



Grenfell Poultry Rearing/Breeder Farm

State Significant Development SSD-13855453

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Glossary

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
AHD	Australian Height Datum
Applicant	Baiada Properties Pty Ltd
BDAR	Biodiversity Development Assessment Report
CIV	Capital Investment Value
Council	Weddin Shire Council
DA	Development Application
Department	Department of Planning and Environment (DPE)
Development	The development as described in the EIS and RTS for a poultry rearing and breeding facility, including four poultry farms consisting a total of 40 fully enclosed, tunnel ventilated poultry sheds
DPI	Department of Primary Industries, Department of Regional NSW
E&H Group	Environment and Heritage Group (formerly Environment, Energy and Science Group)
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Former Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning

NRAR	Natural Resources Access Regulator, DPE
Planning Secretary	Secretary of the Department
PPU	Poultry Production Unit
RTS	Response to Submissions
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development
TfNSW	Transport for NSW

Executive Summary

This report details the Department of Planning and Environment's (the Department) assessment of a State significant development application (SSD-13855453) for the Grenfell Poultry Rearing and Breeder Farm. Baiada Properties Pty Ltd (the Applicant) proposes the construction and operation of an integrated poultry rearing and breeder farm at 1130 Gooloogong Road, Grenfell in the Weddin local government area (LGA).

The Applicant is part of the Baiada Group of Companies which includes other business brands such as Steggle's and Lilydale. Baiada is the largest producer of poultry meat in Australia and currently supplies approximately 35% of the national demand, including the sale of live poultry, poultry feed, fertile eggs, day old chickens, primary processed chicken, processed chicken products and pet food.

The site is located in an area dominated by agricultural uses and is 11 kilometres (km) north of Grenfell and covers 709 hectares (ha) of land zoned Primary Production (RU1) under the Weddin Local Environmental Plan 2011. The nearest rural residential dwelling is located at 1268 Gooloogong Road, approximately 1.5 kilometres to the north-west from the closest poultry farm proposed at the centre site.

Proposed Development

The Applicant seeks development consent to construct and operate an integrated poultry rearing and breeder farm over a footprint of 48 ha (approximately 7% of the site area) to produce fertile eggs for offsite hatching and use in the commercial meat production process. The proposed development (the development) would comprise four farms consisting of a total of 40 tunnel ventilated sheds to house up to 570,000 birds at any one time.

The development has a capital investment value of \$64 million and is expected to generate 60 construction jobs and 50 operational jobs.

Statutory Context

The development is classified as State significant development (SSD) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves construction and operation of intensive livestock agriculture that has a capital investment value of more than \$30 million, which meets the criteria in Clause 1 of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) as in force at the time. Consequently, the Minister for Planning is the consent authority for the proposed development under section 4.5(1) of the EP&A Act.

Engagement

The Department exhibited the Development Application and accompanying EIS for the development from 14 December 2021 until 1 February 2022. During the exhibition period, the Department received 11 submissions from the public (11 objections), a submission from Weddin Shire Council and advice from eight government authorities.

Key issues raised related to water security, animal welfare, biosecurity and management of zoonotic (diseases transferable from animals to humans) disease outbreaks, clearing of native vegetation, disturbance to an Aboriginal site, storage of dangerous goods, site access design, inconsistency with the Weddin LEP, and impacts associated with dust, odour, noise and visual amenity. The Department requested the Applicant address the matters raised in submissions and government authority advice in a Response to Submissions (RTS).

The Applicant submitted an RTS on 28 April 2022. The RTS included an amended layout and design plans and supporting updated assessments as required. This information was considered and further clarification was sought regarding residual issues relating to the site access arrangements and vegetation clearing. Following resolution of issues raised, on 19 September 2022, the Applicant provided its final summary of mitigation and management measures for the development.

Assessment

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development. The Department has identified the key issues for assessment as being odour, noise and water management.

Poultry farms have the potential to generate significant odour impacts. The Applicant carried out a quantitative air quality impact assessment in accordance with the best practice guidance in NSW and found the predicted worst-case odour concentrations to comply with the relevant criterion at the nearest residence. The Department has carefully considered the Applicant's assessment and is satisfied the building design, distance buffer and tree planting would minimise odour impacts at surrounding sensitive receivers and that ongoing best practice management proposed by the Applicant would manage any concerns should they arise. The Department has recommended conditions requiring the Applicant undertake an odour validation study and prepare an air quality management plan to ensure the ongoing operation of the development meets the air quality objectives and targets.

Given the rural nature of the existing environment, 24-hour operation of mechanically ventilated sheds and heavy vehicle transport, the development has the potential to impact on the acoustic amenity of nearby residential land uses. The Applicant's assessment considered the guidance from the Environment Protection Authority's Noise Policy for Industry and has been refined over the course of the assessment to ensure the development design incorporates adequate mitigation and management measures. The Department is satisfied the development has been designed to respond sensitively to the nearest residential property and would comply with the relevant noise criteria. The Department has recommended conditions requiring the Applicant undertake a noise verification study to confirm actual operational noise and implement additional controls should unforeseen impacts be identified.

Finally, the operation of an integrated poultry rearing and breeder farm at the site requires a secured water supply to meet ongoing demand and efficient water management to minimise potential impacts on the Wallah Wallah Creek. The Department's assessment found that flood risks are low subject to the implementation of design measures for bridge and culverts and the development has been designed to incorporate swales and detention basins to manage the quantity and quality of stormwater runoff. Regarding water demand, Central Tablelands Water has confirmed the availability of water supply to the development. The Department has recommended conditions to ensure design measures are fully implemented prior to the commencement of operation and require the Applicant prepare a set of flood response and water management plans to facilitate the ongoing implementation of best practice by its employees.

Summary

The Department's assessment concluded that the impacts of the development can be mitigated and/or managed to ensure an acceptable level of environmental performance, subject to the Applicant's commitments and the recommended conditions of consent.

Overall, the development is consistent with the objectives of the relevant NSW Government policies, would increase the diversity of the agricultural sector within Weddin Shire, would provide ongoing employment opportunities and would help minimise constraints in the chicken meat supply chain.

Consequently, the Department considers the development is in the public interest and is recommended for approval, subject to conditions.

Contents

1	Introduction	1
1.1	The Department’s Assessment	1
1.2	Development Background	1
1.3	Site Description	2
1.4	Surrounding Land Uses	4
1.5	The Applicant	4
1.6	Project Sector Description	4
2	Development	6
2.1	Description of the Development	6
2.2	Process Description	1
2.3	Applicant’s Need and Justification for the Development	3
3	Strategic context	4
4	Statutory Context	5
4.1	State Significance	5
4.2	Permissibility	5
4.3	Consent Authority	5
4.4	Other approvals	5
4.5	Mandatory Matters for Consideration	6
4.6	Public Exhibition and Notification	7
4.7	Objects of the EP&A Act	7
4.8	Legislative Amendments	8
4.9	Ecologically Sustainable Development	8
4.10	Commonwealth Matters	9
5	Engagement	10
5.1	Consultation	10
5.2	Submissions and Advice	10
5.3	Response to Submissions	12
5.4	Supplementary Information	13
6	Assessment	15
6.1	Odour and Dust	15
6.2	Noise	17
6.3	Water Management	19
6.4	Other Issues	24
7	Evaluation	34
8	Recommendation	36
9	Determination	37
	Appendices	38

Appendix A – List of Documents.....	38
Appendix B – Considerations under Section 4.15 of the EP&A Act.....	39
Appendix C – Consideration of Environmental Planning Instruments.....	40
Appendix D – Key Issues - Community Views	45
Appendix E – Recommended Instrument of Consent	49

1 Introduction

1.1 The Department's Assessment

This report details the Department of Planning and Environment's (the Department) assessment of the State significant development application (SSD-13855453) for the Grenfell Poultry Farm. The proposed development (the development) involves the construction and operation of a poultry breeding and rearing facility in Grenfell comprising 40 tunnel-ventilated climate-controlled poultry sheds with the capacity to house up to 570,000 birds at any one time and associated supporting infrastructure.

The Department's assessment considers all documentation submitted by the Applicant, including the Environmental Impact Statement (EIS), Response to Submissions (RTS), supplementary RTS, submissions received from the public and advice from government agencies. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

This report describes the development, surrounding environment, relevant strategic and statutory planning provisions and the issues raised in submissions. The report evaluates the key issues associated with the development and provides recommendations for managing any impacts during construction and operation.

1.2 Development Background

Baiada Properties Pty Limited (the Applicant) is seeking development consent to construct and operate an integrated poultry rearing and breeding facility at Grenfell in the Weddin Shire Local government area (LGA) (see **Figure 1**). The proposed integrated poultry facility, with a site population of up to 570,000 birds at any one time, will produce fertile eggs for distribution primarily to the Tamworth region for use in the commercial meat production process.

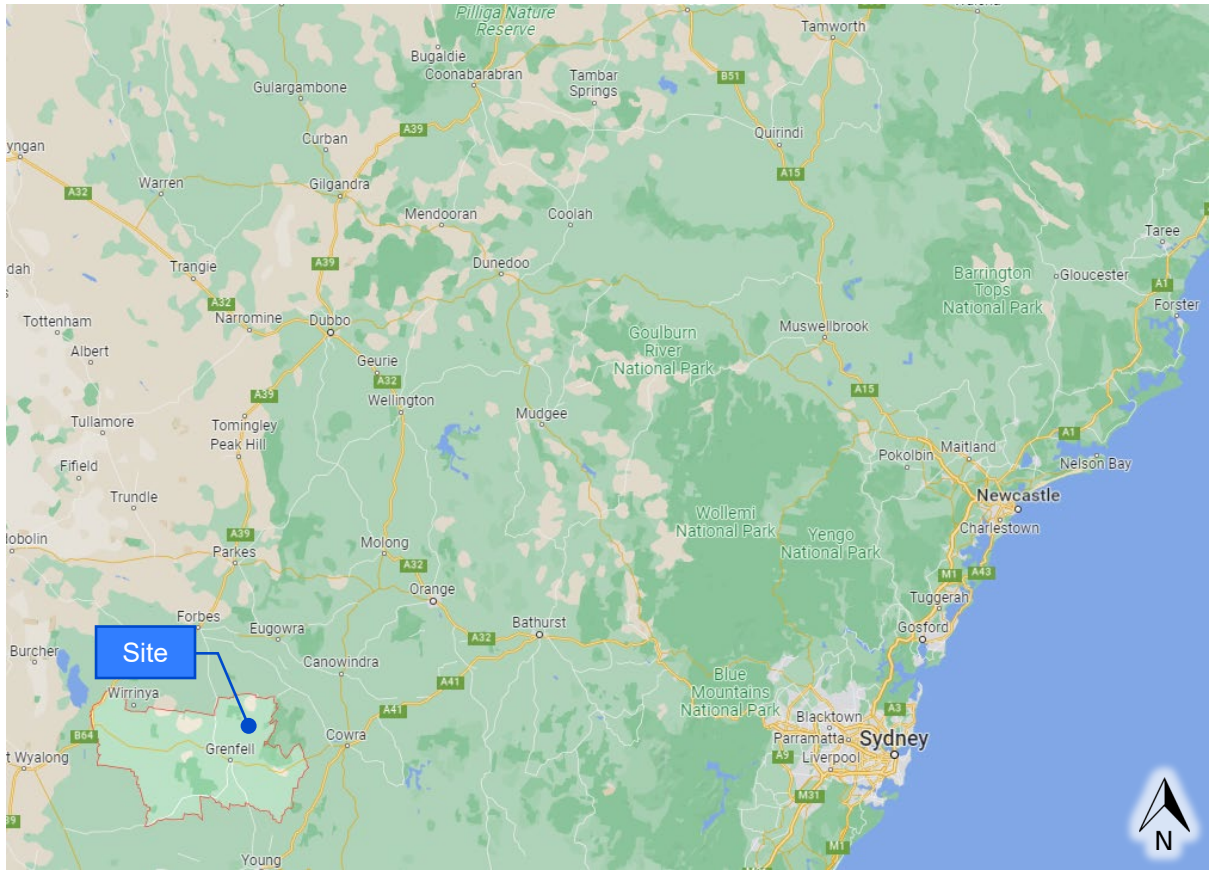


Figure 1 | Regional Context

1.3 Site Description

The site comprises 709 hectares (ha) of RU1 Primary Production zoned land located at 1130 Gooloogong Road, Grenfell (see **Figure 2**). The site is legally described as Lot 1 DP1022013, Lots 1,2 and 3 DP1206485 and Lot 22 DP866857. The site is accessed via Gooloogong Road, which is a local road under the authority of Weddin Shire Council (Council). The site is situated approximately 11 kilometres (km) north of Grenfell, approximately 50 km south of Forbes and within the Weddin Shire LGA.

