

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

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**8 EDWARD STREET, MORPETH,  
NSW, 2321  
LOT: 2 DP: 708453**

**PROPOSED FARM BUILDING AND  
ALTERATIONS AND ADDITIONS TO  
EXISTING FARM BUILDING**



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## EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Mike Bowe (the client) to prepare a Statement of Environmental Effects (SEE) for a proposed farm building and alterations and additions to existing farm building at 8 Edward Street, Morpeth, NSW, 2321, legally identified as proposed Lot 2 in Deposited Plan 708453 ('the site').

The site is zoned RU1 – Primary Production under the Maitland Local Environmental Plan 2011 (MLEP). The site currently contains several structures associated with general farm use. The characteristics of the proposed development include:

1. A proposed new farm building for the storage of agricultural equipment.

The proposed new farm building will be used to store vehicles, equipment, and materials associated with the agricultural use of the land.

The proposed farm building will display a maximum height of 6.42m and measure 19.56m x 16m with an area of 312.96m<sup>2</sup>.

The proposed farm building located to the Southeast of the existing structure on site with the following setbacks:

- North – 232m
- South – 105m
- East – 284m
- West – 82m

2. Proposed alterations and additions to the existing farm building.

These alterations and additions will be located to the East and South of the existing farm building and will provide additional enclosed space for the storage of vehicles, equipment, and materials associated with the agricultural use of the land.

The proposed additions will consist of the following dimensions:

### **Eastern Component:**

15.29m x 12.192m x 6.84m high with an area of 189m<sup>2</sup>.

### **Southern Component:**

25.210m x 14.033m x 6.84m high with an area of 301m<sup>2</sup>.

The site has reticulated water and on-site wastewater management system available.

The development is considered suitable because:

- The proposed development is permissible pursuant to Clause 2.8 of the MLEP;

- The development will have a positive economic impact with the creation of short term construction jobs;
- The proposal is sympathetic to the character of the Morpeth Heritage Conservation Area and will not negatively impact upon heritage items in the vicinity of the site;
- There are little to no negative impacts on the views and setting of Morpeth with minimal interruption to existing view corridors;
- The proposed development will support the agricultural use of the site; and
- The development can manage or mitigate any environmental impacts.

The proposal has been assessed against the relevant statutory planning framework to identify and address the key planning requirements and site constraints. These issues have been addressed throughout the SoEE to ensure potential environmental issues have been appropriately managed or mitigated where possible to allow the change of use to be approved by the Consent Authority.

## TERMS AND ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
EPA	Environment Protection Authority
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
DA	Development Application
DCP	Development Control Plan
LEP	Local Environmental Plan
LGA	Local Government Area
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects

## LIST OF FIGURES

Figure 1 - Locality Plan (Perception Planning 2022).....	11
Figure 2 - Site Plan (Perception Planning 2022).....	14
Figure 3 - Proposed Development (Sorensen Design, 2022) .....	14
Figure 4 - Proposed Development (Sorensen Design, 2022) .....	15
Figure 5 - Proposed Development Elevations (Sorensen Design, 2022) .....	16
Figure 6 - Proposed New Farm Building (Sorensen Design 2022) .....	16
Figure 7: Flood Prone Area (Source: NSW ePlanning Spatial Viewer .....	25
Table 1 - Past Approvals (Maitland City Council DA Tracker 2022).....	12
Table 2 - Integrated development.....	18

## PLANS AND SUPPORTING DOCUMENTATION

This SEE is supported by the following plans and documentation:

<b>Appendix</b>	<b>Document</b>	<b>Prepared by</b>
1	EP&A Regulation Compliance Table	Perception Planning
2	DCP Compliance Table	Perception Planning
3	Deposited Plan	N/A
4	Certificate of title	NSW Lands Registry
5	Architectural Plans	Sorensen Design
6	Before You Dig Australia Search Results	BYDA
7	Hunter Water Stamped Plans	Hunter Water
8	AHIMS result	OEH
9	Site Waste Management Plan	Perception Planning
10	Statement of Heritage Impact	Contemporary Heritage
11	Owners Consent	Owner

# TABLE OF CONTENTS

EXECUTIVE SUMMARY .....	3
TERMS AND ABBREVIATIONS .....	5
LIST OF FIGURES .....	5
PLANS AND SUPPORTING DOCUMENTATION .....	6
TABLE OF CONTENTS .....	7
1 BACKGROUND .....	9
1.1 PURPOSE .....	9
1.2 SITE DETAILS.....	10
1.3 SITE DESCRIPTION .....	10
1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS.....	12
2 DESCRIPTION OF THE DEVELOPMENT.....	13
2.1 PROPOSED DEVELOPMENT .....	13
3 PLANNING CONTROLS.....	17
3.1 ACTS.....	17
3.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.....	17
3.1.2 HUNTER WATER ACT 1991 .....	18
3.1.3 WATER MANAGEMENT ACT 2000 .....	18
3.1.4 BIODIVERSITY CONSERVATION ACT 2016.....	18
3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS) .....	20
3.2.1 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021.....	20
3.2.2 SEPP (RESILIENCE AND HAZARDS) 2021 .....	21
3.2.3 SEPP (BIODIVERSITY AND CONSERVATION) 2021 – Chapter 4 – KOALA HABITAT PROTECTION 2021.....	21
3.2.4 5.4 SEPP (PRIMARY PRODUCTION) 2021 .....	22
3.3 LOCAL ENVIRONMENTAL PLAN .....	22
3.4 DEVELOPMENT CONTROL PLAN (DCP) .....	25
4 LIKELY IMPACTS OF THE DEVELOPMENT .....	26
4.1 BUILT ENVIRONMENT .....	26
4.1.1 CONTEXT, SETTING AND VISUAL IMPACT .....	26
4.1.2 ACCESS, TRANSPORT AND TRAFFIC.....	27
4.1.3 PUBLIC DOMAIN .....	27
4.1.4 SERVICES AND WASTE WATER MANAGEMENT.....	27
4.1.5 NOISE AND VIBRATION.....	27
4.1.6 HERITAGE.....	27
4.2 NATURAL ENVIRONMENT.....	28

4.2.1	ECOLOGICAL .....	28
4.2.2	LANDSCAPING .....	28
4.2.3	ARCHAEOLOGY .....	28
4.2.3	STORMWATER.....	28
4.3	SOCIAL AND ECONOMIC.....	28
4.3.1	SAFETY, SECURITY AND CRIME PREVENTION .....	29
4.3.2	FLOODING .....	29
4.3.3	ACID SULFATE SOILS .....	29
5	SUITABILITY OF THE SITE AND PUBLIC INTEREST .....	29
6	ANY SUBMISSIONS AND CONSULTATION.....	30
7	CONCLUSION .....	30



# 1 BACKGROUND

## 1.1 PURPOSE

The purpose of this Statement of Environmental Effects (SEE) is to assist Council in their assessment and determination and to assist the community in understanding the proposed development.

