

Statement of Environmental Effects for a Rural Supplies located Lot 9 & 10 in DP 1212873, being 7 Harry Sullivan Avenue & 12 Perry James Crescent, Moree

PROPERTY DETAILS	
Site Address	7 Harry Sullivan Avenue & 12 Perry James Crescent, Moree
Real Property Description	Lot 9 and Lot 10 DP 1212873
Special Activation Precinct	Schedule 1B Moree Special Activation Precinct
Land Use Zoning	Regional Enterprise Zone

PROPOSAL DETAILS	
Development type	Rural supplies
Description of proposal	Construction of rural supplies premises

Documents submitted with the development application

Issue No.	Amendment	Date	Prepared By	Checked By
P000303	003	28/03/2025	Jennifer Evans	Jack Morrissey

Executive Summary

This Statement of Environmental Effects (SEE) seeks approval for a Development Application to develop a rural supplies premises on land at Lot 10 DP 1212873, 12 Perry James Crescent, Moree and Lot 9 DP 1212873, 7 Harry Sullivan Avenue, Moree. The contents of this SEE is prepared in accordance with the template provided by NSW Regional Growth Development Corporation and is supported by the following information:

- Appendix A - Architectural Plans;
- Appendix B - Landowner's Consent;
- Appendix C – Special Activation Precinct Certificate
- Appendix D - Preliminary Hazard Assessment Report;

Appendix E - Obstacle Limitation Surface Level Moree Airport;

Appendix F – Statement of Consistency

Appendix G - Civil Engineering Plans.

It is requested that RGDC consider the contents of this application for DA approval.

APPLICATION SUMMARY

Application Details

Applicant: Cumboogle Farming

Development: Rural Supplies

**Site Description: Lot 10 DP 1212873, 12
Perry James Crescent, Moree and Lot 9
DP 1212873, 7 Harry Sullivan Avenue
Moree**

Owner: Moree Plains Shire Council

Development Cost: \$870,000

Development Standards/Controls

Zone:	Regional Enterprise Zone
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Definition:	Rural Supplies
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Permissibility:	Permissible with consent (State Environmental Planning Policy (Precincts-Regional))
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APPENDICES

Appendix A	Architectural Plans
Appendix B	Landowner's Consent
Appendix C	Special Activation Precinct Certificate
Appendix D	Preliminary Hazard Assessment Report
Appendix E	Obstacle Limitation Surface Level Moree Airport (SMK Consulting)
Appendix F	Activation Precinct Certificate – Statement of Consistency
Appendix G	Civil Engineering Plans
Appendix H	Civil Aviation Safety Authority Correspondence
Appendix I	Site Classification Report

1.0 Introduction

1.1 SUMMARY

This SEE has been prepared pursuant to the *Environmental Planning and Assessment Act 1979* (EP&A Act) and accompanying regulations and addresses the necessary issues that require assessment to assist Council in making a determination on the subject application.

Premise has been engaged by Cumboogle Farming Pty Ltd to establish a business known as Delta Agribusiness (Delta Ag) in Moree. A key commercial offer of Delta Ag is their sale of farm supplies and inputs to the local region.

Some of these include:

- Agricultural chemicals
- Seed
- Animal health and nutrition
- Fertiliser and trace element products
- Oils and lubricants
- Fencing including electric fence systems
- Pet and produce
- Water equipment, tanks, and troughs
- General merchandise
- Animal handling systems

The proposal comprises of development for the purposes of rural supplies on the subject land. The following key components of the development include:

- Construction of two (2) shed buildings (24 m x 20 m) with a height of 7.745 m;
- Awnings will span a further 6 m on the northern side of both sheds for the purposes of loading and unloading in inclement weather;
- An awning will also extend a further 1.6m on a portion of the north, east and northern side of the main shed adjoining the main car parking area;
- Two-way vehicle access driveway from Perry James Crescent and Harry Sullivan Avenue into Lot 9, noting that B-double trucks would only be able to enter via Harry Sullivan Avenue;
- Planting of shrubs and landscaping is proposed along the road frontage on Harry Sullivan Avenue in proximity to the main customer entrance;
- The internal fit out of the main shed would include a reception area and office cubicles with the inclusion of staff amenities with the remaining shed area used for warehousing of rural supplies; and

- The outside area of the site, including the Lot 10, would include crushed road base for the storage of larger products i.e. water tanks, troughs, fencing and other farming equipment.

The proposed Delta Ag business hours would operate between 8 am and 5.30 pm weekdays with Saturdays open between 8 am and 12 pm. The business would be operated by a total of six (6) full-time staff members. Loading and unloading of goods would be undertaken by forklift solely within the site onto both small and large commercial vehicles. With the number of typical client visits to the premises ranging from two (2) to four (4) per day, mitigation of delivery and customer traffic would be timed to avoid any conflict. .

Overall, the proposed development complies with all relevant provisions of *State Environmental Planning Policy (Precincts-Regional) 2021*.

On this basis, DPHI are requested to support and approve the application.