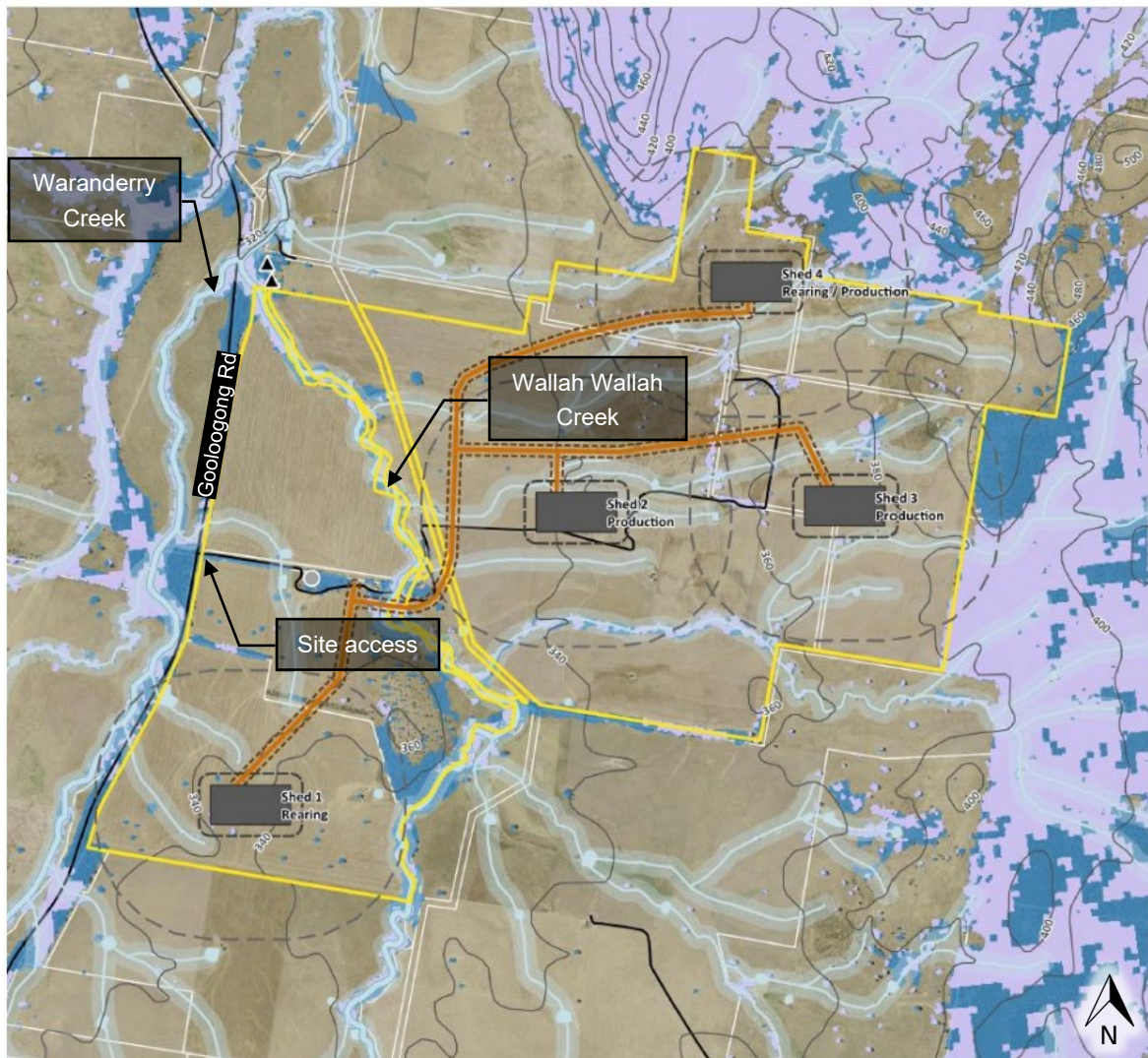


Figure 2 | Subject site and surrounding area

The site has been predominantly cleared for historic agricultural uses. There is an existing homestead on the site and an overhead powerline that crosses the site from north to south. The site also has a lapsed development consent granted by Council in 2002 for a poultry breeder production farm which has not been acted upon due to changes in poultry standards and an increase in the number of sheds and birds proposed as part of this SSD development.

The site varies between approximately 326 metres (m) in elevation at the north-western corner of the subject site (Wallah Wallah Creek Discharge point) and 442 m in elevation at the eastern side (eastern mountainous terrain). There is also a hill at the southcentral portion of the subject site which reaches

approximately 370 m in elevation. The majority of the pastureland has an approximate average slope of 2% grade, whereas the small mountainous regions within the site can reach a slope of up to approximately 30% grade.

There are valleys within the site that are tributaries to the Wallah Wallah Creek, which is the main watercourse that runs south to north before converging into the Waranderry Creek. The site also features multiple non-perennial localised overland flow paths from the hilly and rugged terrain from the east, which are tributaries into the regional Wallah Wallah Creek, and larger Waranderry Creek. These creeks ultimately connect into the Lachlan River catchment system, some 40 km further downstream.

1.4 Surrounding Land Uses

The site is surrounded by rural properties and agricultural activities. The site is also partially bounded by Inland Rocky Hill Woodlands and Western Slopes Dry Sclerophyll Forests to the north and east. The site has direct access to Gooloogong Road, which is an approved B-double truck route running north to south along the western frontage of the site. The Central Tablelands Gooloogong-Grenfell Water Pipeline is located further west of the site. The nearest rural residential dwelling is located at 1268 Gooloogong Road, approximately 1.5 km to the north-west from the closest poultry farm proposed at the centre of the site.

1.5 The Applicant

The Applicant is part of the Baiada Group of Companies which includes other business brands such as Steggle's and Lilydale. Baiada is the largest producer of poultry meat in Australia and currently supplies approximately 35% of the national demand, including the sale of live poultry, poultry feed, fertile eggs, day old chickens, primary processed chicken, processed chicken products and pet food. The Applicant runs a vertically integrated poultry operation from start to finish, encompassing broiler and breeder farms, hatcheries, processing plants, feed milling and protein recovery facilities, spanning across New South Wales (including Tamworth), South Australia, Victoria and Western Australia.

1.6 Project Sector Description

The main components of the chicken meat supply chain are illustrated in Figure 3 and described as follows:

- **Hatcheries** incubate fertile eggs until they hatch.
- **Rearing farms** grow male (roosters) and female (hens) birds from one day old to sexual maturity.
- **Breeder farms** are specialist, independent operations that house grandparent and parent broiler chickens to provide fertile eggs to be used in the commercial meat production process. The day-old progeny (offspring) of the eggs produced at these farms are collected daily and transported to a hatchery to ultimately supply chicken meat production farms with broilers.
- **Broiler farms** grow one day old chicks to the desired processing age for the purpose of producing poultry meat.
- **Processing plant** process birds and prepare meat products for sale, including raw products, semi-prepared meals and snacks, and ready-to-eat offerings.
- **Protein recovery** facilities recycle by-products (approximately 30% of the chickens' weight), such as bones, feathers and intestines into a range of products for the pet food industry and feed via a process known as 'rendering'.

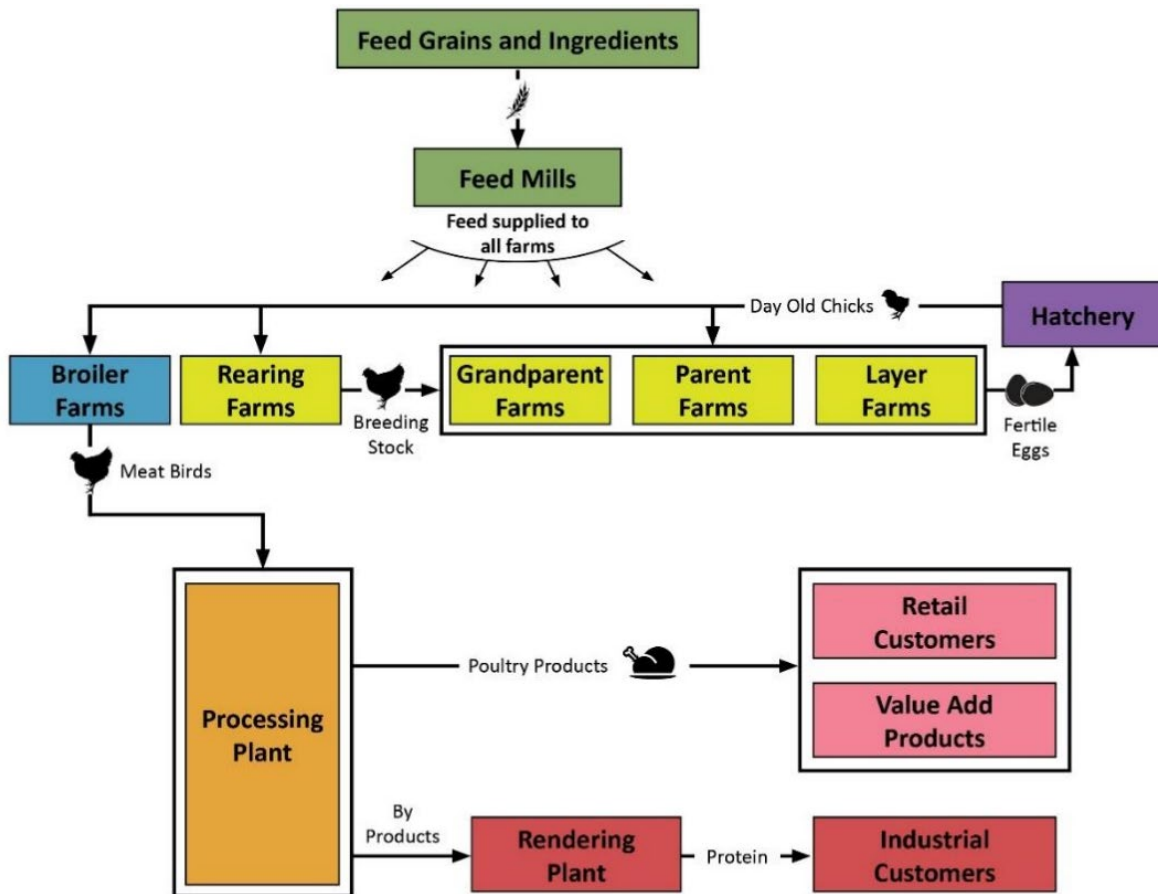


Figure 3 | Flow Diagram of the Poultry Meat Production Process

2 Development

2.1 Description of the Development

The major components of the proposed development are summarised in **Table 1** and shown in **Figure 4**, **Figure 5** and **Figure 6**, and described in full in the Environmental Impact Statement (EIS) and Response to Submissions (RTS) included in **Appendix A**.

