

APPENDIX C - STATUTORY COMPLIANCE TABLE

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STATUTORY REFERENCE	RELEVANT CONSIDERATIONS	INFLUENCE ON EIS	RELEVANT EIS SECTION
Environmental Planning and Assessment Act 1979			
Section 1.3 Objectives of the Act	<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The proposed poultry feed mill will deliver a new, state of the art, poultry feed mill, which in conjunction with the existing mill, will have the capacity to produce up to 16,200T of poultry feed per week which will underpin expansion of the poultry industry in the New England Region. As demonstrated in the EIS, the mill has been specifically located and designed with consideration of the findings of technical assessments concerning, cultural heritage, biodiversity, contamination, bushfire and stormwater flows to avoid direct impacts.	The Entire EIS.
	<i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	A discussion of the proposal's compliance with the principles of Ecologically Sustainable Development is also provided.	Section 7.5.4
	<i>(c) to promote the orderly and economic use and development of land,</i>	The proposal capitalises on the existing investment in infrastructure on the site and supports the ongoing expansion of the broader poultry industry and economic development in the New England Region. The use of the existing site maintains efficient access to both ingredient supply and end users of poultry feed and makes best use of the characteristics of the site which make it ideal for the project including:	The Entire EIS

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		- Centrally located with respect to ingredient supplies and end users (poultry farms). - Availability of all necessary, supporting infrastructure including, water supply, natural gas, power and road networks (including B-Double / A-Double Routes). - Established supply chains and service providers. - Appropriate zoning and strategic support within LEP, DCP and regional planning documents. - No significant site based, biophysical, cultural or physical development constraints. - Sufficient land area to provide appropriate separation from sensitive receptors and residential zoned land to avoid amenity impacts.	
	<i>(d) to promote the delivery and maintenance of affordable housing,</i>	N/A	
	<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	Historically the subject land (the impact area) and broader study area (Lot 1 DP1077646) has been cleared as a result of the past agricultural and feed mill activities. However, the location of the proposed mill was subject to voluntary re-vegetation undertaken by the Applicant in 2001. The new feed mill has an impact area of 6.03ha. The impact area contains planted native trees within the central portion, grassland within the far west and	Section 6.1 Appendix K

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		maintained low grassland in the east along the road to the existing feed mill. The vegetation surveys determined that the impact area includes the following assemblages: • Planted Native Trees (2.70 ha). • Derived Grassland (2.74 ha). • Low Maintained Introduced Grassland (0.50 ha). • Introduced Vegetation (0.13 ha). Due to the composition of the ground layer and the presence of the Blakey's Red Gum adjoining the site, the two vegetation areas were considered to be disturbed variations of PCT 599 - Blakely's Red Gum - Yellow Box grassy tall woodland on flats and hills in the Brigalow Belt South Bioregion and Nandewar Bioregion, as such, assessment under the BC Act and the preparation of a BDAR was required. The submitted BDAR provides detailed consideration of impacts on significant flora, fauna, and ecological communities which demonstrates that the project will not result in any unacceptable impacts on the natural environment. Mitigation measures have also been proposed as part of the construction and operation phase to help minimise the potential impacts to biodiversity values that remain present within the study area.	
	<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	In 2021, Niche Environment and Heritage Pty Ltd (Niche) completed an Aboriginal and Historic Heritage Constraints Assessment for the project to assist in locating the proposed feed mill. As a	Section 6.2 Appendix L

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		result of this work, the mill was specially sited within low-risk areas. Subsequent to the preliminary assessment, OzArk Environment & Heritage were engaged to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR). Consistent with the original study, the ACHAR concluded that there are no identified impacts to Aboriginal cultural heritage values as no Aboriginal sites were recorded, and no intangible heritage values have been identified within the study area. The results of the surface survey indicate that significant Aboriginal cultural heritage values will not be harmed within the study area.	
	<i>(g) to promote good design and amenity of the built environment,</i>	The proposed development will be a modern, best practice and purpose-built poultry feed mill located centrally on the site. With respect to potential amenity impacts, detailed investigations have been undertaken with respect to noise, odour, dust, hazards, visual, social and economic aspects with have shown the proposed development will operate within the relevant statutory criteria and will have positive economic impacts in terms of employment, capital expenditure and local spending on goods and services.	Section 3.3 Appendix B
	<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The proposed development will be a modern, best practice and purpose-built poultry feed mill located centrally on the site. Potential Hazards are considered in the Preliminary Hazards Assessment.	Section 3.3 Section 6.9 Appendix Q