1.2 CONSULTANT DETAILS

STATEMENT OF ENVIRONMENTAL EFFECTS PREPARED BY:

Name:	Jack Morrissey
Contact:	Ph: 0423 040 816 Email: jack.morrissey@premise.com

PROJECT TEAM:

Town Planner	Premise Australia Pty Ltd
Civil Engineer	Premise Australia Pty Ltd
Hazards Consultant	Sherpa Consulting

2.0 The Site

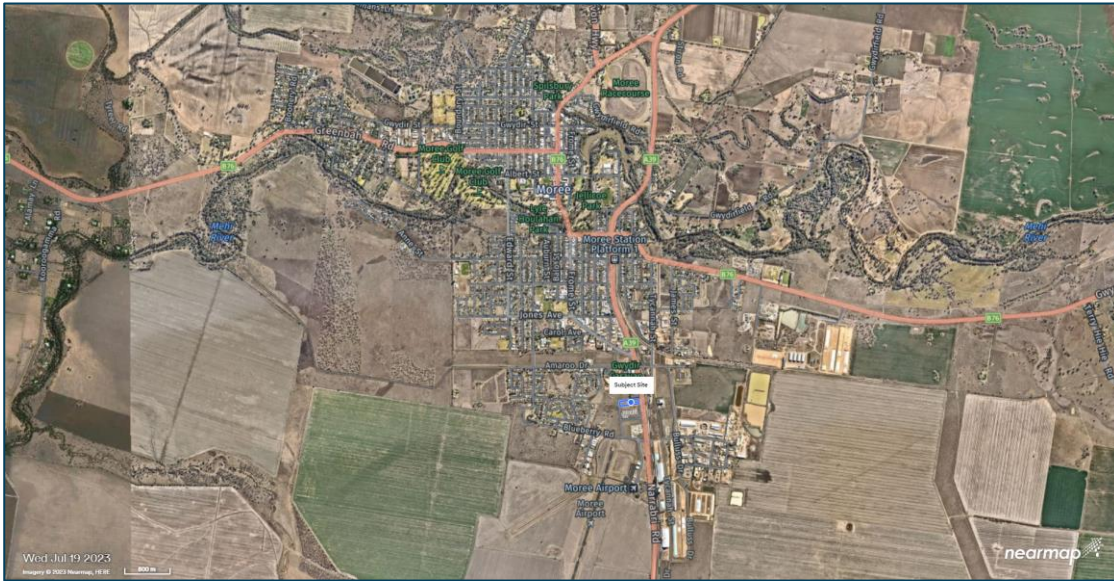
The subject site comprises of Lot 10 DP 1212873, 12 Perry James Crescent, Moree and Lot 9 DP 1212873, 7 Harry Sullivan Avenue, Moree. The site is located on the southern urban extent of the Moree township with direct connections via the Newell Highway at a distance of approximately 2.5 kilometres. The site is located in proximity to two (2) forms of short-term accommodation including a caravan park to the north and temporary workers accommodation for Inland Rail workers to the south.

The subject site is zoned REZ Regional Enterprise Zone and is located within the Moree Activation Precinct in accordance with the *State Environmental Planning Policy (Precincts-Regional) 2021*.

The site is relatively level and is clear of vegetation and built form. The site has existing access to key infrastructure including reticulated water and sewer, underground stormwater, electricity and NBN.

2.1 LOCATION





2.2 LAND TITLE & OWNERSHIP

The subject site is identified as Lot 9 & 10 in DP 1212873 and is burdened by an easement to drain water 3m wide which runs along the eastern boundary of Lot 9. This has been accommodated within the proposed development.

Lot 9 & 10 in Deposited Plan 1212873 is owned by Moree Plains Shire Council – whose consent to the lodgement of this application is provided as a letter of authority attached to the application form.

2.3 PHYSICAL DESCRIPTION

Site: The subject site is reasonably flat and has access to key infrastructure. As outlined within **Section 2.1**, the site is suitable for the proposed rural supplies development. The site is free of significant vegetation and any other structures.

The proposed development would present to both Perry James Crescent and Harry Sullivan Avenue with the main customer entrance located from the east. In addition, customer and delivery vehicle access would be located to the north of the proposed sheds to provide opportunity for joint use.

Access: The proposed vehicle access into the site is depicted in the attached swept path plans and includes loading and unloading to the front of the building a customer parking in proximity to the main entrance on the eastern side of the main building (**Appendix G**). In addition, delivery times would be scheduled where possible, to avoid conflicting with peak customer times.

The internal driveway has been designed to accommodate two (2) way access for B-double trucks via Perry James Crescent and entry only access via Harry Sullivan Avenue (**Appendix G**).

Both access driveways will be secured by a 2m high, sliding man-proof gate. The gate to Harry Sullivan Avenue will be automatic with remote access for approaching staff members to open which will avoid the requirement for a vehicle banking area within the site.

The site will be opened prior to business operations each day and closed at the end of the day to secure the site during evening hours.

2.4 SITE CONSTRAINTS

The subject site is located below the Obstacle Limitation Surface level as depicted in the draft survey by SMK consultants (**Appendix E**). Obstacle Limitation Surface contour adopted is 220-230, with this considered, the total height of the proposed shed buildings would be 7.745m and would unlikely result in significant impact on the operation of the nearby Moree Airport.

The aims detailed in the Moree Master Plan, section 6.1, are to protect the operation of Moree Regional Airport and to ensure that appropriate development is located within its proximity while provide for the effective and ongoing operation of Moree Meteorological Station.

Table 1 - 6.1 Protection of Airport Operations

Performance Criteria		Comment
A	These controls are to be consistent with the relevant NASAG framework or any new Regulation that may apply to the Airport and extend to managing	Figure 22: Moree Regional Airport Windshear Assessment Trigger identifies the site as being subject to NASAG framework.