Table 1 | Main Components of the Development

Aspect	Description
Development Summary	<ul style="list-style-type: none"> Construction and operation of a poultry rearing and breeding facility in Grenfell comprised of four poultry production units (PPUs) (identified as Farms 1 to 4), each comprising 10 tunnel-ventilated sheds and two manager's residences, for a total of 40 sheds, housing up to 570,000 birds at any one time for the purposes of producing fertile eggs for use in the commercial meat production process
Site area and development footprint	<ul style="list-style-type: none"> The site is approximately 709 ha in area Development footprint of around 48 ha
Poultry sheds	<ul style="list-style-type: none"> 40 tunnel-ventilated, fully enclosed, climate-controlled sheds Each shed will be 135 m long by 14 m wide by 4.6 m in height 19.75 m separation distance between sheds
Farm population	<ul style="list-style-type: none"> A total farm population (at any one time) of up to 570,000 birds housed within four farms, identified as: <ul style="list-style-type: none"> Farm 1 – Rearing Farm: 10 sheds = 153,000 birds Farm 2 – Breeder Farm: 10 sheds = 132,000 birds Farm 3 – Breeder Farm: 10 sheds = 132,000 birds Farm 4 – Breeder / Rearing Farm: 10 sheds = 153,000 birds <p>The higher number of birds within the rearing sheds in comparison to the breeding sheds accounts for potential mortalities during the rearing phase.</p>
Maximum bird density	<ul style="list-style-type: none"> Up to 30 kilograms per square metre within each shed
Production cycle length	<ul style="list-style-type: none"> Rearing farm (Farm 1) - approximately 22 weeks per cycle Breeder farms (Farms 2 and 3) – approximately 45 weeks per cycle Breeder / rearing farm (Farm 4) – approximately 64 weeks per cycle
Water demand	<ul style="list-style-type: none"> 140.9 megalitres per year (93.3% of water demand is split equally between shed cooling and bird drinking)
Supporting infrastructure	<ul style="list-style-type: none"> Eight dwellings to accommodate farm managers (two dwellings per farm) Four supporting buildings (each building includes a bio-security entry, staff amenities, an egg packing room and an egg cool room) One access driveway from Gooloogong Road and internal access roads Five detention basins

Aspect	Description
	<ul style="list-style-type: none"> • Water supply infrastructure to transfer and store water from the Gooloogong-Grenfell Water Pipeline • Electrical supply infrastructure • Feed silos • Water storage tanks
Construction timeframe	<p>The proposal will be constructed over a 26-month period, including:</p> <ul style="list-style-type: none"> • site establishment and infrastructure upgrade • earthworks – 10 weeks per farm (total cut and fill volumes are approximately 596,000 m³ and 443,000 m³, respectively) • farm complex - 9 months per farm, noting that the four farms may be constructed concurrently or in series
Traffic	<ul style="list-style-type: none"> • 56 vehicle movements per day on average comprising 42 car movements and 14 heavy vehicle movements
Road and intersection work	<ul style="list-style-type: none"> • Provision of rural basic right-hand turn and left-hand turn treatments, pavement sealing, and shoulder widening
Landscaping	<ul style="list-style-type: none"> • Landscape plantings, including vegetation screens around the perimeter of each farm
Hours of operation	<ul style="list-style-type: none"> • 24 hours, 7 days
Capital investment value	<ul style="list-style-type: none"> • \$64,124,200
Employment	<ul style="list-style-type: none"> • 60 full-time equivalent construction jobs and 50 operational jobs

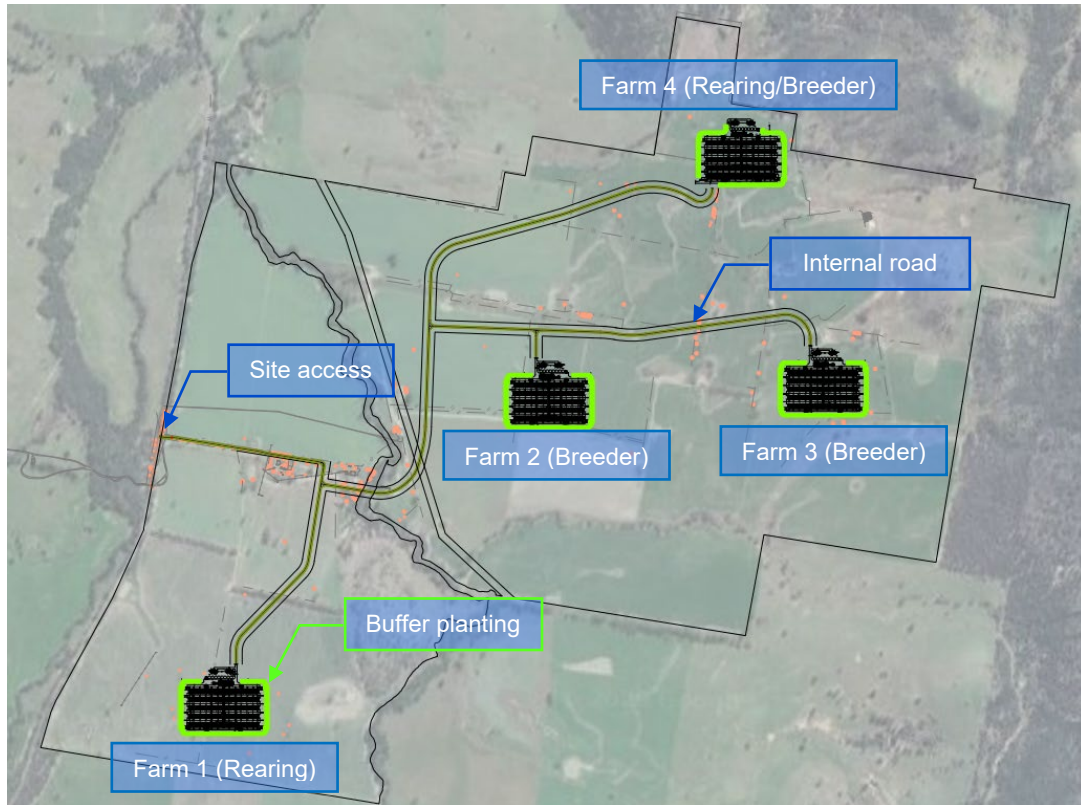


Figure 4 | Proposed Development



Figure 5 | View of Farm 2 from the Nearest Residential Property to the North-West

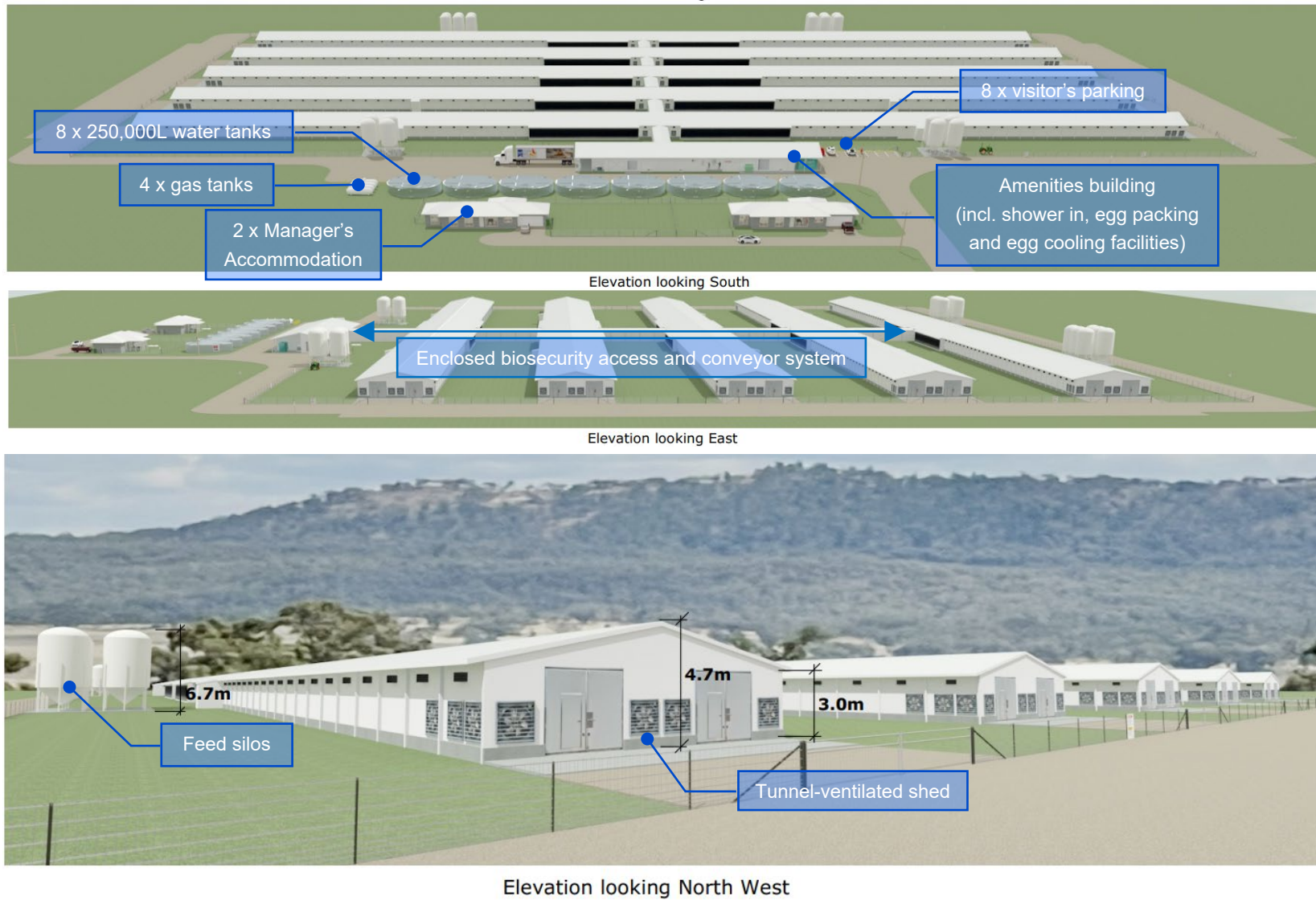


Figure 6 | Indicative Built Form of the Proposed Poultry Farms 1 to 3 (Farm 4 layout is similar but rotated by 180 degrees)