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	<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	N/A	N/A
	<i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i>	Consultation was undertaken as required within the Secretary's Environmental Assessment Requirements (SEARs) with the relevant Local and State government authorities, service providers, community groups, and surrounding landowners likely to be impacted by the proposal.	Section 5.0 Appendix H
Section 4.15 Evaluation	Relevant Environmental Planning Instruments • <i>Environmental Planning and Assessment Act 1979</i> • <i>Environmental Planning and Assessment Regulation 2021</i> • <i>State Environmental Planning Policy (Planning Systems) 2021</i> • <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> • <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> • <i>Tamworth Regional Local Environmental Plan 2010</i> • <i>Biodiversity Conservation Act 2016</i>	All relevant Environmental Planning Instruments have been considered were relevant in the EIS.	Section 4.0
	Draft environmental planning instruments	N/A	N/A
	Planning Agreements	N/A	N/A
	<i>Environmental Planning and Assessment Regulation 2021</i>	Refer to response below.	
	Development Control Plans:	Refer to response below.	

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	Tamworth Regional Development Control Plan 2010		
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The likely impacts of the development are assessed in detail within the EIS.	Section 6.0
	The suitability of the site.	The proposed development complies with the relevant statutory planning instruments and will not result in significant adverse environmental impacts on the receiving environment. The proposal capitalises on the existing investment in the site and supports the ongoing expansion of the broader poultry industry and economic development in the region. Where potential impacts have been identified, suitable mitigation and management measures have been implemented. Accordingly, approval of the proposed development on the site is considered to be suitable.	Section 7.6
	Any submissions made.	Submission will be considered as part of the assessment process.	N/A
	The public interest.	The findings of the detailed technical assessments undertaken in relation to the proposed feed mill show that is not forecast to result in significant or unacceptable adverse environmental impacts on the receiving environment. Where potential impacts have been identified, suitable mitigation and management measures have been implemented. With consideration of the positive impacts, the proposed development	Section 7.7

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		represents a substantial improvement to current milling operations, involves significant capital investment for construction of the new mill, and will play a pivotal role in supporting the forecast growth in poultry production in the region. With consideration of these factors the project is in the public interest.	
<i>Environmental Planning and Assessment Regulations 2000</i>			
Section 191 – Compliance with environmental assessment requirements	Section 191 requires that an EIS must comply with the environmental assessment requirements issued by the Planning Secretary.	This EIS has been prepared in accordance with the requirements of Section 191 of the <i>Environmental Planning and Assessment Regulation 2021</i> .	The Entire EIS Appendix A
<i>Biodiversity Conservation Act 2016</i>			
Section 7.14	The Minister for Planning, when determining in accordance with the <i>Environmental Planning and Assessment Act 1979</i> any such application, is to take into consideration under that Act the likely impact of the proposed development on biodiversity values as assessed in the biodiversity development assessment report. The Minister for Planning may (but is not required to) further consider under that Act the likely impact of the proposed development on biodiversity values.	Historically the subject land (the impact area) and broader study area (Lot 1 DP1077646) has been cleared as a result of the past agricultural and feed mill activities. However, the location of the proposed mill was subject to voluntary re-vegetation undertaken by the Applicant in 2001. The new feed mill has an impact area of 6.03ha. The impact area contains planted native trees within the central portion, grassland within the far west and maintained low grassland in the east along the road to the existing feed mill. The vegetation surveys determined that the impact area includes the following assemblages: • Planted Native Trees (2.70 ha). • Derived Grassland (2.74 ha).	Section 6.1 Appendix K