	windshear (Figure 23), wildlife (Figure 24), lighting (Figure 25) and public safety (Figure 26).	<p>Figure 23: Moree Regional Airport Wildlife Hazards identifies the site within 3km wildlife buffer.</p> <p>Figure 24: Moree Regional Airport Lighting Restrictions identifies the site within Zone A.</p> <p>The proposed development was referred to CASA, Australia's safety regulator for civil air operations. In relation to the proposed development, CASA does not have concerns regarding windshear, wildlife hazards or lighting restrictions (Appendix H)</p>
B	The maximum height of buildings, stacks and plume rise applies to land surrounding Moree Regional Airport as depicted in Figure 21.	Obstacle Limitation Surface contour adopted is 220-230, with this considered, the total height of the proposed shed buildings would be 7.745m, the existing ground level is 214.2AHD, the development would unlikely result in significant impact on the operation of the nearby Moree Airport.
C	Any development on land to which Figures 21 to 26 apply cannot be exempt or complying development.	Noted.
D	<p>The consent authority must consult with the Commonwealth body for any development that penetrates the OLS as mapped on Figure 21 Moree Regional Airport Obstacle Limitation Surface and consider any advice received prior to approving development.</p> <p>Clauses 7.3 and 7.4 of Moree Plains Local Environmental Plan 2011 will continue to apply as appropriate</p>	The proposed development does not penetrate the OLS.
E	In order to manage the impacts of aircraft noise on development, the Issuing Authority of an Activation Precinct Certificate is to consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in	Figure 26: Moree Regional Airport Australian Noise Exposure Forecast (ANEF) of 20. Table 2.1 of Building Site Acceptability based on ANEF Zones the proposed rural supplies is best categorised as a Commercial Building which has an acceptable limit of less than 25 ANEF,

	<p>AS 2021—2015. The Issuing Authority is to also be satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—2015. Clause 7.4 of Moree Plains Local Environmental Plan 2011 will apply to land mapped on Figure 27 Moree Regional Airport Australian Noise Exposure Forecast (ANEF).</p>	<p>therefore no requirement for noise attenuation measures against aircraft noise.</p>
F	<p>The following land uses should be avoided within the distances shown on Figure 24 Moree Regional Airport Wildlife Hazards:</p> <ul style="list-style-type: none"> – Group A uses: Putrescible waste disposal sites should be avoided within 13km of the runway. This land use is to be prohibited in the Regional Enterprise zone. – Group B uses: The following land uses should be avoided within 3km of the runway. Land uses between 3km and 8km of the runway should include measures to discourage wildlife unless acceptable design responses are approved, as outlined in the Moree Airport Master Plan: <ul style="list-style-type: none"> – sewerage treatment facilities – commercial fish processing – bird sanctuaries and fish reserves – artificial water body (including water management structures such as detention basins or wetlands and dams and enclosed tanks) – aquaculture – turf farming – animal farming with potential to attract birds/bats) – fruit farming 	<p>The proposed two (2) shed buildings to be used as rural supplies premises is not identified in Group A, B or C.</p>

	<ul style="list-style-type: none"> – food processing plants. – Group C uses (as stated in the Moree Airport Master Plan): The following land uses should include measures to manage waste disposal, where they are located within 15km of the runway, unless acceptable design responses are approved, as outlined in the Moree Airport Master Plan: – race-tracks – fair grounds – outdoor theatres – drive-in restaurants. – sports grounds. 	
G	<p>For any development that is within Zone A, B, C or D as shown on Figure 25 Moree Regional Airport Lighting Restrictions, the consent authority is to consider whether the maximum intensity of light sources during construction and operation of the development will meet the criteria shown on the lighting restrictions area map prior to issuing an Activation Precinct Certificate.</p>	<p>Figure 24: Moree Regional Airport Lighting Restrictions identifies the site within Zone A.</p> <p>To minimise intensity of lighting during construction, hours will be limited to Monday to Friday from 7am to 6pm, Saturday from 8am to 1pm and no construction work to be carried out on Sunday or Public Holiday.</p>
H	<p>An assessment is required for industries in close proximity to the airport as mapped on Figure 23 Moree Regional Airport Windshear Assessment Trigger to determine the plume velocity. A detailed assessment is required for buildings that are:</p> <ul style="list-style-type: none"> – 1200m or closer perpendicular from the runway centreline (or extended runway centreline) – 900m or closer in from the runway threshold (towards the landside of the airport) – 500m or closer from the runway threshold along the runway 	<p>Figure 22: Moree Regional Airport Windshear Assessment Trigger identifies the site as being subject to NASAG framework.</p> <p>The proposed development was referred to CASA, Australia's safety regulator for civil air operations. In relation to the proposed development, CASA does not have concerns regarding windshear (Appendix H).</p>

I	Before granting consent for a development that will penetrate the 1:35 surface in the windshear assessment trigger area, the Consent Authority is to consider whether a windshear assessment is required and, if so, if it has been undertaken. The type of assessment required is outlined in NASAG Framework Guideline B Managing the Risk of Building Generated Windshear and Turbulence at Airports. Controls should apply to the existing and future, extended runway configurations.	As above.
J	Development is not to contravene Council's Airport Master Plan	The development has been designed and sited to not contravene the Moree Regional Airport Master Plan. The existing airport location is identified as the long-term site for the airport due to the site being well protected from flooding and the limited constraints to development.
K	Development is not to compromise the operation of the Moree Meteorological Station. Obstacle limitation surface controls are set out at Figure 22 Moree Meteorological Station Obstacle Limitation Surface	The development site is located outside of the Moree Meteorological Station Height Limit Map and Figure 21: Moree Meteorological Station Obstacle Limitation Surface.

The subject site is not identified as flood and bushfire prone land or known to any other technological or natural hazards.

