

McGlashan & Crisp

Colliers

STATEMENT OF ENVIRONMENTAL EFFECTS

Environmental Planning & Assessment Act 1979

PREPARED FOR MID-COAST COUNCIL 28 MULDOON STREET, TAREE LOT 1 & 2 DP1015015 DA FOR HARDSTAND AREA FOR REMEDIATION PURPOSES

OUR REF; 24-0808 - FEBRUARY 2025

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This report has been prepared by Colliers Engineering & Design Pty Ltd and has undergone a quality assurance review.

Issue	Date	Author	Reviewed
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1. Introduction

1.1 Proposal

This Statement of Environmental Effects (SEE) has been prepared in support of a Hard Stand Area as part of the Long-Term Remediation Plan for 28 Muldoon Street, Taree (Lots 1 & 2 DP1015015).

The site has recently been earmarked for the construction of a training pad and carpark for the Rural Fire Services at the rear of the land under DA2022/1475. During the planning phase for the training pad, concerns arose about potential contamination on the site. Subsequent testing confirmed that the fill placed on the land contained contaminated materials, rendering the site unsuitable for its current use.

Following this JM Environments prepared a Detailed Contamination Assessment and Remediation Action Plan which was finalised on the 2nd June 2024, a copy of this plan accompanies this application. This Remedial Action Plan proposes a '*cap and contain remediation strategy* to make the site suitable, which involves the removal of existing hardstand areas and their replacement with a new hardstand area. This capping forms part of the proposed Long-Term Environmental Management Plan outlined by JM Environmental JM Environments. This Development Application (DA) seeks approval for the removal of existing hardstand areas and their replacement with a new hardstand area of approximately 4,139m², as shown on the accompanying DA plan and in Figure 1 below.

Figure 1: Proposed plan



1.2 Subject Site

The subject Site (the Site) is located at 28 Muldoon Street, Taree, and is legally known as Lots 1 & 2 DP1015015.

1.3Assessment

This SEE has been prepared under Part 4 of the Act and is submitted in accordance with Part 3 Division 1 of the Environmental Planning and Assessment Regulation 2021 (the Regulations). It finds that the proposal is generally consistent with the controls and objectives of the relevant environmental planning instruments.

Based on this assessment the proposal is considered an acceptable form of development, satisfying the provisions of S.4.15 of the Act.

1.4 Supporting Documentation

Accompanying this SEE are the following plan(s) and supporting documentation, listed in **Table 1**.

Table 1: Supporting Plans and Documentation

Document	Author	Date	
Reports			
Detailed Contamination assessment and Remediation Action Plan	Prepared by JM Environments	2 June 2024	
Plans			
Site Plan	Colliers Engineering & Design	November 2024	
Storm Water Management Plan	Colliers Engineering & Design	December 2024	

2. The Site

2.1 Site Description

The site serves as the home of the Taree State Emergency Service (SES), Taree Volunteer Rescue Association, the NSW Rural Fire Service Communications Unit, and the Greater Taree Fire Control Centre. It features a range of essential facilities, including buildings that house operational and administrative functions, ample parking areas for both staff and emergency vehicles, and associated infrastructure that supports the efficient functioning of the SES. This well-equipped site ensures that the Taree SES is always ready to respond to emergencies and serve the community effectively. Additionally, the site has existing direct access to Muldoon Street, as shown in the aerial view provided in Figure 2 below.

Table 2: Site Description

Item	Descritpion
Registered Owner/s	The Council of the Municipality of Taree
Lots & DP's	 Lots 1 & 2 DP1015015 Certificates of Titles attached as appendices A & B DP737132 attached as appendix C
Address/es	28 Muldoon Street, Taree
Area (Approx.)	8.6ha

Figure 2: Aerial view of subject Site with cadastre (Source: Near Map 2024)



2.2 Environmental and Planning Context

Table 3 contains an overview of the Site's environmental and planning context.