This SEE has been prepared in coordination with Michael Bowe (**'the client'**) and other sub-consultants to demonstrate the relevant matters associated with in the proposed development. The SEE examines the existing development and site location, how the proposed development relates to the location and the environment, as well as the planning merits of the development with respect to the relevant legislation, regulation and other requirements. The SEE examines the applicable site attributes and the specifics of the development proposal that are appropriate to the development application stage. The SEE seeks to provide all the relevant data to give a suitable level of certainty to the consent authority that the proposal has a positive impact on the immediate area and the wider surrounds.

This SEE has been prepared in accordance with best practice principles, applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure's (now the Department of Planning, Infrastructure and Environment) guide to the *Environmental Planning and Assessment Act* (EP&A Act) 1979 (s4.15).

The objectives of this SEE are as follows:

- To provide a description of the site, existing development and the surrounding locality;
- To provide a description of the proposal and the key issues;
- To provide a discussion of the relevant Environmental Planning Instruments (EPI)s; and
- To provide an assessment of the potential environmental impacts, having regard to the matters for consideration pursuant to the EP&A Act (s4.15) and other State, Regional and Local environmental planning policies and guidelines.

## 1.2 SITE DETAILS

<b>Property Address</b>	8 Edward Street, Morpeth, NSW, 2321
<b>Lot and DP</b>	Lot 2 in DP 708453
<b>Current Use</b>	Farm Buildings and associated ancillary structures
<b>Zoning</b>	RU1 Primary Production
<b>Size</b>	11.18 Ha
<b>Site Constraints</b>	Flood Planning Area EPI Heritage – Morpeth Heritage Conservation Areas Minimum Lot Size – 40Ha Acid Sulfate Soils – Class 5
<b>Owner</b>	Owners consent has been provided on the Application Form for the DA.
<b>DP and 88B Instrument</b>	The lot is known as 2/DP708453. The Certificate of Title and Deposited Plan is contained in <b>APPENDICES 3 and 4</b> . There are no known restrictions on the site which would prevent the proposed development.

## 1.3 SITE DESCRIPTION

The following information describes the physical site, location and surrounding context.

The site is located at 8 Edward Street, Morpeth and legally identified as Lot 2 in Deposited Plan 708453, shown in **FIGURE 1**. The site approximately 11.27ha in area, irregular in shape with a varied topography.

The subject site is located within Morpeth Heritage Conservation Area. The site is situated on the eastern side of Edward Street and southern side of Brisbane Fields Road. Access to the site is provided via Close Street.

The site contains several structures clustered in the south western portion of the allotment which are associated with the general farm use of the site. The remainder of the site is considered pastoral land and cleared of vegetation. There are no watercourses present on site.

Land adjoining the site to the north and east are similar in size and identified as primary production allotments. Ray Lawler reserve adjoins the site to the south with residential allotments to the west fronting Edward Street and Brisbane Field Road.

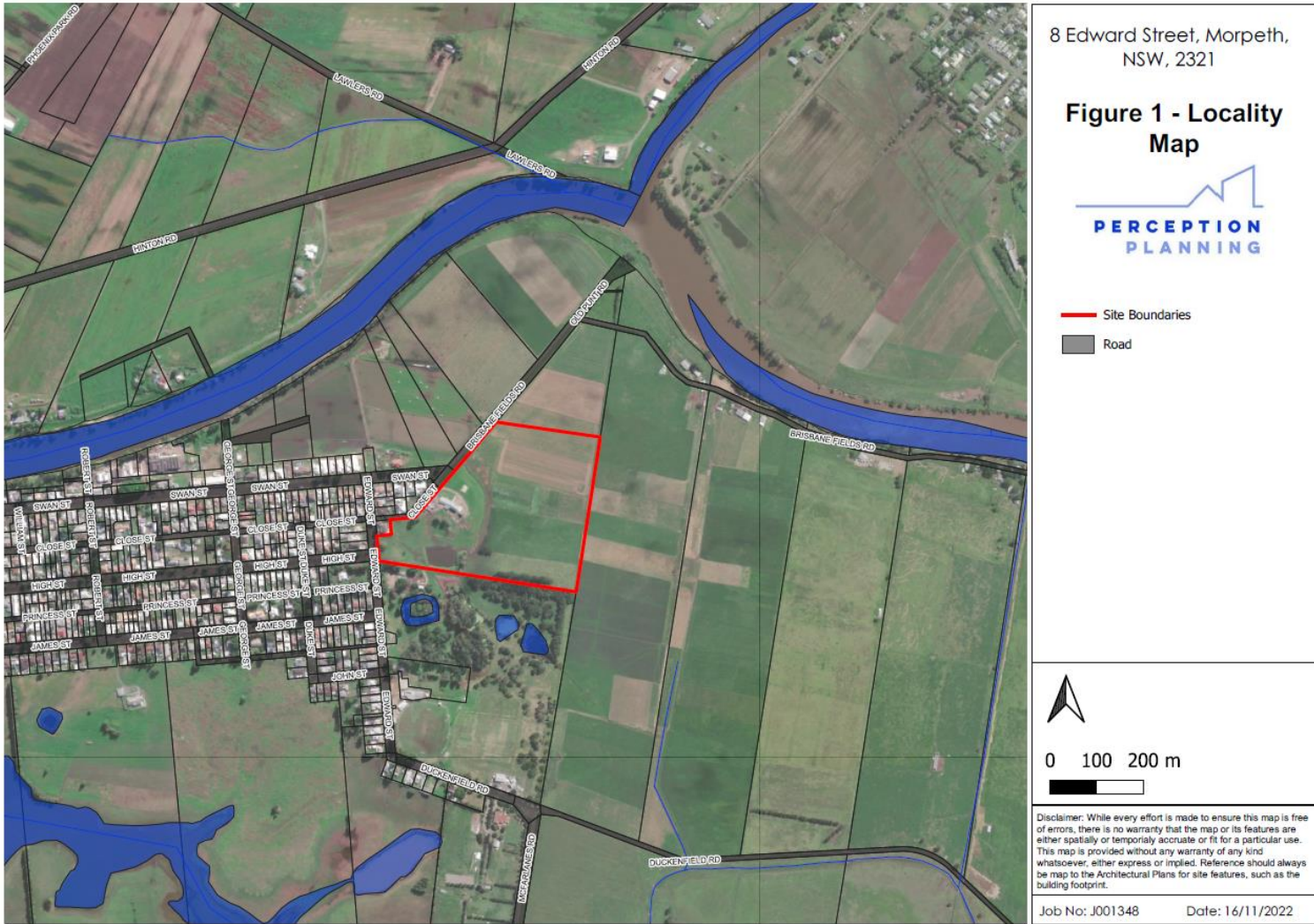


Figure 1 - Locality Plan (Perception Planning 2022)

## 1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS

The site is known as 8 Edward Street, Morpeth, the proposed development is associated with Lot 2 in Deposited Plan 1122972. The site is currently used for primary production containing several structures associated with general farm use of the site.