3.0 Description of the Proposed Development

The proposal includes the construction of a rural supplies development at the subject site. The proposed rural supplies would be operated and managed by Delta Agribusiness (Delta Ag) offering agronomy services, agricultural products, goods and supplies. The development includes the following key components:-

- Construction of two (2) shed buildings (24 m x 20 m) with a height of 7.745 m;
- Awnings will span a further 6 m on the northern side of both sheds for the purposes of loading and unloading in inclement weather;
- An awning will also extend a further 1.6m on a portion of the north, east and northern side of the main shed adjoining the main car parking area;
- Two-way vehicle access driveway from Perry James Crescent and Harry Sullivan Avenue into Lot 9, noting that B-double trucks would only be able to enter via Harry Sullivan Avenue;
- Planting of shrubs and landscaping is proposed along the road frontage on Harry Sullivan Avenue in proximity to the main customer entrance;
- The internal fit out of the main shed would include a reception area and office cubicles with the inclusion of staff amenities with the remaining shed area used for warehousing of rural supplies; and
- The outside area of the site, including the Lot 10, would include crushed road base for the storage of larger products i.e. water tanks, troughs, fencing and other farming equipment.

The proposed Delta Ag business hours would operate between 8 am and 5.30 pm weekdays with Saturdays open between 8 am and 12 pm. The business would be operated by a total of six (6) full-time staff members. Loading and unloading of goods would be undertaken by forklift solely within the site onto both small and large commercial vehicles. With the number of typical client visits to the premises ranging from two (2) to four (4) per day, mitigation of delivery and customer traffic would be timed to avoid any conflict.

In summary, the rural supplies comprises the following elements:

- Construction of two rural sheds
- Storage of agricultural supplies
- Establishment of reception area, four (4) office spaces, a meeting room, staff room and amenities

4.0 Planning Controls

4.1 environmental planning instrument (S4.15(1)(a)(I))

The information below demonstrates that the proposal is compliant with Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and is suitable for the purposes of rural supplies. It is therefore recommended that the Department grant development consent for the subject development application.

It is noted that, Section 4.46(1) of the EP&A Act states that development requiring consent, and another activity approval is defined as Integrated Development. The proposal is not considered to be integrated development on the basis that a s138 approval under the Roads Act 1993 will be required from Moree Plains Shire Council.

4.1.1 State Environmental Planning Policy (Precincts – Regional) 2021

Clause 3.9 Applications for Activation Precinct applications	Proposal	Compliance
(1) An application for an Activation Precinct certificate in respect of proposed development on land within an Activation Precinct may be made to the issuing authority.	Regional Growth NSW Development Corporation (RDGC) have issued an Activation Precinct Certificate (Appendix C).	Yes
(2) An application may be made only by the person who proposes to carry out the proposed development with the consent of the owner of the land to which the Activation Precinct certificate relates.	This application has been prepared by Premise Australia Pty Ltd on behalf of Cumboogle Farming Pty Ltd. A copy of the landowner's consent is provided attached (Appendix B).	Yes

Clause 3.9 Applications for Activation Precinct applications	Proposal	Compliance
<p>(3) An application must be in the form approved by the Development Corporation and include the following information—</p> <p>(a) the name and address of the applicant,</p> <p>(b) the address, and particulars of title, of the subject land,</p> <p>(c) a description of the proposed development.</p>	<p>Client details are as follows:</p> <p>Applicant name and address: Cumboogle Farming Pty Ltd, 6L Benolong Road, Dubbo.</p> <p>The proposed development is for the purposes of a rural supplies premises comprising of two (2) 24 m x 20 m sheds and associated driveway and car parking area. The remaining area of Lot 9 and Lot 10 would be used as storage area comprising of crushed road base.</p> <p>The perimeter of the property would be secured by a 2m high man-proof mesh fence with barbed wire along the top. Gates to each entrance would be constructed using similar materials.</p>	Yes

Clause 3.10 Determination of applications for Activation Precinct certificates	Proposal	Compliance
<p>(3) The issuing authority may issue an Activation Precinct certificate for development on land only if—</p> <p>(a) there is a master plan and delivery plan that apply to the land concerned, and</p> <p>(b) the issuing authority is of the opinion that the development is consistent with the master plan and delivery plan.</p>	<p>The subject site is located within the Moree Activation Precinct and is subject to the associated master plan and delivery plan under the Precinct SEPP.</p> <p>The APC has been approved and the certificate is found in Appendix F.</p>	Yes

Clause 3.10 Determination of applications for Activation Precinct certificates	Proposal	Compliance
<p>(4) If the issuing authority is of the opinion that the development is not consistent with the master plan and delivery plan for the land, the issuing authority is to give the applicant an opportunity to modify the application to ensure that it is consistent.</p>	<p>Noted.</p>	<p>Yes</p>
<p>(6) Clauses 12 and 13 of State Environmental Planning Policy No 33—Hazardous and Offensive Development and clause 7 of State Environmental Planning Policy No 55—Remediation of Land apply to an application for an Activation Precinct certificate that relates to complying development in the same way as they apply to an application for development consent.</p> <p>Note—</p> <p>State Environmental Planning Policy No 33—Hazardous and Offensive Development and State Environmental Planning Policy No 55—Remediation of Land apply to development within an Activation Precinct that is not complying development.</p> <p>(7) For the purposes of subclause (6), any reference in those clauses to a development application, development consent or a consent authority is to be read as a reference to an application for an Activation Precinct certificate, the issuing of an Activation Precinct certificate or the issuing authority, respectively.</p>	<p>The proposed development is for the purposes of a rural supplies premises and would contain a mix of different chemicals typically supplied to the agricultural industry.</p> <p>To assess the likely impacts of this development on the surrounding land uses, a revised Preliminary Hazard Assessment (PHA) has been prepared and is provided as Appendix D.</p> <p>The PHA identifies the site's societal risk, as taken from the MLRA guidelines, is identified as negligible.</p> <p>The development would involve the adequate and safe storage of chemicals as outlined within Appendix D.</p>	<p>Yes</p>