2.2 Process Description

Poultry Farm Production Process

Within an integrated rearing and breeder facility, each farm will perform a specific role to assist in generating a steady and reliable supply of fertile eggs for the broader poultry production business. Farm 1 is expected to rotate through two rearing cycles per year, whereas one egg production cycle is expected for Farms 2 to 4 per year. Each cycle would generally involve the steps outlined in **Figure 7** and detailed below:

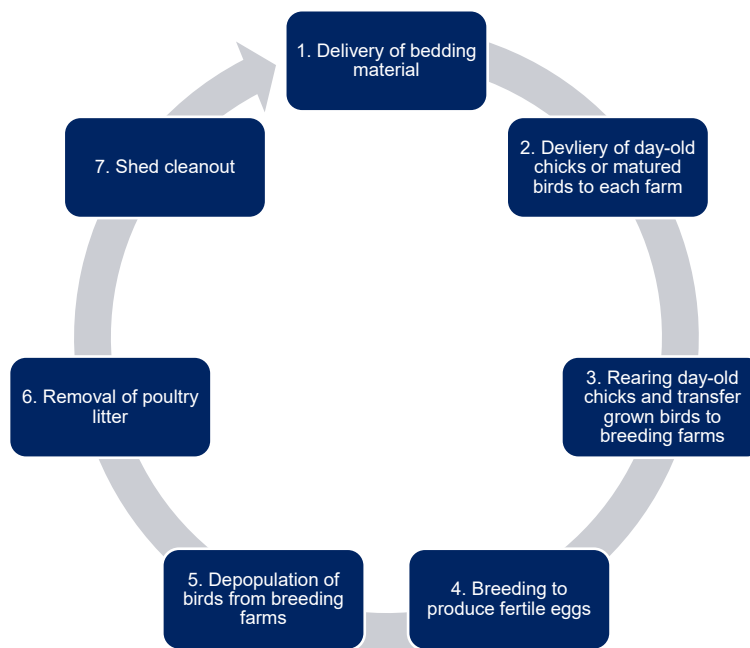


Figure 7 | Poultry Farm Production Process

1. **Delivery of bedding material.** An absorbent bedding material such as wood shavings, rice hulls and/or soft chopped straw is delivered and placed in each poultry shed, prior to receiving day-old chicks (rearing farm) or matured birds (breeder farm).
2. **Delivery of day-old chicks.** Day-old chicks are delivered to the site from Baiada's Tamworth hatchery in climate-controlled trucks. On arrival, they are unloaded and placed within each shed.
3. **Rearing.** Farm 1 will perform a rearing function to grow day-old chicks (males and females separated) received from the Tamworth hatchery to sexual maturity at around 20 weeks of age and subsequently transferred to Farms 2 and 3 in alternating order for breeding. The transfer of birds to each breeding farm will occur over a period of approximately 20 days. Farm 4 will operate independently from Farms 1 to 3 and perform a dual function of rearing and breeding.
4. **Egg production (breeding).** Egg production will occur in Farms 2 to 4 for which 10% of roosters (male) and 90% of hens (female) are mingled to breed and produce fertile eggs. The shed design incorporates nest boxes that are located centrally along the length of each shed for hens to continually lay eggs, which are automatically collected via conveyor belt and placed into refrigerated

storage. The egg packing building is centrally located at the end of the conveyors and biosecurity access from each breeding farm (see **Figure 5** and **Figure 6**). The egg packing room will house plant and equipment associated with the collection of fertile eggs from the sheds, packing and cold storage prior to transport to the company hatcheries every 1 to 2 days.

5. **Depopulation of birds from breeding farms.** Birds from Farms 2 to 4 will stay at the breeder farms for up to 45 weeks and transported off site for further processing once productivity begins to decline. Depopulation of birds from Farms 2 to 4 will occur over approximately 10 days per farm per year at the end of each production cycle.
6. **Removal of poultry litter.** Following bird removal, manure and floor litter are removed from the sheds and transported off-site in covered trucks for disposal at a licenced facility or used as a soil amendment material on farms in the region.
7. **Shed cleanout.** Poultry sheds are cleaned and sanitised to reduce the risk of pathogens and disease using high-pressure water in preparation of the next production cycle. The washout water will be drained via the garden irrigation system and lawn areas on the site.

Farm Manager's Accommodation

Consistent with standard poultry farm practices, farm manager and assistant farm manager accommodation will be located on the site, near the farms, due to the 24-hour, seven day a week nature of poultry farm operations. The proximity of the farm manager's accommodation to the farm will ensure that changes to the environmental conditions of the sheds and external environmental impacts to the rearing/breeding process are minimised and any adverse impacts to bird growth are mitigated immediately.

The proposed manager's accommodation will be a slab on ground brick-veneer construction with powder coated aluminium frame window and a Colourbond metal roof. There will be two houses sited near the entrance to each farm and each house will comprise four bedrooms and a double garage.

Biosecurity

Baiada advises the location of each of the farms on site has been carefully considered taking into account a range of factors including bushfire hazards, physical constraints, ecological constraints, cultural heritage site, constructability, amenity and biosecurity. Specifically, in relation to biosecurity, the location of each farm was determined with input from the company veterinarian who stipulated the separation distances of 500 m between farms and 50 m to the site boundaries.

Baiada advises the farm design complies with all requirements of the 'National Farm Biosecurity Manual for Chicken Growers' (Australian Chicken Meat Foundation, 2020) and its 'Livestock Animal Welfare and Biosecurity Manual' (Baiada Group of Companies, 2019). In accordance with its Biosecurity Manual, Baiada advises a Hazard Analysis and Critical Control Points Plan (HACCP) will be developed for the site operations to identify hazards and risks that have the potential to compromise biosecurity and document relevant risk management and mitigation procedures. If disease is suspected, immediate measures will be implemented to lock down and isolate the infected farm(s) and strict quarantine procedures to prevent the spread of the disease off the site will be implemented.

Bird Mortality

Bird mortalities are removed daily, and any unhealthy birds are also removed and humanely euthanised if deemed appropriate. These mortalities will be taken to the company rendering plant or other licenced facility for disposal. Baiada has an existing legal agreement with an EPA licensed composting facility in the Riverina to take up to 5,000 tonnes per annum of mortalities. This would have the capacity to take up all birds from the Grenfell Farm, if required.

In the event of a large mortality event, Baiada advises it will implement its mass mortality protocols. In the unlikely event of a notifiable disease outbreak on any of the farms, the Department of Primary Industry (DPI) will be contacted and follow all instructions provided.

2.3 Applicant's Need and Justification for the Development

To meet future demand for poultry products in the Australian marketplace, the Applicant advises the need to increase the number of birds to be bred in the chicken meat supply chain to avoid a shortfall in supply of poultry products in the Australian market in the coming years.

Baiada also advises the agricultural production industry is well-established and has a high recognition factor in the Central West region, providing significant employment and contribution to the economy. The NSW Government's Central West and Orana Regional Plan 2036 recognises the need to protect the region's diverse and productive agricultural lands and support the growth of the agribusiness sector and supply chain. The proposed development will support the growth and increase the diversity of agricultural production industry within Weddin Shire and is therefore consistent with this strategy.

3 Strategic context

The Central West and Orana Regional Plan 2036 (the Plan) sets out the NSW Government's vision, goals and actions focused towards delivering new and diversified opportunities in the Central West and Orana regions. The Plan identifies the agribusiness industry as a significant contributor to the regional economy, contributing approximately 18% of all agricultural production in NSW annually.

The economy of Weddin Shire is primarily driven by the agriculture sector, including a variety of agricultural enterprises and agribusinesses such as broadacre farming, cropping and livestock production. The key priorities are to support, expand and diversify the agribusiness sector and leverage opportunities to support the supply chain.

The operations of Baiada play an important role in the development of agribusiness in the Central West region. The proposed integrated poultry rearing and breeding facility in Grenfell will contribute to continued growth of the poultry industry within the state and increase the diversity of the agricultural sector within Weddin Shire.

The Plan also identifies the need to protect the region's diverse and productive agricultural land from land use conflict and fragmentation. In this regard, the need for appropriate buffer areas and biosecurity are highlighted as important considerations for agricultural areas.

To meet the increasing demand from urban, environment and industry uses, and to respond to pressures from a changing climate, the Plan identifies a sustainable and equitable supply of water is needed and that new development should be strategically located to take advantage of existing or planned water, wastewater, sewer and stormwater infrastructure.

The Applicant acknowledges the biosecurity risks of its proposed development and the potential for its operations to result in some externalised impacts associated with odour, visual amenity and noise. Accordingly, the Applicant has committed to implementing appropriate development design features, best management practices and mitigation measures to ensure impacts are acceptable and the risk of land use conflicts is minimised. Furthermore, the Applicant has worked closely with Central Tablelands Water to ensure the existing water supply infrastructure can accommodate for the demand of the proposed development.

4 Statutory Context

4.1 State Significance

The proposal is State significant development pursuant to section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it is for the purposes of intensive livestock agriculture with a capital investment value (CIV) of more than \$30 million, which meets the criteria in Clause 1 of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

4.2 Permissibility

The site is zoned RU1 Primary Production under the Weddin Local Environment Plan 2011 (Weddin LEP). Intensive livestock agriculture is permissible with consent in the RU1 zone. Therefore, the Minister for Planning (the Minister) or a delegate may determine the carrying out of the development.

Eight dwelling houses would be constructed as part of the development. Two dwellings would be associated with each PPU and would be occupied by farm managers who would be on-call 24 hours a day, 7 days a week.

Clause 4.2C of the Weddin LEP aims to ensure the provision of adequate accommodation for employees of existing agricultural or rural industries. This clause does not apply to ancillary development.

The Department is satisfied that the dominant purpose of the development is for intensive livestock agricultural, of which the residential dwellings for manager's accommodation is an ancillary use of the development required to facilitate its operation. The Department considers that the development is permissible with consent in the RU1 zone and has recommended conditions to ensure the residential dwellings for farm manager's accommodation is restricted to persons employed by the Applicant, their partner and dependants in conjunction with the operation of the development.

4.3 Consent Authority

The Minister is the consent authority for the development under section 4.5 of the EP&A Act. On 9 March 2022, the Minister delegated the functions to determine SSD applications to the Director, Industry Assessments where:

- the relevant local council has not made an objection and
- there are less than 15 unique public submissions in the nature of objections and
- a political disclosure statement has not been made.

Of the 11 submissions received, 11 objected to the proposed development. Council did not object to the development. No reportable political donations were made by the Applicant in the last two years.

Accordingly, the application can be determined by the Director, Industry Assessments under delegation.

4.4 Other approvals

Should development consent be granted, other approvals may be required in order to carry out the development. Section 4.42 of the EP&A Act lists a number of approvals that cannot be refused if required to carry out the development and that must be given in a manner that is substantially consistent with any development consent.

In the case of the development, an Environment Protection Licence (EPL) will need to be applied for and issued by the Environment Protection Authority (EPA) under the *Protection of the Environment Operations Act 1997*.

The Department has consulted with and considered the advice of the relevant public authorities in its assessment of the development and included suitable conditions in the recommended consent.

The Applicant would be required to obtain approval from Council under section 138 of the *Roads Act 1993* to carry out upgrade works to Gooloogong Road. The Department has incorporated RMS's requirements into the recommended conditions.