A search of the Maitland City Council DA Tracker dated 08 December 2022 revealed three past approvals on the site (see **TABLE 1** below).

No known compliance matters exist over the site which would pose issues for the proposed development.

*Table 1 - Past Approvals (Maitland City Council DA Tracker 2022)*

Application	Lodgement Date	Details	Location	Status
DA/2021/664	24/06/2021	Temporary Use – Function Center	8 Edward St Morpeth, NSW, 2022	Approved
CCP12/0146	20/01/2012	Proposed Landfill and House	8 Edward St Morpeth, NSW, 2022	
DA11/1148	17/05/2011	Landfill and Single Storey Dwelling	8 Edward St Morpeth, NSW, 2022	

## 2 DESCRIPTION OF THE DEVELOPMENT

### 2.1 PROPOSED DEVELOPMENT

The proposed development is for a proposed farm building and alterations and additions to existing farm building on the site.

The characteristics of the proposed development include:

#### **A proposed new farm building for the storage of agricultural equipment.**

The proposed new farm building will be used to store vehicles, equipment, and materials associated with the agricultural use of the land. The farm building will have dimensions of 19.56m x 16m x 6.42m high with an area of 312.96m<sup>2</sup>.

It will be located to the Southeast of the existing structure on site with the following setbacks:

North – 232m

South – 105m

East – 284m

West – 82m

#### **Proposed alterations and additions to the existing farm building.**

The proposed new farm building will be used to store vehicles, equipment, and materials associated with the agricultural use of the land.

The additions will consist of the following dimensions:

#### **Eastern Component:**

15.29m x 12.192m x 6.84m high with an area of 189m<sup>2</sup>.

#### **Southern Component**

25.210m x 14.033m x 6.84m high with an area of 301m<sup>2</sup>.

**FIGURES 2-6** below show the proposed development, the architectural plans are provided in **APPENDIX 5**.

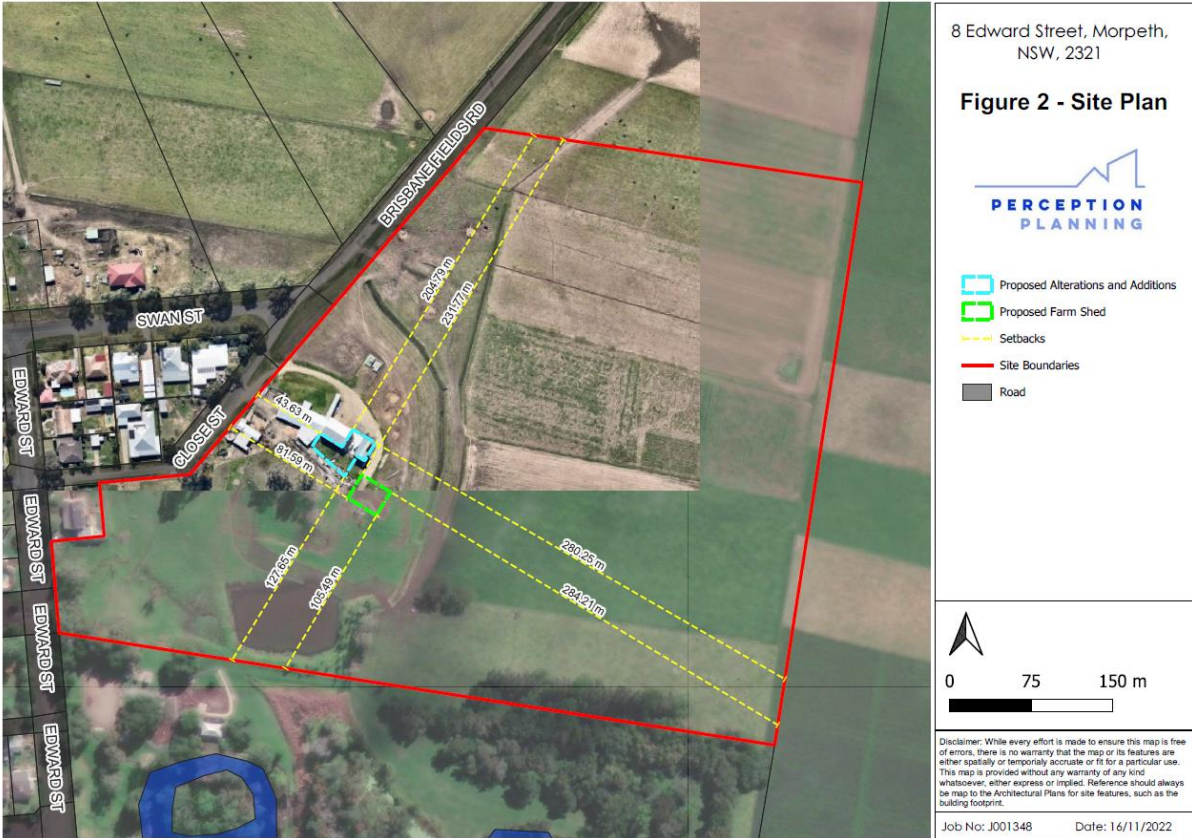


Figure 2 - Site Plan (Perception Planning 2022)