Clause 3.11 Activation Precinct certificates for complying development involving potentially hazardous or offensive industry	Proposal	Compliance
(2) If the Development Corporation is the issuing authority in relation to an application to which this clause applies, the Development Corporation must not issue an Activation Precinct certificate without the approval of the Planning Secretary.	Noted.	Yes
(3) The Planning Secretary may grant approval for the purposes of subclause (2) only if satisfied that the development does not pose an unacceptable risk in the locality to human health, life, property or the biophysical environment.	Noted.	Yes
<p>(4) This clause does not affect the issue of an Activation Precinct certificate that relates to development proposed to be carried out with development consent.</p> <p>(5) In this clause—</p> <p><i>potentially hazardous industry</i> and <i>potentially offensive industry</i> have the same meanings as in State Environmental Planning Policy No 33—Hazardous and Offensive Development.</p>	Noted.	Yes

Clause 3.13 Development near electricity transmission and distribution networks	Proposal	Compliance
<p>(1) The issuing authority must not issue an Activation Precinct certificate for the following development unless the issuing authority has consulted the electricity supply authority for the area in which the development is to be carried out—</p> <p>(a) development that involves the penetration of ground within 10 metres of—</p> <p>(i) an underground electricity power line, or</p> <p>(ii) an electricity distribution pole, or</p> <p>(iii) any part of an electricity tower,</p> <p>(b) development on land—</p> <p>(i) within or immediately adjacent to an easement for electricity purposes, or</p> <p>(ii) immediately adjacent to an electricity substation, or</p> <p>(iii) within 5 metres of an exposed overhead electricity power line.</p> <p>(2) In this clause—</p> <p>electricity supply authority has the same meaning as in Part 3, Division 5 of State Environmental Planning Policy (Infrastructure) 2007.</p>	<p>The proposed shed structures are not located within 10m of electrical infrastructure.</p> <p>With this said, the development would involve the construction of two (2) vehicle cross overs, one of which would be located on Harry Sullivan Avenue which also contains electrical infrastructure.</p>	<p>Yes</p>

Clause 3.14 Development in pipeline areas	Proposal	Compliance
<p>(1) The issuing authority must not issue an Activation Precinct certificate for development on land within the measurement length of a relevant pipeline unless the issuing authority—</p> <p>(a) has consulted the operator of the relevant pipeline, and</p> <p>(b) is satisfied that the development will adequately deal with potential risks to the integrity of the pipeline.</p> <p>(2) In this clause—</p> <p>measurement length has the same meaning as in Australian and New Zealand Standard AS/NZS 2885.1:2018, Pipelines—Gas and liquid petroleum, Part 1: Design and construction.</p>	<p>A gas pipeline has not been surveyed within proximity of the development site.</p>	<p>Yes</p>

Clause 3.15 Development in rail corridors	Proposal	Compliance
<p>(1) The issuing authority must not issue an Activation Precinct certificate for the following development unless the issuing authority has consulted the rail authority for the rail corridor—</p> <p>(a) development that involves—</p> <p>(i) a new level crossing, or</p> <p>(ii) the conversion into a public road of a private access road across a level crossing, or</p> <p>(iii) a likely significant increase in the total number of vehicles or the number of trucks using a level crossing,</p> <p>(b) development on land that is in or adjacent to a rail corridor if the development—</p>	<p>The development site is not located within a rail corridor.</p>	<p>Yes</p>

Clause 3.15 Development in rail corridors	Proposal	Compliance
<p>(i) is likely to have an adverse effect on rail safety, or</p> <p>(ii) involves the placing of a metal finish on a structure in a rail corridor used by electric trains, or</p> <p>(iii) involves the use of a crane in air space above a rail corridor, or</p> <p>(iv) is located within 5 metres of an exposed overhead electricity power line that is used for railways or rail infrastructure facilities,</p> <p>(c) development that involves the penetration of ground to a depth of at least 2 metres below ground level (existing) on land—</p> <p>(i) within, below or above a rail corridor, or</p> <p>(ii) within 25 metres, measured horizontally, of a rail corridor, or</p> <p>(iii) within 25 metres, measured horizontally, of the ground directly below a rail corridor, or</p> <p>(iv) within 25 metres, measured horizontally, of the ground directly above an underground rail corridor.</p> <p>(2) Land is adjacent to a rail corridor for the purpose of subclause (1)(b) even if it is separated from the rail corridor by a road or road related area.</p> <p>(3) In this clause—</p> <p>level crossing means a level crossing over railway lines.</p> <p>rail authority for a rail corridor has the same meaning as in State Environmental Planning Policy (Infrastructure) 2007, Part 3, Division 15.</p>		

Clause 3.15 Development in rail corridors	Proposal	Compliance
<p>rail corridor has the same meaning as in State Environmental Planning Policy (Infrastructure) 2007, Part 3, Division 15.</p> <p>road related area has the same meaning as in the Road Transport Act 2013.</p>		

Clause 3.16 Consultation procedure	Proposal	RGDC Comment
<p>An issuing authority that is required to consult with a person or body under this Division must—</p> <p>(a) within 2 days of receiving an application for an Activation Precinct Certificate, give written notice of the application to the person or body, and</p> <p>(b) consider any submissions received from the person or body within 14 days of giving the written notice to the person or body.</p>	Noted.	Yes