In addition, Council advised the water supply, sewerage and stormwater drainage work for the dwellings would require approval from Council under section 68 of the *Local Government Act 1993*. The Department has also incorporated this requirement into the recommended conditions.

4.5 Mandatory Matters for Consideration

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is set out in **Section 6** and **Appendix B**. In summary, the Department is satisfied the development is consistent with the requirements of section 4.15 of the EP&A Act.

Under section 4.15 of the EP&A Act, the consent authority, when determining a development application, must take into consideration the provisions of any environmental planning instrument (EPI) and draft EPI (that has been subject to public consultation and notified under the EP&A Act) that apply to the proposed development.

Since lodgement of the DA, the majority of all NSW State Environmental Planning Policies have been consolidated into 12 policies. The consolidated SEPPs commenced on 1 March 2022, with the exception of State Environmental Planning Policy (Housing) 2021, which commenced on 26 November 2021.

The SEPP consolidation does not change the legal effect of the repealed SEPPs, as the provisions of these SEPPs have simply been transferred into the new SEPPs. Further, any reference to an old SEPP is taken to mean the same as the new SEPP. For consistency, the Department has considered the development against the relevant provisions of several key EPIs as in force at the time the DA was lodged, including:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 65 – Advertising Structures and Signage (SEPP 65)
- Weddin Local Environmental Plan 2011 (Weddin LEP).

Development Control Plans (DCPs) do not apply to SSD under clause 11 of the former SRD SEPP. As such, the Weddin Shire Development Control Plan 2014 has not been considered further in this report.

Detailed consideration of the provisions of all EPIs that apply to the development is provided in **Appendix C**. The Department is satisfied the proposed development complies with the relevant provisions of these EPIs.

4.6 Public Exhibition and Notification

In accordance with section 2.22 and Schedule 1 to the EP&A Act, the development application and any accompanying information of an SSD application are required to be made publicly exhibited for at least 28 days. The application was on public exhibition from 14 December 2021 until 1 February 2022 (49 days). Details of the exhibition process and notifications are provided in **Section 5.1**.

4.7 Objects of the EP&A Act

In determining the application, the consent authority must consider whether the development is consistent with the relevant objects of the EP&A Act. These objects are detailed in section 1.3 of the EP&A Act. The Department has fully considered the objects of the EP&A Act, including the encouragement of ecologically sustainable development (ESD), in its assessment of the SSD application (see **Table 2**).

Table 2 | Considerations Against the Objects of the EP&A Act

Object	Consideration
1.3 (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,	The development would ensure the proper management and development of suitably zoned land for the economic welfare of the Weddin Shire LGA and the State, promote social and economic welfare in the community through the provision of an additional 60 construction jobs and up to 50 operational jobs in the area
1.3 (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The development would facilitate ecologically sustainable development through the appropriate management of environmental impacts, including odour, particulate matter, traffic, noise, surface water management and Aboriginal heritage, and the minimal disturbance of native vegetation (1.6 ha of native vegetation disturbed within a site area of 709 ha, which has been historically used for agriculture).
1.3 (c) to promote the orderly and economic use and development of land,	The development is located on suitably zoned primary production land and would be used economically to provide direct and indirect employment and support the increasing demand for chicken meat in Australia.
1.3 (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The Department's assessment in Section 6.3 of this report demonstrates that with the implementation of the recommended conditions of consent, the impacts of the development can be mitigated and/or managed to ensure the environment is protected.
1.3 (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The application includes an assessment of impacts of the proposed development on Aboriginal cultural heritage. The Department's assessment of the Applicant's assessment demonstrates that, with the implementation of the Applicant's proposed management and mitigation measures and the recommended conditions of consent, the impacts of the development on Aboriginal cultural heritage are appropriately minimised and managed.
1.3 (g) to promote good design and amenity of the built environment,	The development has been designed to operate and align with industry best practice with respect to disease and biosecurity management, emergency management and animal welfare. The building design meets the requirements for a poultry farm, and through appropriate siting and the incorporation of landscaping does not detract from the amenity of the local area.

Object	Consideration
1.3 (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Department has assessed the development and has recommended a number of conditions of consent to ensure construction and maintenance of each poultry farm is undertaken in accordance with applicable legislation, guidelines, policies and procedures (refer to Appendix E)
1.3 (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the development as outlined in Section 5 , which included consultation with Council and other relevant public authorities and subsequent consideration of their responses.
1.3 (j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the application as outlined in Section 5 , which included notifying adjoining landowners, placing a notice in a local paper and displaying the SSD application on the Department's website.

4.8 Legislative Amendments

The Department notes that since the lodgement of the DA, the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000) has been repealed by the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021).

Under Schedule 6(3) of the 'savings, transitional and other provisions' of the EP&A Regulation 2021, the EP&A Regulation 2000 continues to apply (instead of the new EP&A Regulation 2021) to a development application made, but not finally determined, before 1 March 2022. As the SSD application was lodged on 7 December 2021, the application has been assessed having regard to the requirements of the EP&A Regulation 2000.

4.9 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle*
- (b) *inter-generational equity*
- (c) *conservation of biological diversity and ecological integrity*
- (d) *improved valuation, pricing and incentive mechanisms.*

The potential environmental impacts of the development have been assessed and, where potential impacts have been identified, mitigation measures and environmental safeguards have been recommended.

As demonstrated by the Department's assessment in **Section 6** of this report, the development is not anticipated to have any adverse impacts on native flora or fauna, including threatened species, populations and ecological communities, and their habitats. The development requires removal of 1.56 ha of threatened ecological communities (including a mix of Fuzzy Box woodland, White Box - White Cypress Pine - Western Grey Box shrub/grass/forb woodland, and Yellow Box grassy tall woodland)

which would be offset by the purchase and retiring of ecosystem credits in accordance with the NSW Biodiversity Offsets Policy for Major Projects. As such, the Department considers that the development would not adversely impact on the environment and is consistent with the objectives of the EP&A Act and the principles of ESD.

4.10 Commonwealth Matters

Under the EPBC Act, assessment and approval is required from the Commonwealth Government if a development is likely to impact on a matter of national environmental significance (MNES), as it is considered to be a 'controlled action'. The EIS for the development included a preliminary assessment of the MNES in relation to the development and concluded the development would not impact on any of these matters and is therefore not a 'controlled action'. As such, the Applicant determined a referral to the Commonwealth Government was not required.

5 Engagement

5.1 Consultation

The Applicant, as required by the Planning Secretary's Environmental Assessment Requirements (SEARs), undertook consultation with relevant local and State authorities as well as the community and affected landowners. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

Consultation by the Applicant

The Applicant undertook a range of consultation activities throughout preparation of the EIS including:

- consultation with Weddin Shire Council (Council) and relevant public authorities
- media release, including Grenfell Record and Cowra Guardian
- phone and email consultation with the local Grenfell community
- a letterbox drop to surrounding landowners and inviting them to meet virtually
- two virtual meetings with the surrounding landowners.

Consultation by the Department

The Department consulted with relevant State government authorities during the preparation of the SEARs. After accepting the DA and EIS for the development, the Department:

- made it publicly available from 14 December 2021 until 1 February 2022 (49 days) on the Major Projects website
- notified landowners in the vicinity of the site about the exhibition period by letter
- notified and invited comment from relevant public authorities and Council by letter.

5.2 Submissions and Advice

During the exhibition period, the Department received 11 submissions from the public (eight from individuals and three from special interest groups) and advice from eight public authorities and Council. One submission was a petition with 4,227 signatures and all 11 submissions objected to the proposal, including the nearest landowners of 1268 Gooloogong Road. A summary of the submissions and advice received is provided below, and a link to correspondence received during the exhibition period is provided in **Appendix A**.

5.2.1 Key Issues - Public Authorities

Weddin Shire Council (Council) provided its support for development of the proposed integrated rearing and breeding poultry facility in Grenfell, subject to appropriate measures being implemented to minimise environmental impacts such as odour, dust and noise. With regard to waste management, Council noted that certain waste streams are proposed to go to landfill and requested the Applicant give appropriate consideration to the limitations of Council's existing waste facility in Grenfell. Council also highlighted the need to ensure the site access is adequately sealed and compliant with Austroads standards, in particular the encroachment of vehicle turning paths at the junction between the site access and Gooloogong Road. Additionally, Council also noted that relevant approvals to carry out plumbing and drainage works associated with the poultry sheds, amenities buildings and manager's residences need to be obtained from Council prior to the commencement of construction.

Environment Protection Authority (EPA) raised concerns regarding odour, air quality, water quality, construction noise, waste management and chemical storage. The EPA requested additional information to address its concerns, including:

- additional odour modelling scenarios with offset stocking start dates to capture worst-case impacts
- information to demonstrate that further feasible odour mitigation measures are available if needed
- information on the capacity, sizing, design rain event, catchment, and management of the sediment basins
- details of stormwater and wastewater management during operation and the fate of sediment basins installed during construction once construction activities have ceased
- details of waste generation and classification.

The EPA also noted the Applicant need to consider all reasonable and feasible mitigation measures to address periods of excessive construction noise, including consideration of respite periods and alternative accommodation as appropriate. Further, recommendations were provided in relation to bunding around chemical storage areas.

Transport for NSW (TfNSW) acknowledged the proposed development would construct a new intersection for site access (comprising a basic right turn treatment, a basic left turn treatment and shoulder widening on Gooloogong Road) and requested the concept plan of the proposed road upgrade be provided.

Department of Primary Industries (DPI) acknowledged the Applicant's commitment to comply with all legislative requirements and noted additional consideration should also be given to welfare laws such as the *Prevention of Cruelty to Animals Regulation 2012* and *Prevention of Cruelty to Animals (Land Transport of Livestock) Standards 2013*. DPI also raised concerns regarding the potential for biosecurity risk due to the restricted 50 m setback distance from the nearest farm to the boundary of neighbouring lands. DPI Agriculture also noted that no provision has been identified in the application documentation in relation bird welfare during flooding events. A number of conditions were also recommended to address water security, noise and odour impacts.

The **Environment and Heritage Group (E&H Group)** (formerly Environment, Energy and Science Group) is satisfied that the biodiversity assessment report has adequately addressed the impacts of the development and noted the requirement to retire 24 ecosystem credits prior to commencement of work. The E&H Group also noted a range of considerations (such as trigger, action and response) to be incorporated into the Vegetation Management Plan.

The **Water and Natural Resources Access Regulator (NRAR)** raised issues regarding water access and requested further investigation be completed to ensure the required water supply infrastructure is identified and adequate water supply can be supplied by Central Tablelands Water. NRAR also recommended a number of conditions of consent to address construction impacts, including management of surface water, design of detention dams and a groundwater monitoring plan.

Heritage NSW noted that one Aboriginal site was recorded near Wallah Wallah Creek and advised the Applicant will be required to develop an Aboriginal Cultural Heritage Management Plan in consultation with the Registered Aboriginal Parties, including details of an unexpected finds protocol, salvage methodology and long-term management of artefacts.

Fire and Rescue NSW (FRNSW) noted the on-site storage of liquid petroleum gas and recommended the Applicant be required to submit a fire safety study prior to the commencement of construction, and that a comprehensive emergency response plan be prepared and implemented prior to the commencement of operation.

NSW Rural Fire Services (NSW RFS) recommended the Applicant be required to prepare and submit a Bush Fire Emergency Management and Evacuation Plan to the local emergency management committee prior to occupation of the development, and that asset protection zones be established around the facility and residential buildings. NSW RFS also noted the proposed residential buildings, site access and any water and utility services must comply with relevant standards and guidelines.