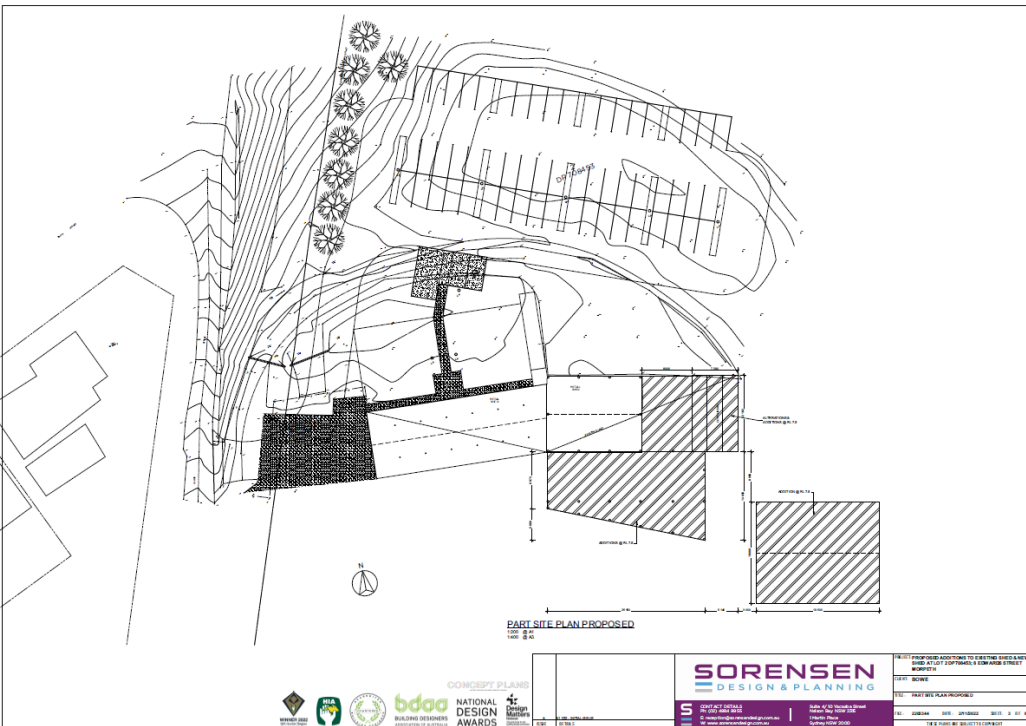


Figure 3 - Proposed Development (Sorensen Design, 2022)

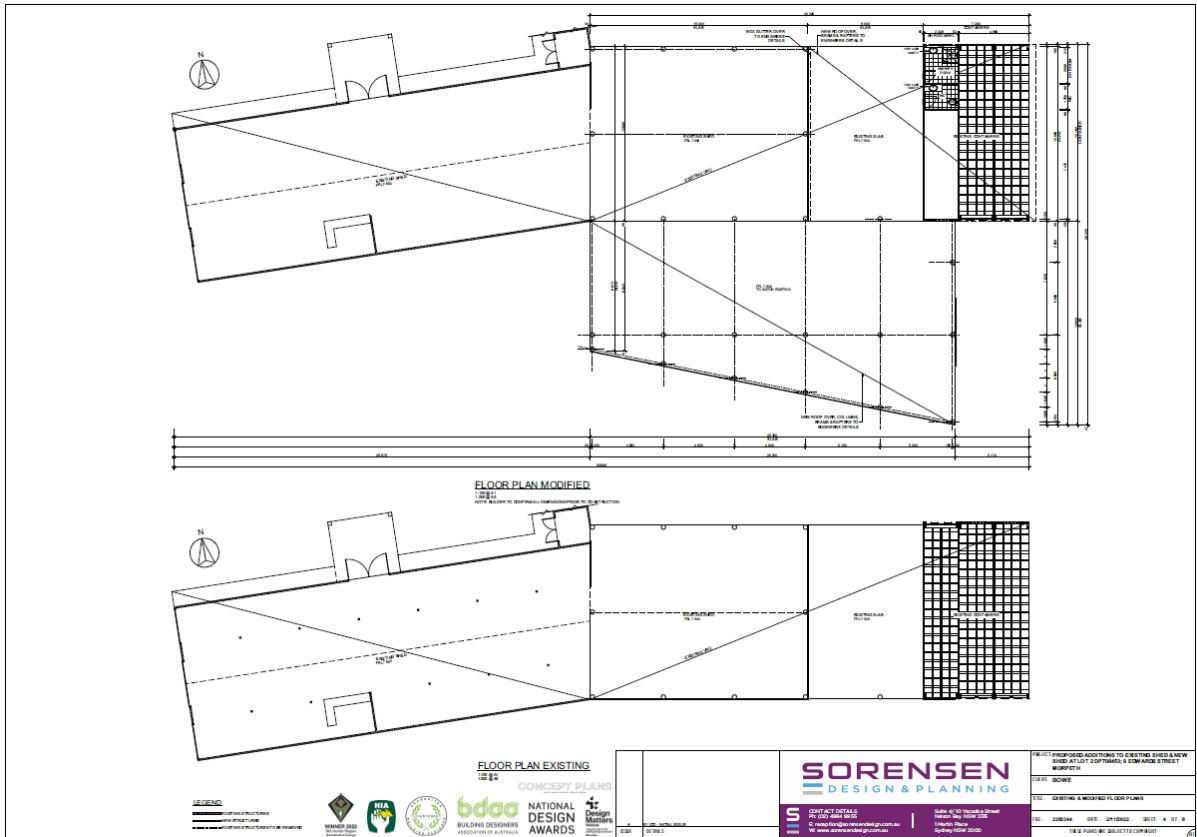


Figure 4 - Proposed Development (Sorensen Design, 2022)

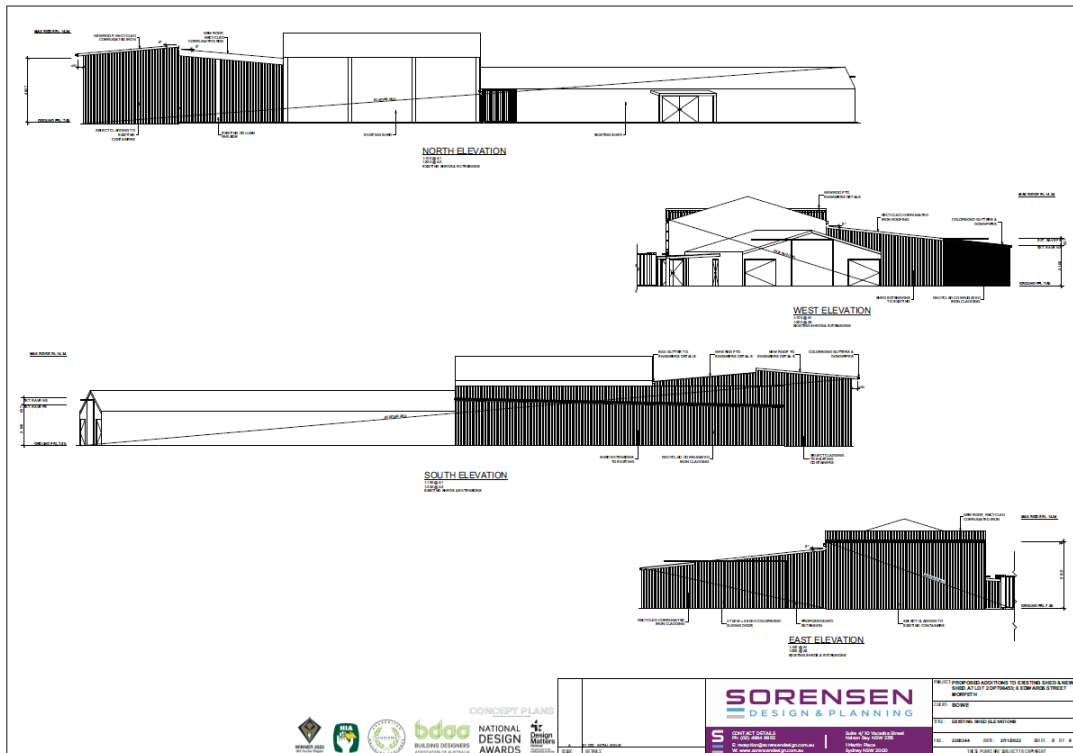


Figure 5 - Proposed Development Elevations (Sorensen Design, 2022)