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		- Low Maintained Introduced Grassland (0.50 ha). - Introduced Vegetation (0.13 ha). Due to the composition of the ground layer and the presence of the Blakey's Red Gum adjoining the site, the two vegetation areas were considered to be disturbed variations of PCT 599 - Blakely's Red Gum - Yellow Box grassy tall woodland on flats and hills in the Brigalow Belt South Bioregion and Nandewar Bioregion, as such, assessment under the BC Act and the preparation of a BDAR was required. The submitted BDAR provides detailed consideration of impacts on significant flora, fauna, and ecological communities which demonstrates that the project will not result in any unacceptable impacts on the natural environment. Mitigation measures have also been proposed as part of the construction and operation phase to help minimise the potential impacts to biodiversity values that remain present within the study area.	
State Environmental Planning Policies			
State Environmental Planning Policy (Planning Systems) 2021 Chapter 2	The proposed development is identified as State Significant Development (SSD) in accordance with Clause 2.6 and Schedule 1, Item 3: <i>3 Agricultural produce industries and food and beverage processing</i> <i>Development that has an estimated development cost of more than \$30 million for any of the following purposes—</i> <i>(a) abattoirs or meat packing, boning or products plants, milk or butter factories, fish packing, processing,</i>	The estimated development cost of the new mill is \$83.7 million and accordingly is classified as State Significant Development.	Appendix Y

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	canning or marketing facilities, <u>animal or pet feed production</u>, gelatine plants, tanneries, wool scouring or topping or rendering plants, (b) cotton gins, cotton seed mills, sugar mills, sugar refineries, <u>grain mills or silo complexes</u>, edible or essential oils processing, breweries, distilleries, ethanol plants, soft drink manufacture, fruit juice works, canning or bottling works, bakeries, small goods manufacture, cereal processing, margarine manufacturing or wineries, (c) organic fertiliser plants or composting facilities or works.		
State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 3	3.11 Preparation of preliminary hazard analysis 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. 3.12 Matters for consideration by consent authorities 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)— (a) current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and (b) whether any public authority should be consulted concerning any environmental and land use safety	A Preliminary Hazard Analysis been prepared as per the requirements of SEPP (Resilience and Hazards) 2021 to determine whether the policy applies to the Project. The PHA provides an assessment of the dangerous goods to be stored and used onsite against screening threshold limits outlined in the "Applying SEPP33," guideline published by the Department of Planning NSW. The screening assessment of dangerous goods indicates that none of the hazardous material proposed to be stored on-site would exceed the threshold levels and as such, the development should not be classified as a 'Hazardous' or 'Offensive' industry. The SEPP (Resilience and Hazards) 2021 also requires consideration of other risk factors, and in this regard the proposed development is considered a 'Potentially Hazardous Industry' due to the risk of dust explosion. A Level 2 risk assessment was conducted for the dust explosion scenario, which concluded that from a land use	Section 6.9 Appendix Q

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	<i>requirements with which the development should comply, and</i> <i>(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</i> <i>(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</i> <i>(e) any likely future use of the land surrounding the development.</i>	safety planning perspective, if no action is taken, a potential dust explosion would not have off-site impacts, and no land use or persons outside the site boundary would be affected. This is largely because, the silos are not rated to withstand large pressures and would rupture before reaching a large enough pressure to impact over the site boundary and would primarily impact immediately adjacent areas.	
State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4	<i>4.6 Contamination and remediation to be considered in determining development application</i> <i>(1) A consent authority must not consent to the carrying out of any development on land unless—</i> <i>(a) it has considered whether the land is contaminated, and</i> <i>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i> <i>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</i> <i>(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the</i>	A detailed Contaminated Site Assessment Report has been prepared by SMK Consultants to determine if there was any contamination on the subject site. The investigation took into consideration the characteristics of the site, historical land uses and adjoining land uses when analysing potential sources of contamination. The contamination investigation conducted at the proposed new Tangaratta feedmill site found no areas or materials of concern. Analytical results for soils and water sampled were below the thresholds for commercial/industrial criteria and water quality guidelines for livestock watering. The site's condition and past/current activities suggest a low potential for significant contamination.	Section 6.3 Appendix J

