.11 Waste Management

A Dairy Effluent Management Plan has been prepared and provided as per section 6 detailing how the dairy manages effluent in accordance with standard industry requirements.

3 Planning Controls

3.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (The Act) is the principle planning and development legislation in New South Wales.

In accordance with Section 1.3, the objectives of the Act are: -

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The stated objectives of the Act are satisfied by the proposed development as it:

- Will promote the social and economic welfare of the local community through the provision of tourist and recreational facilities;
- Creates additional jobs during the construction and operational phases;
- Utilises appropriate existing services; and
- Causes no adverse impacts on the environment.

3.1.1 Section 1.7 – Application of Part 7 of Biodiversity Conservation Act 2016

Due to low impact nature of this proposal and that no vegetation or significant trees are proposed to be removed it considered any impact on threatened species and/or endangered ecological communities would be negligible to non-existent. Therefore, assessment as per section 7.3 of the Biodiversity Conservation Act is considered to not be warranted.

3.1.2 Section 4.46 – Integrated Development

The application in our view does not trigger any integrated development requirements.

3.2 Provision of relevant SEPP

Section 4.15(1) of The Act requires consideration of all relevant State Environmental Planning Instruments at the Development Application Stage.

The proposed development has been prepared having regard to *State Environmental Planning Policy Resilience and Hazards, State Environmental Planning Policy Housing*. An assessment of the requirements of the relevant chapters of each SEPP is provided below.

State Environmental Planning Policy Resilience and Hazards Chapter 4 Remediation of Land

The SEPP Chapter 4 establishes State-wide provisions to promote the remediation of contaminated land. Clause 4.8 of the SEPP requires that a consent authority must not grant consent to a development if it has considered whether a site is contaminated, and if it is, that it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

The subject site has a long history of use as a working dairy, hence as the development proposal only relates to the installation of a new shed in association with the operation of the new dairy, we do not believe that there should be any concerns or issues regarding contamination.

State Environmental Planning Policy (Primary Production) 2021

The proposed development and use of the site is consistent with the SEPP.

3.3 Greater Taree LEP 2010 (GTLEP)

Section 4.15(1) of The Act requires the consideration of all relevant Local Environmental Planning Instruments at the Development Application Stage.

The proposed development has been prepared having regard to GTLEP.

The Site is zoned RU1 Primary Production pursuant to GTLEP.



Figure 5: Site zoning map

The RU1 Primary Production zone objectives are as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To permit small scale rural tourism uses associated with primary production and environmental conservation with minimal impact on primary production and the scenic amenity of the area.
- To maintain the rural landscape character of the land.
- To protect and enhance the native flora, fauna and biodiversity links.
- To secure a future for agriculture in the area by minimising the fragmentation of rural land and loss of potential agricultural productivity.

The current use of site for extensive agriculture (pasture-based dairy) is permitted without development consent, the installation of the proposed shed is ancillary to the overall use of the site and is permitted with development consent. The proposed use is also consistent with the zone objective.

Relevant provisions under the GtLEP are considered in the table below:

Clause	Clause Description	Relevance to Proposal
Zoning	RU1 Primary Production	Use is permissible within the zone
5.18 Intensive livestock agriculture		Not relevant to this development application as the overall use of the site as a pasture-based dairy is permitted without development consent.
7.3 Earthworks		Earthworks associated with the development application will be of a very minor nature and associated only with the install of shed footings and stormwater pipes.

Table 1: Relevant GTLEP Provisions

This development proposal is consistent with the above objectives and the relevant clauses of the GTLEP.

3.4 Provision of Draft Environmental Planning Instruments

Section 4.15(1) of the Act requires Council to consider the Provisions of relevant Draft Environmental Planning Instruments.

The Mid Coast Draft LEP has been placed on public exhibition with Clause 1.8A providing saving provisions relating to development applications.

Clause 1.8A If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan (being the MidCoast LEP) had not commenced.

The site is currently zoned RU1 Primary Production. The MidCoast LEP proposes no changes to this existing zone.