LGA	MID-COAST COUNCIL
Principal Environmental	Greater Taree Local Environment Plan 2010
Planning Instrument (EPI)	
Principal Development	Greater Taree Development Control Plan 2010
Control Plan	
Total Site Area (Approx.)	8.6ha
Zoning & Minimum Lot	E4 General Industrial
Size	
Floor Space Ratio	Does Not Apply
Maximum Building Height	Does Not Apply
Bushfire Prone	Does Not Apply
Heritage Affected	Does Not Apply
Flooding	Does Not Apply
Acid Sulfate Soils	Yes – Class 5
Proposal	Hardstand area for Remediation purposes

Table 3: Environmental and Planning Context

2.3 Road Layout and Access

The existing access will be retained with the proposed hard stand area being located at the rear of the building no alterations to this access is proposed or required.

3. Statutory Planning Framework

3.1 Environmental Planning and Assessment Act 1979

3.1.1 Division 4.3 – Section 4.15

The following assessment is undertaken in accordance with the heads of consideration in Section 4.15 of the Environmental Planning and Assessment Act 1979 (the Act).

Table 4: Matters for consideration (Section 4.15 requirements)

EP&A Section and Requirement	Comment
 (1) Matters for consideration – General. In determining a development application, a consent aut matters as are of relevance to the development the subject 	
(a) The provisions of:	
(i) Any Environmental Planning instrument.	An assessment against the relevant Environmental Planning Instruments (EPIs) is contained in Section 4.4 and 4.5 .
(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 Director – General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).	The draft Mid-Coast Council LEP is to be considered. The draft instrument is proposing to retain the existing E4 General Industrial Zone. Therefore this proposal will remain consistent with the objectives and permitted uses within the draft LEP.
(iii) Any development control plan, and	The provisions of the Greater Taree DCP 2010 have been considered.
(iiia) Any planning agreement that has been entered into under section 7.4 or any draft planning agreement that a developer has offered to enter into under section 7.4.	There are no known Voluntary Planning Agreements (VPAs).
(iv) The regulations (to the extent that they prescribe matters for the purposes of this paragraph).	The DA has been submitted in accordance with Part 3 Division 1 of the Regulations.
(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	An Assessment of the likely impacts of the proposed development has been undertaken.
(c) The suitability of the site for development	The suitability of the site has been considered.
(d) Any submissions made in accordance with this Act or the regulations.	The DA will be notified and placed on exhibition in accordance with Council requirements.
(e) The public interest.	The proposal is considered compatible with the existing character of the locality. No adverse impacts are anticipated, as the aim of the hard stand area is for remediation purposes only. No change to the existing use is proposed or required. The proposals compatibility is reflected in its consistency with the controls and objectives of the relevant planning legislation. The proposal is therefore considered within the public interest.

3.2 Integrated Development

The proposal has considered Section 4.46 of The Act. **Table 4** outlines that there are no referrals required.

Legislation	Referral
Fisheries Management Act 1994	No
Heritage Act 1977	No
Biodiversity Conservation Act 2016	No
National Parks and Wildlife Act 1974	No
Coal Mine Subsidence Compensation Act 2017	No
Mining Act 1992	No
Petroleum (Onshore) Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Water Management Act 2000	No
Rural Fires Act 1997	No

Table 4: Section 4.46 (Integrated Development) referrals

3.3 Biodiversity Conservation Act 2016 and Regulation 2017

The Biodiversity Conservation Regulation sets out threshold levels to establish if the Biodiversity Offset Scheme 2017 is being triggered by a local development application. There are 2 components within Sections 7.1 to 7.3 of the Biodiversity Conservation Regulations 2017 that need to be considered to establish if the Biodiversity Offset Scheme is being triggered:

- 1. The amount of Native Vegetation being cleared in relation to total lot size, and,
- 2. Whether the subject land is mapped on the Biodiversity Map.