5.2.2 Key Issues - Special Interest Groups

People for the Ethical Treatment of Animals (PETA) in its submission provided a petition with 4,227 signatures and objected to the proposed development due to a range of concerns including water use, vegetation clearing, disturbance to Aboriginal site, visual impact on the nearest landowners, odour impact, management of zoonotic disease risk, attraction of flies and rats, and animal welfare.

Edgar's Mission objected to the proposed development due to the capacity of poultry to experience suffering under farmed conditions.

Animal Liberation objected to the proposed development due to a range of concerns including animal welfare, employee welfare, water usage, as well as impacts on cultural heritage, ecological and amenity.

5.2.3 Key Issues - Public Submissions

The Department received eight submissions from the general public, all of which objected to the proposed development. Concerns raised in submissions include water security, effect on waterways, animal welfare, biosecurity and management of zoonotic disease outbreaks, clearing of native vegetation, disturbance to Aboriginal site, storage of dangerous goods, inconsistency with the Weddin LEP, and impacts associated with dust, odour, noise and visual amenity.

5.3 Response to Submissions

On 28 April 2022, the Applicant provided a Response to Submissions (RTS) on the issues raised during the public exhibition period (see **Appendix A**). The RTS featured an amended set of farm layout plans, site entrance concept design plans and additional documentation provided to address the concerns raised by Council, the relevant government authorities and the public, including:

- additional information on animal welfare, biosecurity, waste classification, poultry production schedule and equipment list
- a letter from Central Tablelands Water (CTW), which confirmed the nominated water flowrate and annual water demand (during periods up to and including level 6 restrictions) can be accommodated by the existing infrastructure
- an updated noise impact assessment, which included additional details of the operational and construction noise modelling assumptions and background noise monitoring
- an amended preliminary hazards analysis, which incorporated a refined description of the effects of flash fire and an updated consequence analysis of LPG tank jet fire and impingement on the delivery tanker

- a set of visual perspectives of the proposed development from Gooloogong Road and the nearest property at 1268 Gooloogong Road.

During preparation of the RTS, the landowners of 1268 Gooloogong Road were engaged by the Applicant to review the site from their property and vice versa.

The RTS was made publicly available on the Department's website and was provided to key government authorities to consider whether it adequately addressed the issues raised. A summary of the government authority responses is provided below:

Council advised that further modification to the proposed site access design is required to comply with Austroads standard to avoid vehicles crossing over the opposing traffic lane when entering or exiting the property. Council also recommended conditions in relation to the undertaking of works in a road reserve.

TfNSW requested the proposed site access design be modified to ensure vehicles do not encroach on the basic right-hand turn and do not cross over to the opposing traffic lane.

EPA noted the Applicant has not provided sufficient information in its RTS to address all issues raised but recommended a range of conditions, including air quality, odour, construction noise, as well as waste and wastewater management. In addition, the EPA advised the Applicant must implement all feasible and reasonable noise mitigation measures to ensure compliance with operational noise criteria.

DPI advised it had no further comments in relation to animal welfare, flooding and water security but recommended the Applicant consider siting the PPU's from boundary as far as practicable to maximise biosecurity and reduce land use conflict risks. DPI subsequently noted the Applicant should consider options and plans to mitigate potential land use conflict impacts should they arise.

The **E&H Group** noted the details of the site access design and advised the BDAR and biodiversity offset calculations needs to be updated accordingly to account for additional vegetation clearing.

NRAR noted the Applicant has not provided information regarding additions or modification to the water supply infrastructure, and recommended a condition requiring the Applicant to provide details of any water supply upgrade works prior to the undertaking of related works.

Heritage NSW advised it had no further comments in relation to Aboriginal cultural heritage, subject to the implementation of the recommendations provided in the EIS.

FRNSW considered the Applicant's response to issues raised to be satisfactory and advised an emergency services information package is to be developed and stored near the site access for use by responding firefighters.

5.4 Supplementary Information

On 14 July 2022, the Applicant submitted supplementary information addressing matters raised by Council and TfNSW in relation to the site access intersection design. The Applicant undertook direct consultation with Council and TfNSW during the preparation of its further response. In addition, the Applicant's supplementary information also included a response to issues raised by DPI Agriculture, an updated BDAR and a technical memorandum detailing the proposed operational noise mitigation measures.

Following resolution of issues raised, on 19 September 2022, the Applicant provided its final summary of mitigation and management measures for the development.

The Department has considered the issues raised in submissions, the RTS and the supplementary information in its assessment of the development. A summary of the Department's consideration of community views is provided in **Appendix D**.

6 Assessment

The Department has considered the EIS, the issues raised in the submissions, the Applicant's RTS and supplementary information in its assessment of the development. The Department considers the key assessment issues are:

- odour and dust
- operational noise
- water management

A number of other issues have also been considered. These issues are considered to be relatively minor and are assessed in **Table 3** under **Section 6.4**.

6.1 Odour and Dust

The proposed development is an intensive livestock industry which is an inherently odour-producing operation. Fugitive particulate matter emissions are also generated during the production cycle and from vehicles using the internal roads, which can occur during construction and operation. If the proposed farms are not well located, sited, designed and operated, air pollution emissions may extend beyond the farm boundary and may have adverse impact on the amenity of surrounding sensitive residential receivers.

Compared to meat chicken production farms, breeder farms typically have lower stocking density and odour emissions. The main odour source is the moisture-laden bedding / litter material within each poultry shed. Odour emissions generally increase with growth of the birds over the production cycle as the bedding material absorbs more moisture and the birds increase in size.

Applicant's Assessment

The Applicant carried out a quantitative assessment of potential odour and dust impacts of the proposed development in an Air Quality Impact Assessment. The assessment was undertaken in accordance with the EPA's 'Approved Methods for the Modelling and Assessment of Air Pollutants in NSW' (EPA, 2016) (the Approved Methods) and 'Assessment and Management of Odours from Stationary Sources in NSW'.

Odour and particulate matter and emission rates for the development were calculated by the Applicant based on emission data established across a variety of broiler farms in Australia as well as theoretical considerations. The approach adopted for odour emission calculations considered the total shed floor area, average bird density, ventilation rate and K-factor, which is a scaling factor to account for shed design and management practices. The Applicant noted a K-factor of 1 may be more appropriate for the proposed poultry rearing and breeding operations but adopted a K-factor of 2.2 (commonly utilised for broiler farms with higher bird density and odour management demand) to provide a conservative assessment. Particulate matter emission was also derived based on the total mass of birds, ventilation rate and shed management practices.

Air quality dispersion was calculated by the Applicant using the CALPUFF model at surrounding sensitive receivers. The assessment found an odour concentration of 3.9 odour unit (OU) was predicted in the worst-case scenario with a K-factor of 2.2 at the closest sensitive receiver (1268 Gooloogong Road), which would not exceed the odour criterion of 7 OU for single rural residences nor the conservative criterion of 5 OU adopted by the Applicant for design purposes. For all other sensitive receivers which are located more than 1.5 km away from the proposed farms, odour concentrations

were predicted to be below 2 OU and therefore not likely to be perceptible. Similarly, the predicted particulate matter concentrations at surrounding receivers with the inclusion of background levels were also predicted to be substantially below the EPA assessment criteria specified in the Approved Methods.

The Applicant considered there was negligible potential for air quality impacts on the surrounding sensitive receivers given their separation distance from the proposed development. Notwithstanding, the Applicant proposed vegetative screens to be planted around the PPUs and advised that emissions from the development will be managed as part of its general poultry production management procedures which includes regular monitoring and maintenance of bird health, stocking density and bedding material.

During consultation on the EIS, the public raised general concerns around odour and dust and the nearest landowners at 1268 Gooloogong Road cited specific concerns regarding dust generation from heavy vehicles. Council noted in its submission that appropriate conditions would need to be in place to manage air quality impacts. DPI Agriculture acknowledged the limited odour impact in the context of land use conflicts and advised the management measures proposed by the Applicant should be incorporated into any development consent.

Following its review of the EIS, the EPA queried the robustness of the Applicant's odour modelling and requested justification for the assumed bird placement regime be provided. The EPA also noted the Applicant's responsibility to comply with section 129 of the *Protection of the Environment Operations Act 1997* (POEO Act) around not generating offensive odours and advised the Applicant to consider contingency measures that could be applied to address the potential for any unforeseen odour issues. Concern around dust management was also raised by the EPA.

In response to queries raised by the EPA, the Applicant advised in its RTS that the air quality assessment overestimated the odour emissions by a factor of at least 2 and its inherently conservative assessment would address any variability in odour emissions. In the unlikely event that the proposed development results in an unacceptable odour impact, the Applicant noted engineering solutions such as emission-controlled stacks in the sheds or additional vegetation planting around the perimeter could be considered. In relation to dust management, the Applicant noted while the EIS assessment found no exceedances of the applicable criteria, adopting best management practices for the site (e.g. ensuring truck loads are covered and internal roads appropriately maintained) and incorporating vegetation planting (3 rows of 10 m tall trees) around the PPUs, which act as a natural filter, would further minimise dust impacts.

Following its review of the RTS, the EPA raised no comments in relation to the additional information regarding air quality and recommended conditions to be incorporated into any development consent that addresses emission controls and that require the Applicant to prepare an odour validation report to confirm odour impacts once the proposed development is fully operational.

Department's Assessment

The Department has considered the information provided by the Applicant along with the issues raised by the EPA, DPI and the public and is satisfied the Applicant has provided a conservative assessment of the potential air quality impacts associated with the construction and operation of the development. The Department considers the development has been carefully planned and designed and provides adequate distance buffer between the poultry sheds and surrounding sensitive residential receivers to mitigate potential impacts. The use of vegetative screens would also provide further buffer towards mitigating any potential air quality impacts and is consistent with DPI's *Best Practice Management for*

Meat Chicken Production in NSW, which offers guidance on environmental risk management associated with the more odour intensive meat chicken production farms.

Notwithstanding, the Department concurs with the EPA's recommendation to require the Applicant to prepare and submit an odour validation report to confirm actual operational impacts. Should unforeseen odour impacts arise, the Applicant would be required to develop an action plan and implement additional measures to ensure no offensive odour is generated. Furthermore, the Department has also recommended a condition that requires the Applicant to take all reasonable steps to minimise dust generated by the development during construction and operation. It is also recommended the Applicant be required to prepare and implement an Air Quality Management Plan (AQMP) as part of an overarching Operational Environmental Management Plan (OEMP) for the development. The AQMP must describe a program to evaluate the performance of the development and determine compliance with key performance indicators. This includes providing details of control measures, monitoring methods/frequency, a complaints register and response procedures. Due to the nature of the development, being an inherently odour-producing operation, the Department has also recommended the Applicant undertake periodic independent environmental audits to ensure compliance with the recommended conditions are being met.

The Department's assessment concludes the potential air quality impacts from the proposed development are manageable subject to the Applicant's proposed mitigation measures, the Department's recommended conditions of consent and the implementation of best practice management practices to reduce the impact of odour and dust.

6.2 Noise

The 24-hour operation of the development has the potential to impact on the acoustic amenity of rural residential properties.