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	<i>findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</i>	The assessment concludes that development site does not contain contaminated land that would impact construction of the Tangaratta Feedmill or pose an unacceptable risk to human health or the surrounding environment.	
State Environmental Planning Policy (Transport and Infrastructure) 2021 Chapter 2	<i>2.47 Excavation—corridors and transmission circuits</i> <i>(1) This section applies to a development application, or an application for modification of a consent, for development that involves the following—</i> <i>(a) the penetration of ground to a depth of at least 3m below ground level (existing) on land that is within 10m, measured radially, of the centreline of the following electricity supply corridors, or parts of those corridors—</i> <i>(i) the part of the Picnic Point to Haymarket corridor, as approved by the Minister on 1 February 2002, that runs between Sydney Park and Haymarket,</i> <i>(ii) the Haymarket to Surry Hills corridor, as approved by the Minister on 21 December 2001,</i> <i>(iii) the City West Cable Tunnel corridor, as approved by the Minister on 21 February 2007,</i> <i>(b) the penetration of ground to a depth of at least 0.5m below ground level (existing) on land that is within 15m, measured radially, of the centreline of the Potts Hill to Alexandria underground transmission cable circuit, as approved by the Minister on 14 May 2020.</i> <i>(2) Before determining an application to which this section applies, the consent authority must—</i> <i>(a) give written notice of the application to the electricity supply authority for the area in which the development is to be carried out, and</i>	The development will involve stormwater management works within 5m of an overhead powerline located at the rear of the new feed mill, which will moving of the power line. As such, referral to the electricity supply authority (Essential energy) will be required.	Section 3.5.1

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	<i>(b) take into consideration any response to the notice that is received within 21 days after the notice is given, and</i> <i>(c) be satisfied that any safety risks associated with the development or modification to which the application relates have been identified, and</i> <i>(d) take those risks into consideration.</i>		
Chapter 2	<i>2.98 Development adjacent to rail corridors</i> <i>(1) This section applies to development on land that is in or adjacent to a rail corridor, if the development—</i> <i>(a) is likely to have an adverse effect on rail safety, or</i> <i>(b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or</i> <i>(c) involves the use of a crane in air space above any rail corridor, or</i> <i>(d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.</i> <i>(3) Despite subsection (2), the consent authority is not required to comply with subsection (2)(a) and (b)(i) if the development application is for development on land that is in or adjacent to a rail corridor vested in or owned by ARTC or the subject of an ARTC arrangement.</i> <i>(4) Land is adjacent to a rail corridor for the purpose of this section even if it is separated from the rail corridor by a road or road related area within the meaning of the Road Transport Act 2013.</i>	The proposed development is located adjacent to and includes (for access purposes) Lot 1 on DP1077646 as the existing access driveway to the site traverses the Main Northern Rail Line Corridor. This is an unconstructed rail corridor running north / south along Wallamore Road owned by the NSW State Rail Authority and managed by UGL Regional Linx. It is important to note that no new works are proposed within the Main Northern Rail Line Corridor, and the new mill will be accessed via the existing driveway. As this rail corridor is not in use and no works are required in this corridor, works or activities are proposed which will have an adverse impact on rail safety. The application will utilise the existing access driveway to the site which traverses the unconstructed, Main Northern Rail Line Corridor. As such, the applicant has been in regular consultation with UGL Regional Linx who manages this asset on behalf of the NSW State Rail Authority and managed by UGL Regional Linx.	Section 5.1.2.3

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		Since January 2024, the Applicant has been liaising with UGL Regional Linx to obtain Landowner Consent for lodgement of the State Significant Development Application. In this regard, a copy of the Draft EIS was provided to UGL Regional Linx on 23 May 2024. Consent for lodgement of the Application was subsequently provided to facilitate lodgement of the Application. In addition, the Applicant is working with UGL Regional Linx to update access and infrastructure licenses for existing services which cross this corridor.	
State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 3	3.7 Step 2—Is the land core koala habitat? (1) Before a council may grant consent to a development application for consent to carry out development on land to which this Part applies that it is satisfied is a potential koala habitat, it must satisfy itself as to whether or not the land is a core koala habitat. (2) The council may be satisfied as to whether or not land is a core koala habitat only on information obtained by it, or by the applicant, from a person with appropriate qualifications and experience in biological science and fauna survey and management. (3) If the council is satisfied— (a) that the land is not a core koala habitat, it is not prevented, because of this Chapter, from granting consent to the development application, or (b) that the land is a core koala habitat, it must comply with section 3.8.	The principal aim of this Chapter is 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. Chapter 3 applies to land that the Chapter 4 does not apply to as defined in Schedule 2 of SEPP (Biodiversity Conservation) 2021. This includes land zoned as RU2 in the Tamworth Regional Local Environmental Plan 2010 (LEP). This Chapter applies to areas of more than one hectare or an area, which has together with any adjoining land in the same ownership an area of more than 1 hectare, whether or not the development application applies to the whole, or only part of the land. The study area and subject land is zoned as RU2 and constitutes an area over 1ha therefore Chapter 3 applies. In addressing this Chapter the Ecological	Section 6.1.3 Appendix K