The Biodiversity Offset Scheme Entry Threshold Tool provides a tool to calculate the area of impact that any future buildings, clearing, access roads and driveways, asset protection zones, clearing associated with any infrastructure required and any fencing. In relation to the above components and this local development application:

- 1. There is no clearing required as part of this application.
- 2. The proposal is simply to create a hard stand area for remediation purposes.
- There is no Biodiversity Value mapped land on the lots, as shown in Figure 3 below.

Section 7.30 of the Biodiversity Conservation Act 2016 provides a test for determining whether this local development application is likely to significantly affect threatened species or ecological communities, or their habitats.

Therefore, in accordance with the 5 points of this test this local development application:

- 1) will not place any species at risk of further extinction,
- 2) will have no additional impact on any endangered ecological communities,
- 3) no critical habitat is being removed,
- 4) will not have an impact on any declared area of outstanding biodiversity value as there is no mapped biodiversity land
- 5) is not part of a key threatening process nor will it increase the impact of a key threatening process.

Figure 3: Biodiversity Value Mapping (Source: ww.Imbc.nsw.gov.au/maps)



3.4 State Environmental Planning Policies

The proposal is compliant with the provisions of the following State Environmental Planning Policies (SEPPs), discussed in detail in the following sub-sections:

- SEPP (Resilience & Hazards) 2021
- SEPP (Biodiversity and Conservation) 2021

3.4.1 SEPP (Resilience and Hazards) 2021

The SEPP mapping indicates that the subject land is mapped with in the Coastal Zone with Coastal Environment and Coastal Use Areas

This proposal is consistent with the Aims of the Policy as there will be no impact on the mapped land. The proposed hard stand area is for the remediation of contaminated land only and would therefore have a positive impact on the mapped area. The land is already highly modified and has an existing approved DA for Training Facilities under DA2022/1475.

Division 3, Coastal environment area, and Division 4 Coastal use area of Part 2.2 of the SEPP are the relevant Clauses, and we make the following comments;

Part 2.2 - Division 3 Coastal environment area – 2.10 Development on land within the		
coastal environment area		
 (1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following: (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment, 	The proposed hard stand area is unlikely to have any impact on the biophysical, hydrological and ecological environment. No clearing is required, and the aim of the hard stand area is for the remediation of already contaminated lands. There is an existing approved DA for Training facilities under DA2022/1475.	
(b) coastal environment values and natural coastal processes	The proposed hard stand area will not affect the environmental values of the land nor will it impact on the natural coastal processes.	

(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in schedule 1,	Within the meaning of the Marine Estate Management Act 2014 the land is not considered to be a marine estate and is not one of the coastal lakes identified in Schedule 1 of the SEPP.
(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms	The land is not located on an undeveloped headland or rock platform and will have no impact on the marine vegetation.
(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	There will be no impact on public space or access.
(f) Aboriginal cultural heritage, practices and places	A basic AHIMS search has been carried out and no Aboriginal sites or places have been recorded or declared within the subject land.
(g) the use of the surf zone	The proposal will have no impact on the surf zone, due to the distance from any coastal processes.
 (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that: (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or (b) if that impact cannot be reasonably avoided-the development is designed, sited and will be managed to minimise that impact, or (c) if the impact cannot be minimised- the development is designed, sited and will be managed to minimise that impact. 	The proposed hard stand area is for remediation purposes only on highly modified land and aims to simply facilitate the already approved Training Facilities under DA2022/1475.
(3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6.	The land is not land within the Foreshores or Waterways stated above.