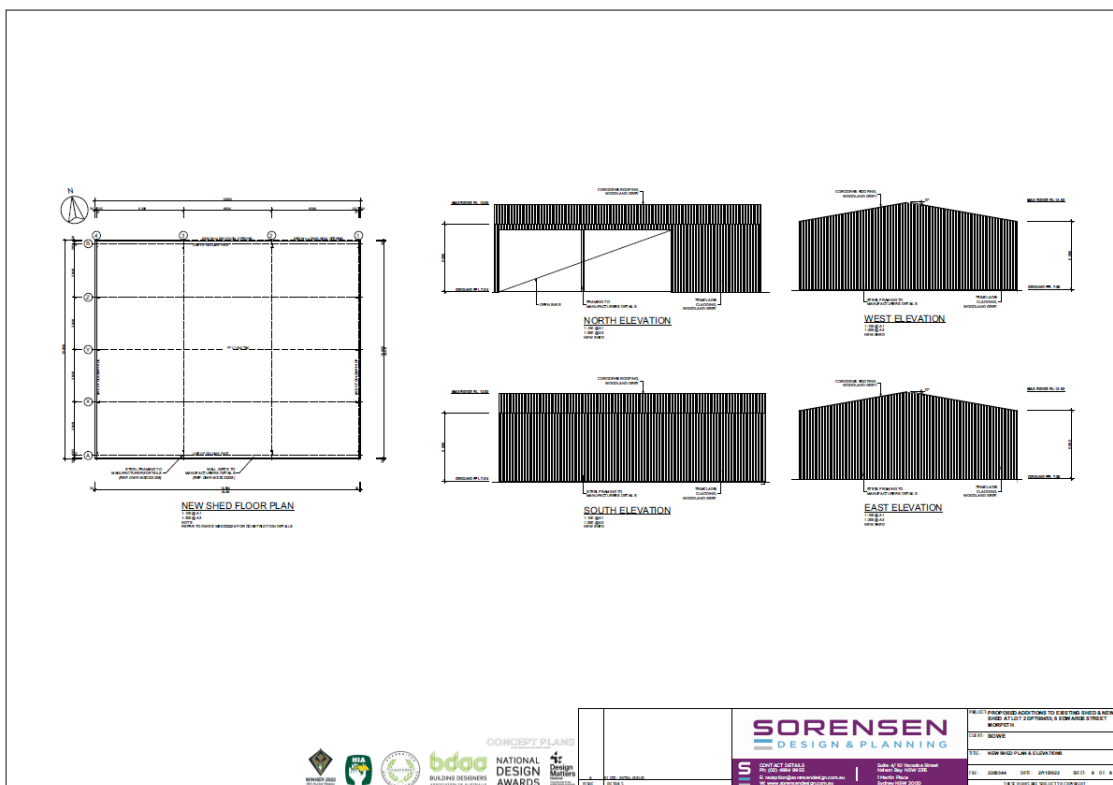


Figure 6 - Proposed New Farm Building (Sorensen Design 2022)



### 3 PLANNING CONTROLS

Section 4.15 (1) of the EP&A Act outlines the matters for consideration when determining a Development Application. The Consent Authority must take into consideration:

Section 4.15 (1) of the EP&A Act outlines the matters for consideration when determining a Development Application. The Consent Authority must take into consideration:

1 (a) the provisions of:

*(i) any environmental planning instrument (EPI), and*

*(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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

*(iii) any development control plan, and*

*(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, and*

*(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)*

*(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,*

*(c) the suitability of the site for the development,*

*(d) any submissions made in accordance with this Act or the regulations,*

*(e) the public interest.*

The following section will address the matters of consideration listed under Clause (1)(a).

#### 3.1 ACTS

All NSW Acts have been considered in the preparation of this SEE. The following Acts are considered relevant to the proposed development and discussed in further detail below.

- *Environmental Planning and Assessment Act 1979*
- *Hunter Water Act 2000*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*

##### 3.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act is the principal planning and development legislation in NSW and is applicable to the proposed development. Section 4.15 of the EP&A Act specifies the *'meaning of development'* and the matters which a consent authority must consider when determining a DA.

Pursuant to Section 1.5 of the EP&A Act, the proposal is considered development through the following meanings:

- a) *the use of land;*
- b) *the erection of a building; and*
- c) *the carrying out of a work.*

The relevant matters for consideration under Section 4.15 are addressed in further detail in separate sections of this SoEE below.

- **Section 4.46 – What is integrated development?**

Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more of the approvals listed within **TABLE 2** below. The proposed development is not classified as integrated development.

- **Section 7.11 – Development Contributions**

Development contributions may be calculated and charged in accordance with Maitland City Council's Development Contribution Plan. They are understood not to apply in this instance.

### **3.1.2 HUNTER WATER ACT 1991**

The subject site is not located within a Drinking Water Catchment. To this effect, a referral to HW is not required under Section 51 of the HW Act. Stamped plans in accordance with Section 49 of the HW Act are provided as **APPENDIX 8** to this application.

### **3.1.3 WATER MANAGEMENT ACT 2000**

The subject site is not located within a Drinking Water Catchment and the site is not located within 40m of waterfront land, thus it is not considered that referral to NRAR is required pursuant to the *Water Management Act 2000*.

### **3.1.4 BIODIVERSITY CONSERVATION ACT 2016**

The purpose of the Biodiversity Conservation Act 2016 (BC Act) is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. The proposed development does not include any vegetation removal and therefore further consideration of the Act is not required.

*Table 2 - Integrated development*

Integrated development	Proposed Development	
<b>Fisheries Management Act 1994</b>	<ul style="list-style-type: none"> <li>▪ s 144</li> <li>▪ s 201</li> <li>▪ s 205</li> <li>▪ s 219</li> </ul>	N/A
<b>Heritage Act 1977</b>	<ul style="list-style-type: none"> <li>▪ s 58</li> </ul>	N/A – The building is not listed as a State or Local Heritage Item, however, it is located within a General Heritage Conservation Area. Pursuant to s 58 of the Heritage Act 1977, approval is required for the carrying out of an act, matter or thing referred to in Section 57(1) of the Act. Section 57(1) refers to matters relating solely to Items listed on the State Heritage Register. As the building does not meet this criteria, referral is not required.
<b>Coal Mine Subsidence Compensation Act 2017</b>	<ul style="list-style-type: none"> <li>▪ s 22</li> </ul>	N/A – The site is not located within a Mine Subsidence Area.
<b>Mining Act 1992</b>	<ul style="list-style-type: none"> <li>▪ s 63, 64</li> </ul>	N/A
<b>National Parks &amp; Wildlife Act 1974 (as amended)</b>	<ul style="list-style-type: none"> <li>▪ s 90</li> </ul>	No – The AHIMs Search Results ( <b>APPENDIX 9</b> ) do not identify the site as containing any Aboriginal sites or places (including buffer of 50m), thus no referral to the Biodiversity Conservation Division (BCD) as integrated development is required as part of this application. There are no works associated with the development proposal.
<b>Protection of the Environment Operations Act 1997</b>	<ul style="list-style-type: none"> <li>▪ ss 43(a), 47, 55</li> <li>▪ ss 43(b), 48, 55</li> <li>▪ ss 43(d), 55, 122</li> </ul>	N/A
<b>Roads Act 1993</b>	<ul style="list-style-type: none"> <li>▪ s 138</li> </ul>	N/A