Schedule 1B Moree Activation Precinct

Clause 11 Application of Moree Plains Local Environmental Plan 2011	Proposal	Compliance
<p>(1) Moree Plains Local Environmental Plan 2011, clauses 2.6-2.8, 5.1, 5.8, 5.10 and 7.3-7.5 apply to land in the Moree Activation Precinct in the same way as they apply to land to which that plan applies.</p> <p>(2) A reference in Moree Plains Local Environmental Plan 2011, clause 5.10 and 7.3-7.5 to the consent authority is to be read as reference to the consent authority for the Moree Activation Precinct.</p>	<p>The clauses of the Moree LEP are addressed as follows:</p> <p>Clause 2.6-2.8 – Not applicable. Subdivision, demolition or temporary use is not proposed.</p> <p>Clause 5.1 – Not applicable. Land acquisition is not relevant to this proposal.</p> <p>Clause 5.8 – Not applicable. Development proposed is a new build and does not relate to fire alarm conversions or building alterations.</p> <p>Clause 5.10 – Not applicable. The land is not mapped as a heritage item and Aboriginal heritage has not been identified in the Moree Delivery Plan.</p> <p>Clause 7.3-7.5 – The proposed development is located below the Obstacle Limitation Surface Level of the Moree Airport as identified by SMK consultants in Appendix E.</p>	<p>Yes</p>
Clause 12 Application of State Environmental Planning Policy (Transport and Infrastructure) 2021	Proposal	Compliance

Clause 11 Application of Moree Plains Local Environmental Plan 2011	Proposal	Compliance
<p>(1) State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 2 applies to land in the Moree Activation Precinct, subject to the modifications set out in this section.</p> <p>(2) The following zones in the Moree Activation Precinct are taken to be a prescribed zone for the purposes of the specified provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021—</p> <ul style="list-style-type: none"> a) the Regional Enterprise Zone for sections 2.31, 2.51(1), 2.94(1)(a), 2.105, 2.106(1), 2.126 and 2.159(4) b) the Rural Activity Zones for sections 2.52(1), 2.105 and 2.106(1), c) all zones for sections 2.109(2) and 2.111. <p>(3) State Environmental Planning Policy (Transport and Infrastructure) 2021, section 2.41(1), (3) and (4)(f)(ii) and (iii) does not apply to land in the Moree Activation Precinct.</p> <p>(4) For the purposes of State Environmental Planning Policy (Transport and Infrastructure) 2021, section 2.159(2)(a), the Regional Enterprise and Rural Activity Zones are taken to be an equivalent land use zone.</p>	<p>The sections of the SEPP are addressed as follows:</p> <p>2.122 Traffic-generating development</p> <p>The proposed development is located within 90m of the connection to a classified road. Development for the purposes of industry is traffic generating development if it exceeds 5,000m². The internal floor area of the proposed development is approximately 1000m² and is therefore not considered to be traffic generating development in accordance with Schedule 3 of the SEPP.</p> <p>2.31 – N/A</p> <p>2.51(1) – N/A</p> <p>2.94(1)(a) – N/A</p> <p>2.105 – N/A</p> <p>2.106(1) – N/A</p> <p>2.126 – N/A</p> <p>2.159(4) – N/A</p> <p>2.52(1), 2.105, 2.106(1) – N/A</p> <p>2.109(2), 2.111 – N/A</p> <p>2.159(2)(a) – N/A</p>	<p>Yes</p>

4.1.5 State Environmental Planning Policy (Resilience and Hazards) 2021

CHAPTER 3 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

Part 3 Potentially hazardous or potentially offensive development

Clause	Compliance
<p>3.10 Development to which this part applies</p> <p>(1) This Part applies to—</p> <ul style="list-style-type: none">(a) development for the purposes of a potentially hazardous industry, and(b) development for the purposes of a potentially offensive industry, and(c) development notified, for the purposes of this Part, by the Director in the Gazette as being a potentially hazardous or potentially offensive development. <p>(2) This Part does not apply to development the subject of a development application made before the date on which this Chapter takes effect.</p>	<p>The proposed development triggers the guidelines of SEPP33. Further analysis is provided within the Preliminary Hazard Assessment provided in Appendix D.</p>
<p>3.11 Preparation of preliminary hazards analysis</p> <p>A person who proposes to make a development application to carry out development for the purposes of a potentially hazardous industry must prepare (or cause to be prepared) a preliminary hazard analysis in accordance with the current circulars or guidelines published by the Department of Planning and submit the analysis with the development application.</p>	<p>The proposed development is supported by a Preliminary Hazard Analysis for the storage and handling of mixed class goods at the subject site. The analysis (Appendix D) is completed by a suitably qualified individual and directly addresses the SEPP 33 guidelines.</p> <p>The analysis concludes the development is suitable for the storage and handling of the listed materials.</p>

Clause	Compliance
<p>3.12 Matters for consideration by consent authorities</p> <p>In determining an application to carry out development to which this Part applies, the consent authority must consider (in addition to any other matters specified in the Act or in an environmental planning instrument applying to the development)—</p> <p>(a) current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and</p> <p>(b) whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and</p> <p>(c) in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant, and</p> <p>(d) any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application), and</p> <p>(e) any likely future use of the land surrounding the development.</p>	<p>As above.</p> <p>The safety matters, storage requirements and land use safety of surrounding development is outlined within Appendix D.</p>
<p>3.13 Advertising of applications</p> <p>Pursuant to section 30(4) of the Act, the provisions of sections 84, 85, 86, 87(1) and 90 of the Act apply to and in respect of development to which this Part applies in the same way as those provisions apply to and in respect of designated development.</p>	<p>The proposed development is not Designated Development pursuant to Schedule 3, Part 2, Section 13 of the Environmental Planning & Assessment Regulation 2021.</p>

5.0 Environmental Assessment

5.1 THE LIKELY IMPACTS OF DEVELOPMENT (S4.15(1)(B))

As part of the Special Activation Precinct master planning process, a series of technical studies were undertaken. These technical studies informed the rezoning and structure plan for the Precinct, covering off on issues such as Biodiversity, flooding, air, noise and odour, and contamination. An Activation Precinct Certificate has been issued for the proposed development, which demonstrates that the proposal is consistent with the Master Plan and Delivery Plan.