Part 2.2 Division 4 Coastal use area - 2.11 L	Development on land within the coastal use
area (1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority: (a) has considered whether the proposed development is likely to cause an adverse impact on the following: (i) existing, safe access to and along the foreshore,	There will be no impact on public access along the foreshore as it is privately
beach, headland or rock platform for members of the public including persons with a disability,	owned.
(ii) overshadowing, wind funnelling, and the loss of views from public places to foreshores,	There will be no overshadowing, wind funnelling or loss of views to from public places created by this proposed development.
(iii) the visual amenity and scenic qualities of the coats, including coastal headlands,	There will be no impact on the visual amenity or scenic qualities from this proposed development.
(iv) Aboriginal cultural heritage, practices and places,	A basic AHIMS search has been carried out and no Aboriginal sites or places have been recorded or declared within the subject land.
(v) cultural and built environment heritage, and	There will be no impact on the cultural or built environment from this proposed development.
(b) is satisfied that: (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or (ii) if that impact cannot be reasonably avoided-the development is designed, sited and will be managed to minimise that impact, or (iii) if the impact cannot be minimised- the development is designed, sited and will be managed to mitigate that impact.	The proposed hard stand area is for remediation purposes with the aim of facilitating the approved Training facilities approved under DA2022/1475 and is unlikely to have an adverse impact.

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development	The proposed hard stand area is consistent with the existing built environment and will be of a bulk, scale and size appropriate and consistent with the surrounding land use pattern and environment.
(2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6.	The land is not land within the Foreshores or Waterways stated above.

3.5 Greater Taree Local Environmental Plan 2010

Greater Taree Local Environment Plan 2010 (Greater Taree LEP 2010) applies to all development in the Manning Region of Mid-Coast Council Local Government Area and is the principal planning instrument applicable to the site. The proposed boundary hard stand area for remediation purposes is a and dwelling are permissible use within the E4 General Industrial Zone.

Clause 1.2 Aims of Plan		
AIMS	COMMENT	
(1) This Plan aims to make local environmental planning provisions for land in Greater Taree City in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.		
(2) The particular aims of this Plan are as follows—		
(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,	The proposal is for the remediation of land and therefore aims to protect the land.	
(a) to promote and encourage the ecologically sustainable development of Greater Taree City,	The proposal is for the remediation of land and therefore aims to promote the lands ecological sustainability.	
(b) to encourage the proper management, development and conservation of natural and human made resources (including natural areas, forests, coastal areas, water, groundwater dependent ecosystems, agricultural land, extractive resources, towns, villages, and cultural amenities) for the purpose of promoting the social and economic welfare of the community, protecting ecological and cultural heritage and achieving a better environment,	The proposal is for the remediation of land which will promote proper management of the land into the future.	

 (c) to promote and co-ordinate the orderly and economic use and development of land, and to minimise conflict between adjacent land uses, (d) to facilitate the provision and co- ordination of community services and facilities, 	The hard stand area will not create any conflict as it aims to facilitate the implementation of the Training Facilities already approved under DA2022/1475. The hard stand area aims to facilitate the implementation of the Training Facilities already approved under DA2022/1475, which will enable the provision of additional community services and
(e) to encourage the protection of the environment, including the protection and conservation of native animals and plants, threatened species and endangered ecological communities and their habitats,	facilities. The proposal is for the remediation of land to ensure protection for the environment into the future .
(f) to minimise the exposure of development to natural hazards and natural risks	The land is not mapped as bushfire prone. However, the training facilities approved under DA2022/1475 are for the Rural Fire Service. These training obtained from these facilities will help protect the community from natural hazard
(g) to seek the provision of adequate and appropriate infrastructure to meet the needs of future development,	These facilities that the hard stand area aims to facilitate will provide essential infrastructure that will enable training to occur which will aid in protection for the community from natural hazards
(h) to encourage a strong, growing and diversified economy that promotes local self-reliance, and recognises and strengthens the local community and its social capital in ways that safeguard the quality of life of future generations.	The hard stand area will facilitate Training Facilities that will promote local self- reliance for the community into the future.