<b>Rural Fires Act 1997</b>	▪ s 100B	No – the site is not bushfire prone.
<b>Water Management Act 2000</b>	▪ ss 89, 90, 91	No – There are no physical works associate with the development. Accordingly, referral to the Natural Resource Access Regulator as integrated development is not required as part of this application.

## 3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

All State Environmental Planning Policies (SEPPs) have been considered. The following SEPPs are considered relevant to the proposed development and discussed in further detail below.

- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Primary Production) 2021*

### 3.2.1 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

The purpose of this Chapter is to facilitate the effective delivery of infrastructure across the state and identifying matters to be considered in the assessment of developments adjacent to particular types of development.

#### **Division 5, Subdivision 2 Development likely to affect an electricity transmission or distribution network**

##### **Section 2.48 – Determination of development applications – Other development**

As described in the site description, the site will be connected to reticulated electricity. Penetration of the ground within 2m of underground electrical infrastructure triggers referral the electricity supply authority is triggered pursuant to Section 2.48(1)(a). It is not anticipated that referral to the electricity authority is warranted in this instance.

#### **Division 12A, Subdivision 2 Development adjacent to pipeline corridors**

##### **Section 2.76 – Determination of development applications**

The proposed development is not in the vicinity of a 'licenced' pipeline corridor as defined under Section 2.76 (2). Accordingly, the proposed development does not trigger referral to any pipeline operator pursuant to Section 2.76.

#### **Division 17, Subdivision 2 Development in or adjacent to road corridors and road reservations**

Edward Street is identified as a local public road dedicated to Maitland City Council. As such, referral or Transport for NSW (TfNSW) for development on or adjacent to a classified road is not triggered under Sections 2.117, 2.118 and 2.119.

The proposed development types permitted on the land are not classified as traffic generating development in accordance with Schedule 3. Thus, the provisions of Clause 2.121 are not applicable to the development. Accordingly, a traffic impact assessment is not required and referral to Transport for NSW is not triggered.

Further assessment against the Infrastructure SEPP is not required.

### **3.2.2 SEPP (RESILIENCE AND HAZARDS) 2021**

This Chapter applies to the whole state. Under Section 4.6, a consent authority must not grant consent to the carrying out of any development unless they have considered whether the land is contaminated.

The site has been used for agricultural purposes with surrounding sites used for similar purposes. A review of the Environment Protection Authority (EPA) contamination register confirms that no contamination, the subject of regulation by the EPA, is identified on the site. It is not expected or known that surrounding locality has the potential to be contaminated. To this extent, the future allotment is land considered suitable for the proposed development.

### **3.2.3 SEPP (BIODIVERSITY AND CONSERVATION) 2021 – Chapter 4 – KOALA HABITAT PROTECTION 2021**

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. Section 4.4 and Schedule 2 of the SEPP identifies the Maitland Local Government Area as land to which the policy applies and subject to the Central Coast Koala Management Area.

The key threats within the Central Coast Koala Management Area have been identified as:

- habitat clearing and fragmentation due to development along the coast
- vehicle strike and domestic dog attack
- high-intensity or high-frequency fires cause koala mortality and temporarily eliminate food sources
- competition from rainforest species into eucalypt-dominated koala habitat, which can excessively shade eucalypts and inhibit growth of seedlings
- dense growth of weeds, such as lantana, which can inhibit koala movement
- diseases such as chlamydia and koala retrovirus
- dieback across a range of plant species due to climate changes, bell miners and insects
- potential negative impact of myrtle rust on eucalypts
- potential impact of sea level rise.

The proposed development does not include vegetation removal and as such there is no impact identified on koala habitat and the free-living population. Further assessment of this Chapter is not warranted.

### **3.2.4 5.4 SEPP (PRIMARY PRODUCTION) 2021**

SEPP (Primary Production) 2021 applies to the proposed development due to the RU1 zoning of the land. The aims of the SEPP applicable to the proposed development include to facilitate the orderly economic use and development of lands for primary production, to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources and to encourage sustainable agriculture.

The proposed development aims to construct a farm building and alterations and additions to an existing farm building to facilitate the orderly economic use and development of the land. Through this process, rural land will not be sterilised, rather will provide an opportunity to better define the land use, zoning and ownership. At the completion of the farm building development, primary production and agriculture will continue to be maintained and encouraged without harming the natural environment.

With regard to Part 2, Schedule 4 of the SEPP, a consent authority must take into account the matters specified in subclause (5) in determining whether to grant development consent to development on land to which this clause applies for either subdivision of land proposed to be used for the purposes of a dwelling or the erection of a dwelling. As the primary purpose of the proposed development does not relate to a dwelling, this Part of the SEPP does not apply. It is however noted that the predominant land uses within proximity to the subject site relate to small and large primary production land holdings with dwelling houses, reflecting the exact nature of the proposed development. To this effect, the proposed development is not inconsistent or incompatible with the existing amenity of the locality and meets the objectives of the SEPP.

## **3.3 LOCAL ENVIRONMENTAL PLAN**

Pursuant to the MLEP Land Application Map (LAP\_001) the subject site is land to which the environmental plan applies. Accordingly, the MLEP is the appropriate EPI to assess the development proposal.

### **Objectives of Zone RU1**

- *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.*

- **Permitted with Consent**

Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Cellar door premises; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Helipads; Home-based child care; Home businesses; Home industries; Intensive livestock agriculture; Jetties; Landscaping material supplies; Markets; Open cut mining; Plant nurseries; Recreation areas; Roads; Roadside stalls; Rural industries; Rural supplies; Signage; Turf farming; Water supply systems.

**Clause 4.1 – Minimum lot size**

Not applicable. The proposed development does not include subdivision of land.

- **Clause 5.10 – Heritage conservation**

The subject site is located within Morpeth Heritage Conservation Area of Local Significance in Schedule 5 of Maitland Local Environmental Plan 2011. The site is not identified as containing any heritage items.

The objectives of Clause 5.10 are as follows:

- (a) to conserve the environmental heritage of Maitland,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

In accordance with Clause 5.10 (2)(a)(iii) development consent is required for building work within a heritage conservation area. Subsequently the consent authority must consider the effect of the proposed development will have on the heritage conservation area.