The development demonstrates compliance with all applicable and prescribed Environmental Planning Instruments, Planning Instruments and Development Controls.

5.1.1 Context and Setting

The subject site comprises of Lot 10 DP 1212873, 12 Perry James Crescent, Moree and Lot 9 DP 1212873, 7 Harry Sullivan Avenue Moree. The site is located on the southern urban extent of the Moree township with direct connections via the Newell Highway at a distance of approximately 2.5 kilometres. The site is located in proximity to two (2) forms of short-term accommodation including a caravan park to the north and temporary workers accommodation for Inland Rail workers to the south.

The subject site is deemed highly suitable for the proposed development.

5.1.2 Access and Traffic

The proposed vehicle access into the site is depicted in the attached swept path plans and includes loading and unloading to the front of the building a customer parking in proximity to the main entrance on the eastern side of the main building (**Appendix G**).

In addition, delivery times would be scheduled where possible, to avoid conflicting with peak customer times.

The internal driveway has been designed to accommodate two (2) way access for B-double trucks via Perry James Crescent and entry only access via Harry Sullivan Avenue (**Appendix G**).

Both access driveways will be secured by a 2m high, sliding man-proof gate. The gate to Harry Sullivan Avenue will be automatic with remote access for approaching staff members to open which will avoid the requirement for a vehicle banking area within the site.

The site will be opened prior to business operations each day and closed at the end of the day to secure the site during evening hours.

Car parking has been provided with reference to the Moree Plains Shire Council DCP 2013. In the absence of specific requirements for rural supplies development (retail) provision for parking

is provided to suit the requirements of Industries (other than motor vehicle repair workshops) and office space.

Industries - 1 space per 100 square metres of gross leasable floor area (GLFA) (whichever is the greater)

Office – 1 space per 30 square metres of GLFA.

The approximate gross leasable floor area of both buildings is approximately 1000m².

The proposed development has been provided a total of 15 spaces inclusive of two (2) accessible spaces, consistent with the Moree Plains Shire DCP 2010.

The proposed car parking design, including swept paths, is depicted in the attached civil engineering plans (**Appendix G**).

5.1.3 Utilities

The proposed development has access to reticulated water and sewer, electrical, Telstra/NBN and underground stormwater connections via Perry James Crescent. Stormwater would be managed back to the public street in accordance with the attached civil design plans (**Appendix G**).

5.1.4 Biodiversity

Technical studies prepared for the Moree Special Activation Precinct Master Plan indicate that the subject site does not contain any significant biodiversity. Further, the subject site has been recently created as part of a subdivision and was cleared of any vegetation during the subdivision works.

5.1.5 Cultural Heritage

Technical studies prepared for the Moree Special Activation Precinct Master Plan indicate that the subject site does not contain any Aboriginal items or place of significance.

5.1.6 Stormwater

The site is fairly level and would be graded to allow stormwater to fall to the street. Stormwater design is included in the attached stormwater management plans (**Appendix G**).

5.1.7 Erosion and Sediment Control

The subject site has adequate area to provide erosion and sediment control through measures including but not limited to sediment fencing, stabilised access and geotextile fabric covers over stormwater pits.

An erosion and sediment control plan would be provided as part of the CC application to address management of construction and earthworks impacts on natural waterways.

5.1.8 Potential Hazards

The proposed rural supplies premises would include the storage of various fertilisers, fuels, pesticides and herbicides and various other chemicals on-site. A revised preliminary hazard

assessment (PHA) has been prepared in support of this development which concludes that the risk posed to society from the proposed installation is in the 'negligible' region and requires that only a qualitative assessment be undertaken. This assessment is included in the PHA provided as **Appendix D**.

In a summary, the PHA concluded with the following recommendation:

The position of the site for the proposed development does meet the SEPP33 guidelines. Special consideration shall be made to the design and position of the goods within the proposed chemical and merchandise store to ensure incompatible materials are contained within separate compounds.

It will be important to design the fire systems and equipment to ensure that a fire in the warehouse is quickly contained to ensure minimal off-site effect. It is recommended that the toxic liquids with a flammable liquid sub risk be stored within a fire-resistant compound within the main warehouse to also be contained within an approved cabinet within the storage warehouse.

All dangerous-when-wet products shall also be contained within an approved cabinet within the storage warehouse.

Size of bunds for each storage compound shall comply with the requirements of AS3833, AS1940 and AS4452.

In consultation with Safework NSW, the products Sprayseed and Pirimor in conjunction with reduced storage levels to threshold quantities, confirmed that the facility would not be considered as a major hazard facility (MHF) (**Appendix I**)

The site will also be subject to routine inspections by Safe Work NSW to ensure compliance with *Work Health and Safety Regulation 2017*.

Further, Delta Ag is a member of Agsafe, a not-for-profit organisation is to conduct programs that support and enhance product stewardship of agricultural and veterinary chemicals throughout the supply chain, Delta Ag's membership is subject to annual inspections to ensure compliance with Agsafe's Industry Standard for the safe transport; handling and storage of agricultural and veterinary chemicals are recognised as being an Agsafe Industry Standard supplier.

Plan of Management:

The proposed Delta Ag business hours would operate between 8 am and 5.30 pm weekdays with Saturdays open between 8 am and 12 pm. The business would be operated by a total of six (6) full-time staff members. Loading and unloading of goods would be undertaken by forklift solely within the site onto both small and large commercial vehicles. With the number of typical client visits to the premises ranging from two (2) to four (4) per day, mitigation of delivery and customer traffic would be timed to avoid any conflict.