Concerns regarding noise pollution were raised by the nearest residential landowners at 1268 Gooloogong Road, located approximately 1.7 km from Farm 4 and 1.5 km from Farm 2 and within 700 m of the internal road. Specifically, the nearest landowners are concerned with the loss of acoustic privacy from the shed's continuous mechanical ventilation, the movement of birds between farms on a regular basis at night, and the general operation of plant and equipment, which are the main noise generating sources on the site.

The Department has consulted closely with the EPA and the Applicant throughout the assessment to address issues raised by the public. The Applicant submitted a noise impact assessment as part of the EIS and two subsequent revisions to inform the RTS and supplementary RTS. The final noise assessment included the consideration of worst-case noise emission scenarios and details of operational noise mitigation measures.

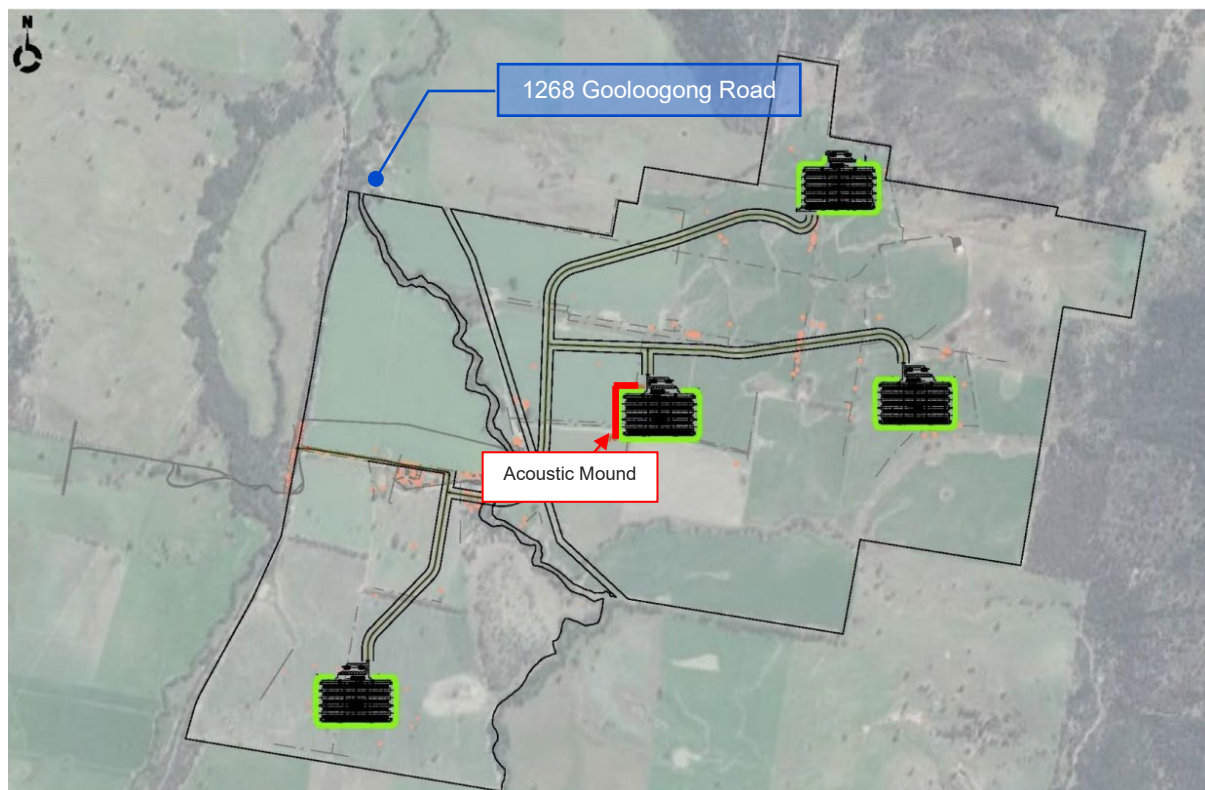
Applicant's Assessment

To assess operational noise impacts, the Applicant considered the guidance and objectives from the EPA's *Noise Policy for Industry* (NPfI). The Applicant's assessment adopted the most stringent intrusiveness noise criteria of $L_{Aeq,15min}$ (energy-average noise level) 40 dBA, 35 dBA and 35 dBA for the day, evening and night periods, respectively, consistent with the NPfI. Furthermore, the potential for sleep disturbance was also assessed against the NPfI maximum L_{Amax} noise level criterion of 52 dBA. Noise predictions were made using the ENM modelling algorithm under noise-enhancing meteorological conditions and the Applicant's assessment found that compliance with all relevant noise criteria would be achieved primarily due to the large separation distance between the proposed

operations and surrounding sensitive residential receivers. However, the Applicant advised that compliance with the night-time $L_{Aeq,15min}$ noise criterion of 35 dBA at 1268 Gooloogong Road requires an acoustic mound, which sits 1.5 m above the finished ground level, be established around the northern and western perimeter of Farm 2 (refer **Figure 7**). Furthermore, the Applicant also advised the following mitigation and management measures are required to control noise emissions:

- restrict vehicle speed to 20 km/h at all PPU's and 40 km/h along internal access roads
- ensure internal access roads are regularly maintained and repaired when surface becomes uneven
- ensure plant is regularly maintained, and repair or replace equipment that becomes noisy
- back-up generators housed in lockable acoustic enclosures with vertical air discharge.

The EPA acknowledged operational noise criteria would be achieved during the day, evening and night-time periods under noise-enhancing meteorological conditions and recommended the intrusive noise criteria be adopted as the operational noise limits.



LEGEND
VEGETATION ENVIRONMENTAL BUFFERS / SCREEN: 3 ROWS OF TREES & 50% POROSITY

Figure 8 | Indicative Location of Landscaped Acoustic Mound

Department's Assessment

The Department has carefully considered the issues raised in public submissions and is satisfied the operational noise assessment has adopted conservative noise emission inputs to inform the acoustic design for the development. Operational noise impacts would be primarily mitigated by the buffer distance between the development footprint and surrounding sensitive receivers, whereas residual noise impacts would be mitigated by the implementation of best practice noise management measures and establishment of a landscaped acoustic mound around the closest PPU (i.e. Farm 2). The Department is satisfied the predicted operational noise at 1268 Gooloogong Road would comply with the most stringent noise criteria from the NPfl, which have been established by the EPA to protect quiet rural areas from significant changes in noise levels.

To this end, the management and mitigation measures required to achieve compliance have been incorporated into the recommended conditions of consent, including but not limited to a driver code of conduct to minimise road traffic noise and specific engineering controls to minimise mechanical plant noise. The Department has also proposed noise limits that are consistent with the EPA's advice and the NPfl. To ensure the development is operated in a manner that is compliant with the noise limits, the Department has recommended a condition requiring the Applicant to submit an operational noise verification report within 12 months of the commencement of operation of the rearing and breeder facility to verify predicted noise impacts. Should any unforeseen noise impacts be identified during the noise verification study, the Applicant would be required to implement additional noise management and mitigation measures to address exceedances of the noise limits.

The Department's assessment concludes the noise impacts during operation of the development can be appropriately managed through best practice noise management and the recommended conditions of consent.

6.3 Water Management

Water Supply

Poultry farm operations require a secure water source to operate and the additional demand for water has the potential to impact on water security across the wider Grenfell area, particularly as this region has experienced rainfall deficiencies in recent years.

Applicant's Assessment

The proposed poultry development will require a total water supply of 141 megalitres (ML) per year (equivalent to an average daily demand of approximately 0.39 ML per day), with a maximum daily demand of 1 ML in the worst-case scenario (representative of a hot summer day combined with maximum bird population on the site). The nominated water demand will be used by the four farms collectively as drinking water for the birds and staff and for cleaning, washdown and amenities. Each of the four farms has been designed with 2 ML of water storage tanks to provide back-up water supply in emergency situations (e.g. pump breakdowns, loss of supply and firefighting purposes).

The Applicant advised in its EIS that water is proposed to be supplied to a central tank (with 1 ML capacity) on the site from the Gooloogong to Grenfell water pipeline, which is linked to an existing 80 mm connection and a rising main to the site. Water temporarily stored in the central tank will then be pumped to each farm via a network of pipelines following the proposed internal roads. The Applicant noted that future engagement with CTW will finalise the design and confirm any necessary upgrades to the existing water supply infrastructure.

During consultation on the EIS, concerns in relation to water usage and security were raised by the public and NRAR who advised securing a water supply agreement with CTW is critical to the viability of this proposal. NRAR also requested any additional water supply infrastructure required for this project be detailed and assessed as part of the current application process.

As part of the RTS, the Applicant provided a letter of support from CTW which acknowledged the nominated water demand will be available during periods up to and including level 6 restrictions (i.e. businesses must implement a water saving action plan and farm irrigation is not permitted) as determined from CTW's demand and drought management plans. The required water supply during high demand periods will be sourced from a combination of Lake Rowlands Dam (extraction licence of 3,150 ML per year) and Gooloogong Bores (extraction licence of 400 ML per year).

Additionally, CTW advised the required peak water flowrate of 1 ML per day can be attained by the new potable pipeline between Gooloogong and Grenfell, which was commissioned in 2020. As water will be sourced directly from this pipeline and not a town reservoir, CTW noted the Applicant needs to ensure a suitably sized reservoir is available on the site to reduce any operational impact during routine and breakdown maintenance of the water supply infrastructure.

In its submission on the RTS, NRAR acknowledged the Applicant's intent to confirm the need for water supply infrastructure upgrades at the detailed design stage in consultation with CTW, and subsequently recommended the Applicant be required to confirm the need and provide details of any upgrade works prior to commencement of works.

Department's Assessment

The operation of an integrated poultry rearing and breeder farm at the site requires a secure water supply to meet ongoing operational needs. The Department has considered the information provided in the application documentation and the advice provided by NRAR and CTW and is satisfied there is sufficient water supply to service the operation of the proposed development. CTW has confirmed the availability of the required annual supply of water during periods up to and including the level 6 restrictions and that the newly commissioned pipeline is able to provide the nominated maximum flowrate should it be required. Consistent with the advice from NRAR, the Department has recommended a condition to ensure the Applicant finalise and confirm any water supply upgrade works required in consultation with CTW throughout the detailed design phase.

The Department's assessment concurs the proposed water supply arrangements for the development are adequate and will not result in any residual impact.

Stormwater Management

Construction and operation of the proposed poultry development has the potential to cause adverse impacts on surface water quality in Wallah Wallah Creek. Construction will involve significant site disturbance and has the potential to generate sediment and erosion impacts. The key source of polluted runoff generated once the site is operational is the poultry shed washdown water which contains nutrients (nitrogen and phosphorous), hydrocarbons (oil and grease) and suspended solids. Adverse impacts can be avoided using good site design, good management practices and by adopting appropriate erosion and sediment mitigation measures.

Applicant's Assessment

Stormwater runoff from the poultry sheds is proposed to be treated by grassed swales and detention basins prior to discharge to receiving waters, whereas runoff from internal roads is proposed to be treated by a roadside swale. The Applicant's MUSIC modelling showed that its stormwater treatment plan for the development would achieve annual pollution load reductions of more than the target of 90%, 85%, 65% and 45% for gross pollutants, total suspended solids, total phosphorous and total nitrogen, respectively.