A Statement of Heritage Impact has been prepared to assess the impact that the proposed development will have on the significance of Morpeth Heritage Conservation Area. As identified within the SOHI contained at **APPENDIX 11**, the new work proposed does not detract from the character of Morpeth Heritage Conservation Area or Heritage Items in the vicinity.

The proposed development involves a proposed farm building and alterations and additions to the existing farm building on site. The proposed development will not result in a significant variation to the presentation of the existing building given its intended location will not be visible from Edward Street. The proposed development will not result in a significant impact on the HCA.

The SoHI concludes that the proposal is sympathetic to the character of the Morpeth Heritage Conservation Area and will not negatively impact upon heritage items in the area.

A search of the Aboriginal Heritage Information Services (AHIMS) database (08 December 2022) did not identify the subject site (with a buffer area of 50m) as containing any Aboriginal sites or places as shown in **APPENDIX 9**. Given there are no works associated with the development application, there is no risk associated with the application that an Aboriginal object will be exposed.

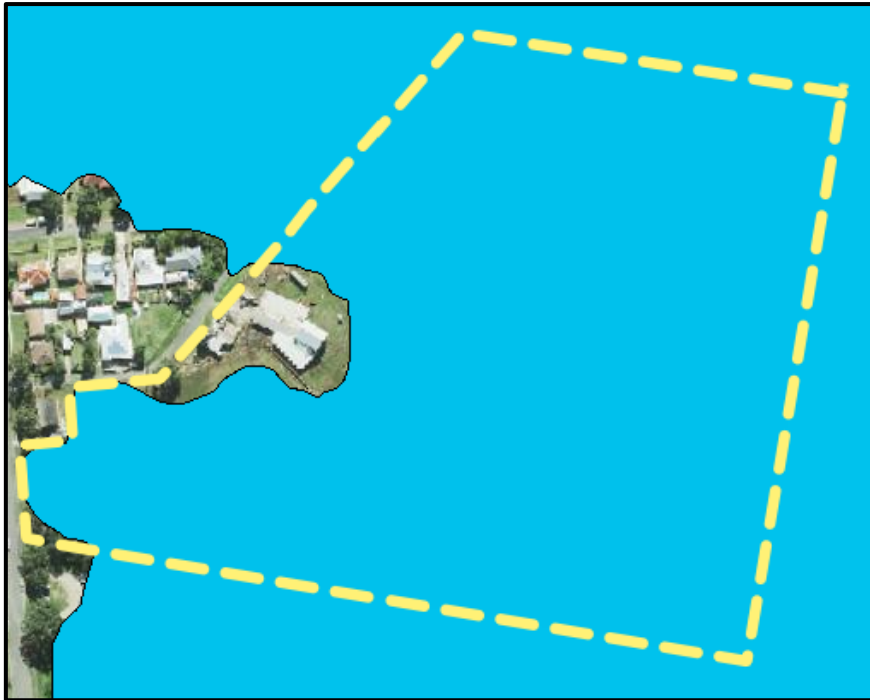
The above assessment demonstrates that the proposed development will have minor impact on the HCA streetscape. It is considered that the cultural significance of the area is maintained with the conservative layout proposed. In this regard, the proposed development is consistent with the objectives and requirements of Clause 5.10 and should be considered for approval.

- **Clause 5.21 – Flood Planning**

The site is identified to be located within a flood prone area. It is noted that the location of the existing built form and proposed structures, are not located within this area as shown in **FIGURE 7** below. Despite this, it is not anticipated that the proposed development will adversely be affected by the sites flooding potential.

The construction of the development will meet the National Construction Code and the structural integrity to ensure the building can withstand the relevant flood hazard. Accordingly, it is not anticipated that the proposed development would result in an increased risk to life as a result of a flood event.





*Figure 7: Flood Prone Area (Source: NSW ePlanning Spatial Viewer)*

- **Clause 7.1 – Acid Sulfate Soils**

The site is identified with Class 5 and Class 4 Acid Sulfate Soils (ASS). The proposed development does not involve any works via which the water table will be lowered more than 1m below the natural ground surface. Accordingly, neither an investigation into the presence of Acid Sulfate soils or an Acid Sulfate Soils Management Plan is required. The proposal does not disturb, expose or drain Acid Sulfate soils.

- **Clause 7.2 – Earthworks**

Earthworks for the proposed development will be minimal in nature. Earthworks will be for the levelling of the site for the footings/slab for the proposed additions and new farm building. No detrimental effects are anticipated to result from the proposed minor works.

### **3.4 DEVELOPMENT CONTROL PLAN (DCP)**

Consideration of compliance and/or consistency with the relevant provisions of the Maitland DCP 2011 is provided in the Table of Compliance provided at **APPENDIX 2**. The Table of

Compliance identifies that the proposed development demonstrates compliance with the relevant provisions of the DCP or overarching objectives where variations are proposed.

## **4 LIKELY IMPACTS OF THE DEVELOPMENT**

The likely impacts of the proposed development and constraints affecting the subject site have been explored throughout this SEE. The following sections detail the major potential impacts and constraints in greater detail, in accordance with Section 4.15(1) of the EP&A Act 1979.

### **4.1 BUILT ENVIRONMENT**

#### **4.1.1 CONTEXT, SETTING AND VISUAL IMPACT**

The proposed development involves a proposed farm building and alterations and additions to an existing farm building. Due to the low scale nature, design and location of the proposed development, there are no anticipated adverse impacts on the existing built environment or HCA.

The proposed development will reinforce the nature of the locality and is characteristic of other developments in both the local and wider community. The proposal addresses the context of the area and has minimal visual impact on the surrounding landscape.

The proposed farm building and alterations and additions is intended to provide safe and secure storage for vehicles as well as farm machinery and attachments utilised for the management of the land. The farm building has been proposed to enable the owners to securely store their vehicles, equipment, and materials required to maintain the site for its zoned purpose of Primary Production.

This will reduce the likelihood of damage, weathering, and theft. This will keep these vehicles/machinery in good working order and will minimise any potential safety concerns with their operation.

The proposed development will see the erection of a new farm building near the centre of the property. The farm building will be of steel construction sitting on a concrete slab. The proposed farm building will have a floorspace of 351.3m<sup>2</sup>, with dimensions of 28.104m long, 12.5m span, and a height of 6.047 m.

The proposed development has demonstrated consistency with the surrounding locality through the environmental planning regulations and site features informing the development design. It has also shown to be consistent with the rural surroundings through its consistency with the existing residential/rural development of the area.

The proposed farm building will be clad in the selected galvanised corrugated iron which will complement the natural surrounds to further minimise the visual impact and will be consistent with other farm buildings in the immediate locality whilst complementing the natural landscape and surrounds.