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		Assessment is first required to consider if the site constitutes Potential Koala Habitat. ‘Potential Koala Habitat’ is defined in Chapter 3 as, “...an area of native vegetation where trees of the type listed in Schedule 1 (Koala feed tree species) constitute at least 15% of the total number of trees in the upper or lower strata of the tree component”. No planted trees were identified within the subject land as specimens of listed Schedule 2 trees. A small number of planted <i>Eucalyptus albens</i> (White Box) trees were observed within the study area to the north of the subject land. These trees are not likely to constitute at least 15% of the total number of planted trees within the study area. No Koala scats or recent scratches were found within the vicinity of the site despite targeted searches. No koalas have been recorded within the vicinity of the study area according to the BioNet Database (DPE, 2024). Accordingly, the vegetation to be impacted by the propose feed mill does not constitute potential koala habitat and further consideration under this chapter is not required.	
Tamworth Regional Local Environmental Plan 2010			

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Tamworth Regional LEP 2010 – Clause 7.1(3)	(3) Before granting development consent for earthworks, the consent authority must consider the following matters— (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	Stormwater flows around the feed mill site will be collected and directed through a new internal network of stormwater pits, pipes, and open channels. Modelling shows that the proposed system will not create any actionable nuisance for upstream and downstream flows. In order to achieve the pollutant load reduction targets for the development, it is proposed to use mechanical and natural treatment methods to treat the runoff prior to discharge from the site. Water quality modelling shows that the proposed treatment train meets the levels required by Tamworth Regional Council and Industry Best Management Practice	Section 6.4 Appendix M
Tamworth Regional LEP 2010 – Clause 7.6 (2) - (3)	(2) Development consent must not be granted to erect a building on land in the flight path of the Tamworth Airport if the proposed height of the building would exceed the obstacle height limit determined by the relevant Commonwealth body. (3) Before granting development consent to the erection of a building in the flight path of the Tamworth Airport, the consent authority must— (a) give notice of the proposed development to the relevant Commonwealth body, and (b) consider any comment made by the relevant Commonwealth body within 28 days of the body having been given notice of the proposed development, and	The site is located approximately 2.7km north of the Tamworth Airport and is partially mapped within the Flight Training Path Map and Obstacle Limitation Surface (OLS) Map of the TRLEP. Clause 7.6 (2) of the Tamworth Regional TRLEP, requires the consent authority to grant consent for the erection of a building on land in the flight path of the Tamworth Airport if the proposed height of the building would exceed the obstacle height limit determined by the relevant Commonwealth body. The proposed feed mill will have a maximum stack height of 36.615m and does not exceed 45m above ground level.	Section 2.5.6 Appendix AA

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	<i>(c) consider whether the proposed use of the building will be adversely affected by the exposure to aircraft noise.</i>	With respect to land identified within the Flight Training Path, Clause 7.7 of the TRLEP, requires the consent authority to consider measures for the insulation of any building on that land from aircraft noise. As the proposed development involves a rural industry, it is not considered to be sensitive to aircraft noise.	
Tamworth Regional Development Control Plan 2010			
Step 3: General Development Specifications Other Types of Development Controls	Parking - Parking must be provided as per the Schedule in Appendix 1. - Where calculation of parking spaces required results in a fraction of a space, the total required number of spaces will be the next highest whole number. - Parking and traffic requirements will be based on consideration of: - Likely peak usage times - The availability of public transport - Likely demand for off street parking generated by the development; - Existing traffic street network; and - Efficiency of existing parking provision in the location - Comply with AS2890.1 Parking Facilities Off Street Car Parking and AS2890.6 Parking Facilities Off Street Parking for People with a Disability	Appendix 1 does not prescribe a staff parking rate for a rural industry and require the relevant provisions to be determined as part of a Traffic Assessment Report. In this regard, at full operation, the proposed feed mill will be operated by 22 full time equivalent (FTE) staff. The existing feed mill currently provides 15 full time equivalent (FTE) positions. During Stage 1 of the development the existing mill will require 10 FTE's and the new mill will require 12 FTE's. Upon completion of Stage 2, staff will be involved in the new mill operations. To accommodate the employees onsite an office / staff amenities building is provided with 24 new parking spaces, in addition to the 20 provided at the existing mill. All spaces meet the requirements of the Australian Standards.	Section 6.7 Appendix P