3.5.1 Land zoning and Objectives

The land is zoned E4 General Industrial, and the objectives of the zone are described below:

The objectives of the zone are:

E4 General Industrial	
Objectives of the zone	
To provide a range of industrial, warehouse, logistics and related land uses	The proposed hard stand area will continue to support existing activities by enabling the implementation of the training facilities approved under DA2022/1475.
To ensure the efficient and viable use of land for industrial uses.	The proposed hard stand area will ensure efficient use of the land by enabling the training facilities approved under DA2022/1475. This will support essential training exercises, maximizing the space's utility and benefiting the community
To minimise any adverse effect of industry on other land uses.	The proposed hard stand area will have minimal adverse effects on other land uses. The surrounding land is also zoned E4, ensuring compatibility and reducing potential conflicts.
To encourage employment opportunities	The proposed hard stand area will encourage employment and volunteering for the Rural Fire Service (RFS) by facilitating the provision of a dedicated space for training facilities.
To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers	The proposed hard stand area will enable the provision of infrastructure for the Rural Fire Service (RFS) training facilities to meet the needs of the community.
To encourage innovation and sustainability in industry.	The proposed hard stand area will support innovation and sustainability by enabling the essential infrastructure approved under DA2022/1475 for the Rural Fire Service (RFS) training facilities. These facilities will enable the RFS to adopt advanced training methods and technologies, enhancing their preparedness and response capabilities.

3.5.2 Acid Sulfate Soils

The land is mapped as Class 5 under GTCC LEP 2010 Acid Sulfate Soils (ASS), which has been addressed in detail within the Detailed Contamination Assessment and Remediation Action Plan.

4. Greater Taree Development Control Plan (DCP) 2010

Greater Taree Development Control Plan (DCP) applies to all the land in the Manning Region of Mid-Coast Council Local Government Area. The proposal has considered all environmental and man-made constraints specifically in relation to the contamination. The proposed hard stand area will enable the implementation of the training facilities approved under DA2022/1475. The relevant issues in the DCP are discussed below

Part J Rural and Environmental Zone Requirements J1.1 General

The proposed hard stand area aligns with the Greater Taree Development Control Plan Part J Rural and Environmental Zone requirements by promoting sustainable land use and supporting essential community services. The proposal is simply to construct a hard stand area for remediation proposes to enable the Training Facilities approved under DA 2022/1475 to be implemented. There will be no impact on the amenity of the area.

4.1 Built Environment Impacts

4.1.1 Context and Setting

The proposed hard stand area is consistent with the surrounding development pattern. No conflict in terms of land uses, views and vistas is anticipated as part of the proposed hard stand area.

4.1.2 Social and Economic Impacts

The proposed hard stand area, which addresses and remediates contaminated land, will have significant social and economic benefits. Socially, it will enhance the safety and well-being of the community by ensuring the land is safe for use by the Rural Fire Service (RFS) for training purposes. This will improve the RFS's preparedness and response capabilities, providing better protection for residents against natural hazards. Additionally, the project will encourage community involvement through increased employment and volunteering opportunities within the RFS, fostering a sense of unity and shared responsibility.

Economically, the remediation and development of the hard stand area will create jobs during both the construction and operational phases, boosting local employment. The improved infrastructure will attract more volunteers and staff, contributing to the local economy. Furthermore, having well-trained emergency services can enhance property values and attract businesses, knowing that the area is well-protected and resilient against emergencies.

5. Suitability of the Site for the Development

The proposed hard stand area facilitates the implementation of the training facilities approved under DA2022/1475 by first addressing and remediating contaminated land. This ensures the site is safe and suitable for the Rural Fire Service (RFS) training activities. By fixing the contamination issues, the project promotes sustainable land use and protects the community and environment.

The suitability of the site for the proposed development has been addressed in the above sections of this report. There are no prohibitive constraints posed by adjacent development or from within the site. There are, therefore, no known zoning, planning or environmental matters that should hinder the development.



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8. Appendix C – Deposited Plan – DP737132