Vehicle movements are depicted in the attached civil engineering plans.

Transport route selection is to be undertaken as follows:

- a) pre-planned whenever possible to the extent practicable;
- b) selected to minimise the risk of personal injury or harm to the environment or property during the journey;
- c) avoid heavily populated or environmentally sensitive areas, congested crossings, tunnels and narrow streets, alleys or sites where there may be a concentration of people; and
- d) must observe any requirements for restrictions on the selection of the routes or times of travel which have been determined by the competent authority.

Further detail pertaining to the acceptable transport routes for dangerous goods as well as the design recommendations for storage of these goods is detailed in the attached PHA in **Appendix D**.

5.1.9 Noise and Vibration

The development is unlikely to produce any toxic noise emissions. The development site locality is within the Moree Special Activation Precinct and noise emissions will be similar to future adjoining land uses. It is anticipated noise and vibration emitted from the development during operation will not result in any disruption to the amenity of the area:

The hours of operation for the development are as follows:-

- Monday to Friday – 8:00am to 5:30pm
- Saturday – 8:00am to 12:00pm
- Sunday – Closed

It is not anticipated that the hours of operation will create any significant noise or amenity impacts.

5.1.10 Social and Economic Impact

As defined by the NSW Government Office on Social Policy, social impacts are significant events experienced by people as changes in one or more of the following are experienced:

- Peoples' way of life (how they live, work or place and interact with one another on a day-to-day basis);
- Their culture (shared beliefs, customs and values); or
- Their community (its cohesion, stability, character, services and facilities). The proposed development would not be expected to result in adverse impacts on any of the abovementioned factors.

The development is expected to generate a positive social impact with an agricultural business expanding their operations in a primary producer community.

The development would provide additional local employment and services during construction and ongoing operation.

The development is not considered likely to give rise to any negative social impacts.

5.1.11 Landscaping and Visual Amenity

Landscaping design is depicted in the attached site plan. This includes the planting of native low-lying and low maintenance shrubs in proximity to the main customer entrance driveway.

The proposed landscaping provides for a 2-metre-wide buffer to screen the main entrance fencing which would also be setback 2m from the eastern property boundary.

Garden beds would be mulched to a depth of 75mm.

It is noted that existing street trees are located along Perry James Crescent to the north which provide adequate amenity, shade and screening to the proposed mesh fence proposed to the northern portion of the property. The landscaping proposed is considered to sufficiently meet the aesthetic requirements of the surrounding industrial character of the neighbourhood.

One existing street tree is proposed to be removed for access requirements for the development. The applicant is open to the relocation of this tree in consultation with Council.

Landscaping detail is depicted in the attached Architectural Plans, including plant species and densities.

5.1.12 Site Design and Internal Design

The proposed site design accommodates sufficient vehicle access and pedestrian access into the development. The storage of chemicals is being undertaken in accordance with the prescribed guidelines to ensure customers do not have access.

5.1.13 Waste

Waste from the development would likely include excess construction materials and operational waste generated by general office use.

Construction waste would be managed using skip bins onsite which would then be periodically collected by a waste collection contractor. The construction waste would then be disposed of at the Moree Waste Management Facility.

General operational waste would likely include recyclables and general waste from office operations. This waste would be managed via Council's general waste collection services.

The site has adequate space to accommodate the required general and recycling rubbish bins discreetly and out of view from the public domain.

These rubbish bins would be relocated to the roadside for pick up as per Council's waste collection schedule.

Bunding is to be included in the floor design of the building which provides for the management of any spills onsite. This does not discharge into Council's sewerage system and would be independently cleaned in accordance with relevant safety protocol as required.

5.2 THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT (S4.15(1)(C))

The proposed development is consistent with the objectives of the REZ zone and is permissible with consent. The land is located within the Moree Activation Precinct and has access to the required infrastructure services.

The proximity to Moree Regional Airport also contributing factor given that the airport supports agricultural movements and are estimated to account for 12% of all movements at the airport (including crop spraying). This facility has been sited in close proximity to the airport to support this enterprise.

5.3 ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT (S4.15(1)(D))

The proposed development is in the public interest as it is consistent with the prescribed environmental planning framework and has minimal impacts as described in **Section 5**. The development is compliant with relevant provisions of the applicable SEPPs, objectives of the zone under Clause 2.3 of the MPLEP 2011 and controls of the Moree DCP.

5.4 THE PUBLIC INTEREST (S4.15(1)(E))

The proposed development is in the public interest in providing a rural supplies opportunity in an agricultural-driven community.

6.0 Conclusion

Premise Australia has been commissioned by Cumboogle Farming Pty Ltd to prepare this Statement of Environmental Effects (SEE) to accompany the Development Application (DA) for the Rural Supplies premises at Lot 9 & 10 in DP 1212873, being 7 Harry Sullivan Avenue & 12 Perry James Crescent, Moree.

The development proposes the construction of two rural sheds, establishment of vehicle access, planting of landscaping and internal fit out of the main shed for administrative purposes.

The development evidently demonstrates compliance with the objectives, guidelines and matters outlined within the relevant Environmental Planning Instruments and Statutory Instruments.

In consideration of the planning requirements under Section 4.15(1) of the Environmental Planning and Assessment Act 1979, it is requested that the Department support the proposed development and consent to the application.

Appendix A
Architectural Pains

Appendix B

Landowner's Consent

Appendix C

Special Activation Precinct Certificate

Appendix D

Preliminary Hazard Assessment Report

Appendix E

Obstacle Limitation Surface Level Moree Airport

Appendix F

Special Activation Precinct – Statement of Consistency

Appendix G

Civil Engineering Plans