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	<i>Manoeuvring areas within the development must be designed to accommodate a B99 vehicle under AS2890.1 Parking Facilities Off Street Parking.</i> <i>Where existing premises are being redeveloped or their use changed, the following method of calculation shall apply:-</i> <i>a) Determine the parking requirements of the previous or existing premises in accordance with any existing development consent</i> <i>b) Determine the parking requirement of the proposed development in accordance with Appendix A;</i> <i>c) Subtract the number of spaces determined in (a) from the number of spaces calculated in (b)</i> <i>The difference calculated in (c) represents the total number of parking spaces to be provided either in addition to the existing on-site car parking or as a cash-in-lieu contribution to Council where applicable.</i>		
	Landscaping <i>Location and grouping of plant types shall be multi-functional providing privacy, security, shading and recreation functions.</i> <i>Landscaping or shade structures shall be provided in outdoor car parking areas where >10 spaces are required, to provide shading and soften the visual impact of large hard surfaces.</i> <i>Landscaping shall comprise low maintenance, drought and frost tolerant species.</i>	Landscaping will be provided as shown on the landscaping plan (Appendix B), which includes a variety of plant species throughout and around the car parking area, and surrounding access road and new building.	Section 3.3.4 Appendix B

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	Outdoor Lighting - All developments shall demonstrate compliance with AS4282 Control of Obtrusive Effects of Outdoor Lighting. - Sweeping lasers or searchlights or similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal is prohibited. - Illuminated advertising signs should be extinguished outside of operating hours, or 11pm, whichever is earlier.	All outdoor lighting will be designed to comply with AS4282. No lasers, searchlights, or high intensity lights are proposed.	N/A
	Bushfire Prone Land - The plans prepared to accompany a DA located in a bushfire prone area, being land that is identified on a map certified by the Rural Fire Service, must illustrate the required Asset Protection Zone (APZ). - DAs for development located in a bushfire prone area must be accompanied by either a Bushfire Attack Level Self Assessment (BAL) or a Bushfire Planning and Design Report (BPAD). - Where the DA is accompanied by a BPAD report, Council's bushfire assessment fee will not be applicable.	The site is located on land that is mapped by the RFS as bush fire prone land containing Category 3 vegetation. <i>Planning for Bush Fire Protection 2019</i> (PBP) applies to all DAs on bush fire prone land. As required by Section 1.4 of the PBP, Integrated Consulting has been engaged to prepare a Bush Fire Assessment Report. The assessment concludes that, on completion, the proposed development is in an area that has an acceptable bushfire hazard level (i.e. ≤BAL-29), and with the implementation of the recommendations, is considered to be appropriately protected from bushfire and complies with the requirements of PBP.	Section 6.10 Appendix R
Step 3: General Development Specifications	Environmental Effects The application documentation shall identify any potential environmental impacts of the development and demonstrate how they will be mitigated. These impacts may relate to:	The likely impacts of the development are assessed in detail within the EIS.	Section 6.0