3.5 Provisions of Relevant Development Control Plans

Section 4.15(1) of the Act requires the consideration of Great Lakes Development Control Plan 2010 (GTDCP).

Specifically, Section 4.15(3A) clarifies the way in which a Development Control Plan (DCP) is to be considered when assessing and determining a development application under section 4.15 of the Act. In particular, this subsection clarifies that:

- If a development application does not comply with standards or performance criteria in the DCP, the consent authority should be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objectives of those standards. Thus, consent authorities should not refuse a development

application purely based on noncompliance with a standard in the DCP.

- A consent authority should only consider the standards and performance criteria in a DCP in connection with a specific development application. This is to ensure consent authorities do not refuse development applications purely because it will set a precedent or is contrary to a precedent or established practice of the consent authority.

As such, the consent authority will be required to give less weight and significance to provisions of a DCP than those of an EPI and will no longer be permitted to place determinative weight on DCP controls because of their prior consistent application.

There are few specific GTDCP provisions that relate to the proposed development. A summary of relevant and significant GTDCP controls is provided below

Greater Taree DCP 2013 Compliance Table

DCP Chapter	Response
B1.5.7 Moorland	The proposed development application is consistent with the Chapter B1.5.7 character statement for the village of Moorland.
J1.1 General	The proposal is of a minor nature and is consistent with the objectives and performance criteria of the chapter.
J1.2 Building Setbacks	The proposed shed is setback approximately 115m from Forest Road. Proposal complies with this Chapter
J1.3 Car parking and access	Vehicular access and parking within the site is compliant with this chapter

Table 2: Great Lakes DCP 2010 Analysis

3.6 Agreements & Provisions of Regulations etc.

Section 4.15(1)(a) of the Act requires consideration of:

- any planning agreement entered into under Section 7.4
- the regulations

3.6.1 Planning Agreements

There is no planning agreement or draft agreements included in this proposal.

3.6.2 Regulations

All building work will be carried out in accordance with Clause 69 of the EPA Regulations 2021 which requires the consent authority to consider the provisions of the Building Code of Australia.

4 Impacts and Site Suitability

4.1 Likely Impact of Development

Section 4.15(1)(b) of the Act requires consideration of the likely impact of the development. Detailed impact analysis has been carried out in consideration of the GTLEP and GTDCP as noted above. The development proposal is considered to have very little impact as the installation of a new shed is considered a low impact development and within an existing operational dairy.

Overall, we consider the impact of this development proposal to be negligible.

4.2 Suitability of the Site

Section 4.15(1)(c) of the Act requires consideration of the suitability of the Site.

Zoning

The Site is currently zoned as RU1 Primary Production under the GTLEP, the current use of the site as a pasture-based dairy is permitted without consent under this zoning. The installation of the proposed shed is ancillary to this use.

Therefore, the site is considered appropriate for the proposed development.

4.3 Submissions

Section 4.15(1)(d) of the Act requires assessment by Council following exhibition if required.

4.4 The Public Interest

Section 4.15(1)(e) of the Act requires the public interest to be considered. Issues of public interest relevant to this application are unknown at this stage.

5 Conclusion

This proposal seeks approval for the installation of a shed over an existing feed pad at an existing operational.

The features within the proposal all comply with local and state policies and are consistent with the character of the area.

The proposal will not have any unacceptable impact on the site or the natural or built environment and is consistent with the current use of the site.

It is also considered that the proposal is not contrary to the public interest and is compliant with Council policies and regulation and as is worthy of approval by Mid Coast Council.



6 Attachments

6.1 Plans – Elevations – 144 Forest Road Moorland

6.2 Plans – Site Plan Shed Location – 144 Forest Road Moorland

6.3 Plans – Site Survey - 144 Forest Road Moorland

6.4 Reports – Pre DA Minutes – 144 Forest Road Moorland

6.5 Reports – Cost Estimate – 144 Forest Road Moorland

6.6 Reports – Dairy Effluent Management Plan