The proposed farm building remains consistent with planning framework and will not adversely impact on the visual amenity of the subject site or greater area.

There are no anticipated adverse impacts on the built environment as a result of the proposed development. No detrimental effects to the environment or visually are expected to result from the proposed development given its suitability to the site. The proposed development is considered to satisfy Council's criteria for development within a heritage conservation area.

#### **4.1.2 ACCESS, TRANSPORT AND TRAFFIC**

Current access from Close Street has been in existence for many years. No change to access is proposed within this development.

No additional traffic is expected to be generated from the site as a result of the proposed farm building development. It is considered that the proposed development will not have a detrimental impact on the road network.

#### **4.1.3 PUBLIC DOMAIN**

The proposed development will not have an impact on any public domain.

#### **4.1.4 SERVICES AND WASTE WATER MANAGEMENT**

The site is currently connected to electricity and telecommunications services.

The site does not have capacity to connect to sewer available in the street network as per the BYDA search results and stamped HWC plan contained here as **APPENDIX 6** and **APPENDIX 8**.

A Section 68 Application will be submitted for an on-site waste management system and water will be provided via rainwater storage tanks.

#### **4.1.5 NOISE AND VIBRATION**

There are no vibration impacts have been identified as part of this SoEE.

Construction noise will be as per normal construction times and processes and will cease once construction is completed.

The proposed agricultural use will be continued and any noise associated with the agricultural activities is consistent with the zone and the surrounding area. The proposed development will not have any adverse effects on the surrounding area.

#### **4.1.6 HERITAGE**

The site of the proposed development is located within Morpeth Heritage Conservation Area as identified under MLEP.

The proposed development involves a proposed farm building and alterations and additions to the existing farm building on site. The proposed development will not result in a significant variation to the presentation of the existing building given its intended location will not be visible from Edward Street. The proposed development will not result in a significant impact on the HCA.

The SoHI concludes that The proposal is sympathetic to the character of the Morpeth Heritage Conservation Area and will not negatively impact upon heritage items in the area.

The above assessment demonstrates that the proposed development will have minor impact on the HCA streetscape. It is considered that the cultural significance of the area is maintained with the conservative layout proposed. In this regard, the proposed development is consistent with the objectives and requirements of Clause 5.10 and should be considered for approval.

## **4.2 NATURAL ENVIRONMENT**

### **4.2.1 ECOLOGICAL**

The proposed development does not require any vegetation removal. It is not anticipated that the development will negatively impact the ecological environment.

### **4.2.2 LANDSCAPING**

There are no proposed landscaping plans associated with this application.

### **4.2.3 ARCHAEOLOGY**

A search of the Aboriginal Heritage Information Services (AHIMS) database (08 December 2022) did not identify the subject site as containing any Aboriginal sites or places as shown in **APPENDIX 9**. Accordingly, it is considered that there will be negligible impact on Aboriginal Heritage.

### **4.2.3 STORMWATER**

Additional stormwater runoff will be captured by rainwater storage tanks of suitable capacity and used on site to support the agricultural use of the property.

Capacity and details of the proposed rainwater storage tanks will be determined prior to issue of a Construction Certificate.

## **4.3 SOCIAL AND ECONOMIC**

There are no anticipated adverse social or economic impacts as a result of the proposed development, rather it is considered the proposal will contribute positively to the social elements of the locality through a retention of local residents. The proposed farm building will have positive emotional / social benefits for the landowner.

The construction of the proposed development will provide employment opportunities in the locality and support the local building and development industries. This will have direct monetary input to the local economy. The proposed development is not considered out of character with the existing context, will not involve an increased risk to public safety and will not threaten the existing sense of community, identity or cohesiveness.

#### **4.3.1 SAFETY, SECURITY AND CRIME PREVENTION**

No safety or security for crime prevention measures are required as a result of the proposed development. The proposed farm building and alterations and additions will improve security of the site by providing safe and secure storage space for valuable vehicles, equipment, and other belongings, reducing the risk of crime or theft. The proposed development will not create any safety, security or crime concerns on or around the site.

#### **4.3.2 FLOODING**

The site is identified to be located within a flood prone area. However, it is noted that the location of the existing built form and proposed additions are not located within this area as shown in **FIGURE 7** above, however, the new proposed farm building is located within the flood planning area. Despite this, it is not anticipated that the proposed development will adversely be affected by the sites flooding potential.

The proposed development has been designed and located to minimise the flood risk to life and property associated with the agricultural use of the land.

Flood behaviour will not be affected by the proposed development whilst providing safe occupation and efficient evacuation if necessary in a flood event.

The proposed development presents a well-considered addition to the site whilst minimising environmental impacts and enabling the continued agricultural use of the site. The flood risk associated with the proposed development is considered low and measures have been taken to minimise risk associated to life and property on the site in a potential flood event.

#### **4.3.3 ACID SULFATE SOILS**

This site is identified as affected by Class 4 Acid Sulfate Soils. No excavation or soil disturbance greater than 2m below natural ground level is proposed.

## **5 SUITABILITY OF THE SITE AND PUBLIC INTEREST**

The proposal is consistent with the zone permissibility and considered to be in accordance with MLEP legislative requirements and MDCP controls for the site. The proposed development is for a proposed farm building and alterations and additions to an existing farm building. The proposed development is consistent with the agricultural use of the site, the Maitland DCP and LEP. The site is therefore considered appropriate for the development and the proposed modifications.

The public interest is best served by the orderly and economic use and development of land for purposes permissible under the relevant planning regime and predominantly in accordance with the prevailing planning controls. The development proposal as outlined by this SoEE, has minimal impact on the surrounding locality and is considered compatible with the development in the area.

The development is considered to be in the public interest as it:

- Is a permissible form of development, and
- Is consistent with the applicable environmental planning instruments.

The proposal represents a positive contribution to the public realm and is considered to be in the public's best interest.

## **6 ANY SUBMISSIONS AND CONSULTATION**

As part of the DA consideration process, it is envisaged Council may place the proposal on public exhibition and send neighbour notification letters to adjoining or adjacent properties in accordance with the Community Participation Plan. We welcome the opportunity to respond to any submission made in relation to this development application.

## **7 CONCLUSION**

This SEE has shown that the development is within the public's interest, both socially, economically and environmentally. The proposed farm building and alterations and additions to existing farm building is a compatible development option for the site. Any relevant matters have been addressed through this SoEE, with any potential issues managed or mitigated.

The development is considered suitable as;

- The proposed development is permissible pursuant to Clause 2.8 of the MLEP;
- The proposed development will support the agricultural use of the site; and
- The development can manage or mitigate any environmental impacts.

It is considered that the proposal will have negligible impacts on the surrounding properties that is likely to adversely affect their enjoyment or amenity.

We look forward to Council's determination of this matter. If we can provide any further information or clarity, please don't hesitate to contact us.



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