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STATUTORY REFERENCE	RELEVANT CONSIDERATIONS	INFLUENCE ON EIS	RELEVANT EIS SECTION
Environmental Controls	– Traffic – Flood liability – Slope – Construction impacts – Solid and Liquid Waste – Air quality (odour and pollution) – Noise emissions – Water quality – Sustainability		
	Soil and Erosion Control • <i>Runoff shall be managed to prevent any land degradation including offsite sedimentation.</i> • <i>Reference shall be made to the NSW Governments Managing urban stormwater: soils and construction, Volume 1 (available from Landcom), commonly referred to as “The Blue Book”.</i> • <i>Cut and fill will be minimised and the site stabilised during and after construction.</i> • <i>Arrangements in place to prompt revegetation of earthworks to minimise erosion.</i>	A Stormwater Management Plan has been prepared by MPN Consulting which will be adhered to at all times and includes erosion and sediment control measures (refer to Appendix 11). Stormwater quality and quantity will be carefully managed during the operation and construction phases, to levels required by Tamworth Regional Council and Industry Best Management Practice.	Section 6.4 Appendix M
	Vegetation • <i>Development design shall accommodate the retention of any significant trees and vegetation</i>	Historically the subject land (the impact area) and broader study area (Lot 1 DP1077646) has been cleared as a result of the past agricultural and feed mill activities. However, the location of the proposed mill was subject to voluntary re-vegetation undertaken by the Applicant in 2001. The new feed mill has an impact area of 6.03ha. The impact area contains planted native trees within the central portion, grassland within the far west and	Section 6.1 Appendix K

APPENDIX C - STATUTORY COMPLIANCE TABLE

STATUTORY REFERENCE	RELEVANT CONSIDERATIONS	INFLUENCE ON EIS	RELEVANT EIS SECTION
		maintained low grassland in the east along the road to the existing feed mill. The vegetation surveys determined that the impact area includes the following assemblages: - Planted Native Trees (2.70 ha). - Derived Grassland (2.74 ha). - Low Maintained Introduced Grassland (0.50 ha). - Introduced Vegetation (0.13 ha). Due to the composition of the ground layer and the presence of the Blakey's Red Gum adjoining the site, the two vegetation areas were considered to be disturbed variations of PCT 599 - Blakely's Red Gum - Yellow Box grassy tall woodland on flats and hills in the Brigalow Belt South Bioregion and Nandewar Bioregion, as such, assessment under the BC Act and the preparation of a BDAR was required. The submitted BDAR provides detailed consideration of impacts on significant flora, fauna, and ecological communities which demonstrates that the project will not result in any unacceptable impacts on the natural environment. Mitigation measures have also been proposed as part of the construction and operation phase to help minimise the potential impacts to biodiversity values that remain present within the study area.	
	Waste Management General waste storage and collection arrangements shall be specified.	Waste management is critical to the operation of an efficient and profitable feed mill. As on similar sites, the applicant will adopt measures to ensure that all waste generated from activities on the site are reused and recycled where practical or	Section 6.13 Appendix U

APPENDIX C - STATUTORY COMPLIANCE TABLE

STATUTORY REFERENCE	RELEVANT CONSIDERATIONS	INFLUENCE ON EIS	RELEVANT EIS SECTION
		otherwise managed and disposed of in a manner that will not cause environment harm. Waste management actions for the site will be detailed in the Environmental Management Plan for the site.	
	Noise Where relevant, applications are to contain information about likely noise generation and the method of mitigation.	With respect to site noise, mitigation measures including an acoustic barrier are required to be implemented at the site to ensure the project complies with the relevant criteria. It is also important to note that the acoustic model assumes that all sources will be operating simultaneously. Therefore, actual received noise levels are expected to be less than the predictions shown in this report, or at worst equal to the predicted noise levels for only part of the time. Predicted noise levels from cars and trucks travelling to and from the site were compliant with the day and night criteria of the Road Noise Policy at surrounding residences. Construction noise has the potential to temporary exceed the applicable criteria at the nearest sensitive receptors, particularly the operation of mobile plant and during major concrete pours. Accordingly, a series of mitigation and management strategies are proposed to minimise emissions during this phase of the project.	Section 6.6 Appendix O
	Geology The design process must give consideration to the potential impact of erosive soils, saline soils, soils of low wet strength, highly reactive soils and steep slopes and document how these constraints are addressed.	No highly erosive, saline or reactive soils, steep slopes or other geological constraints have been identified which would constrain development of the site.	Section 2.5.2 Appendix Z

APPENDIX C - STATUTORY COMPLIANCE TABLE