Regarding construction, the Applicant advised of its commitment to adopt a suite of best practice controls (including but not limited to catch drains and sediment fences) to manage the risk of erosion and sedimentation. Further, earthworks for each PPU are proposed to be staged over a period of approximately 66 weeks to reduce the potential for erosion by minimising the area of soil exposed to surface runoff and wind at any one time. The proposed detention basins around the sheds will also be utilised as sedimentation basins during the construction phase.

During consultation on the EIS, concerns were raised by the public regarding water quality and the EPA noted the Applicant must ensure any discharges to waters meet the ambient water quality or the Australian and New Zealand Guidelines for Fresh and Marine Water Quality. The EPA also requested additional information regarding the management of waters during operation to avoid pollution. NRAR noted that while the surface water treatment is proposed via a series of channels and detention basins, there is some potential risks for seepage of nutrients into groundwater. Accordingly, NRAR recommended groundwater monitoring be incorporated within a water management plan for the development so that the Applicant can initiate the appropriate management responses should changes in groundwater quality be detected.

In response to issues raised, the Applicant advised that the proposed PPUs will be constructed on an elevated pad and concrete slab and surrounded by a waterproof blockwork at the base of the insulated panel wall. As such, internal shed areas will be entirely separated from interaction with stormwater or roof water, and any stormwater runoff from the site is expected to be of high quality, similar to the quality of water runoff from the surrounding area. Furthermore, the Applicant advised there would be no contaminated stormwater generated from shed cleaning. The sheds would be swept and vacuumed cleaned once the birds are removed, with the remaining floor litter taken off site via a covered truck. Following dry cleaning, the sheds would be sanitised using a high-pressure spray to minimise water use and sheds would dry via an evaporation process before being set up for the next batch of birds. Notwithstanding, the Applicant noted its concurrence with the conditions recommended by NRAR in relation to groundwater.

Following its review of the RTS, NRAR did not raise any further concerns. The EPA also did not raise any further concerns but has recommended conditions requiring the Applicant to comply with Section 120 of the POEO Act and that all wastewater and contaminated stormwater be captured in a waste collection system. Similar to NRAR, the EPA also advised the need to include surface and ground water management and monitoring in the operational environmental management plan for the development.

Department's Assessment

The Department is satisfied the Applicant has committed to implementing appropriate sediment and erosion control measures during construction to ensure contaminated runoff does not reach Wallah Wallah Creek. The Department has recommended a condition of consent that requires the Applicant

to install and maintain suitable erosion and sediment control measures on site during construction, such as catch drains and sediment fencing.

The Department acknowledges the concerns raised by the public regarding the potential for adverse impacts on nearby waterways and the broader Lachlan River Catchment during operation of the development. The Department is satisfied the development has been designed to incorporate swales and detention basins to manage the quantity and quality of stormwater runoff, which is expected to be of similar quality and no more than the peak runoff flow from the existing site. Notwithstanding, the Department concurs with the conditions recommended by the EPA and NRAR and has included these in the recommended conditions of consent. Specifically, the Department has recommended conditions requiring a Water Management Plan be established and an annual compliance report to monitor surface water quality and review, report and demonstrate the environmental outcomes will be achieved and the Lachlan River Catchment will be protected.

The Department's assessment concludes the Applicant's surface water management system as described in the EIS is appropriately designed in accordance with best practice. The proposed clean water diversions, poultry shed design, surface water management system and implementation of best practice management practices for management of the poultry sheds will ensure the risk of contaminated runoff from operational activities on the site entering the Lachlan River Catchment is low.

Flood Management

The site features perennial watercourses which connect to the Warraderry Creek and Wallah Wallah Creek regional catchments. During major rainfall events, the watercourses within the site are subject to flooding and may potentially impact on the PPU's and internal roads.

Applicant's Assessment

The EIS included a flood impact assessment of the development which was informed by the NSW Floodplain Development Manual and the Weddin LEP. The Applicant's assessment found that flood risks are low subject to an appropriate design for the bridge over Wallah Wallah Creek and adoption of a flood emergency management plan for the site. The predicted external impacts are deemed acceptable up to the 0.5% Annual Exceedance Probability (AEP) flood level and that a minor impact of up to 10 mm was predicted within Gooloogong Road for the 0.2% AEP event, which accounts for an increase in rainfall intensity due to climate change.

During consultation on the EIS, DPI acknowledged the flood risks associated with the proposed internal bridge and noted further engagement with Council and the NSW State Emergency Service (SES) is required. The DPI also queried how bird welfare and husbandry would be managed if farm managers are evacuated. In addition, NRAR noted that the design of bridge and culverts on the site will need to ensure hydrological impacts (such as the predicted increase in turbulent water upstream of the bridge) are minimised.

In its RTS, the Applicant indicated farm managers will remain on the site during a flood event to maintain farm order, while noting that the proposed PPU's would sit above the 1% AEP flood level. Furthermore, the silos have capacity to store two weeks of feed and water storage for each PPU has been designed with 2 ML of capacity to provide back-up water supply in emergency situations. In the unlikely event that farm managers are required to be evacuated and flocks have been unable to be moved out prior to a flood event, the Applicant noted that feed and water systems can be set to dispense automatically and if required, support staff, feed and supplies can be transported onto the site via helicopters.

The DPI advised it had no further comments given the provisions in relation to feed and water supply and the ongoing commitment to retain farm management on site as occurs on other poultry facilities across the state. NRAR also had no further comments on groundwater management.

Department's Assessment

The Department has considered the findings of the flood impact assessment and the advice provided by the DPI and NRAR and is satisfied the PPUs will be protected from floods up to the 1% AEP level and the development would not result in additional external impacts beyond existing flood conditions. The Department is also satisfied the development has incorporated sufficient feed and water storage to ensure two weeks of supplies are retained at all times in case of a flood event.

The Department noted that impacts are anticipated at the proposed bridge and culvert locations and has recommended conditions to ensure both the design measures and a comprehensive Flood emergency response management plan, developed in consultation with Council and the NSW SES, are implemented at the site to manage any residual issues.

The Department's assessment concludes the development would have negligible flood impacts and would not adversely impact upon the safety of occupants and birds during a flood event, subject to the recommended conditions of consent.

6.4 Other Issues

The Department's assessment of other issues is provided in **Table 3**.

Table 3 | Assessment of Other Issues

Findings	Recommendations
Animal Welfare and Biosecurity	
<ul style="list-style-type: none"> The development would have a maximum bird capacity of 570,000 birds at any one time and bird population would decrease over the course of a growing cycle due to bird mortalities and flock thinning as birds reach the desired age. The Applicant advised it is fully committed to its animal welfare and biosecurity policies and noted that for any animal husbandry enterprise to be viable, animals require optimum care and management, as well as provision of the best available housing and equipment. The Applicant has committed to meeting all standards for animal care and management under the <i>National Animal Welfare Standards for the Chicken Meat Industry</i> (Australian Poultry CRC, 2008) which contain standards based on the Model Codes of Practice for the poultry industry. The Applicant has also committed to implementing the biosecurity objectives under the <i>National Farm Biosecurity Manual for Chicken Growers</i> (ACMF, 2010). To manage heat stress, birds would be housed in tunnel-ventilated, fully enclosed, climate-controlled sheds, consistent with best-practice in the poultry production industry. The Applicant advised the maximum bird density in each shed would be 30 kg per square metre which complies with the <i>Model Code of Practice for the Welfare of Animals – Domestic Poultry</i> (PISC, 2002). This would ensure the birds' ability to move is not restricted. DPI raised no concerns regarding animal welfare and biosecurity subject to the additional consideration of <i>Prevention of Cruelty to Animals Regulation 2012</i> and <i>Prevention of Cruelty to Animals (Land Transport of Livestock) Standards 2013</i>. The Department recognises the Applicant's commitments to best practice management and concurs with DPI's advice. To this effect, the Department has recommended a condition requiring the operation of the development comply with the relevant requirements for the welfare of livestock, particularly health, housing, watering, feeding, handling and transport. The Department's assessment concludes that the development can be managed and operated in accordance with the relevant biosecurity and animal welfare standards, subject to recommended conditions of consent. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> manage the site and operation in accordance with relevant industry biosecurity and animal welfare standards.
Waste Management	

Findings

- The proposed development would generate a range of waste, including but not limited to shed litter, bird mortalities, egg waste, general solid waste and recyclable waste, which need to be managed appropriately.
- During consultation on the EIS, Council noted the limitations of its existing landfill facility in Grenfell to receive waste and requested the Applicant confirm if it intends to utilise this facility. The EPA advised that all waste must be classified in accordance with the NSW Waste Classification Guidelines and disposed of at a facility that can lawfully accept it.
- The waste management plan included in the EIS and additional information provided in the RTS are summarised as follows:
 - shed litter (approximately 400 L per week) will be loaded directly into two trucks on a weekly basis and sent for beneficial re-use as a soil amendment material on farms in the region
 - sewage will be managed through the on-site sealed septic waste system and vehicle wash down water will be captured in the sump and reduced via evaporation
 - general solid waste (approximately 8,000 L per week) and recyclable waste (approximately 300 L per week) from farms and on-site accommodation will be collected by the local waste collection service on a weekly basis, noting that only domestic waste from on-site accommodation and refuse from workers will be transported to Council's landfill facility in Grenfell
 - egg waste will be collected in covered plastic buckets daily and taken to the chest freezer and disposed of to landfill or composting on a weekly basis in the Riverina region (approximately 1,400 L of egg waste generated on a weekly basis)
 - bird mortalities (approximately 5,000 L per week on average) will be collected at least once a day from each shed, placed into mobile metal cages, stored on-site in the freezer before being taken off-site in a covered waste vehicle to a Baiada rendering plant in Griffith or Tamworth.
- In the event of an emergency animal disease, the Applicant indicated that the DPI will assume control of the operation to determine the appropriate disposal method depending on the cause of death. The Applicant has advised bird carcasses will be collected in sealed trucks and potential disposal methods include rendering, composting or disposal at landfill. Further, the Applicant noted that it has an agreement with an EPA licensed composting facility in the Riverina to process up to 5,000 t per annum of mortalities, which has sufficient capacity to take all birds from the proposed development, if required.
- Following review of the RTS, Council had no further comments on waste management while the EPA recommended a condition relating to the handling, storage and disposal of bird mortalities.
- The Department considers the Applicant's proposed disposal options would provide a range of methods to respond to an emergency animal disease outbreak, and the EPA's recommended condition has been adopted by the

Recommendations

Require the Applicant to:

- prepare a Waste Management Plan detailing the classification, treatment, handling and disposal of all waste streams generated on-site
- not dispose of dead broilers via burial or any other means on-site unless directed to do so during a bio-security emergency.

Findings

Recommendations

Department in the conditions of consent. In addition, the Department considers the Applicant's approach to waste management is appropriate for the nature of the development and a condition requiring the Applicant to prepare a waste management plan is also recommended.

- The Department's assessment concludes that waste generated from the operation of the development can be appropriately managed, subject to the recommended conditions.

Traffic and Access

- The construction and operation of the development would generate additional traffic, which has the potential to impact on the safety and operational performance of Gooloogong Road.
- Gooloogong Road is an approved B-double route and features a two lane, undivided road with a sealed pavement width of approximately 9.5 m. The posted speed limit for Gooloogong Road is 100 km/h, lowering to 80 km/h as southbound traffic approaches the township of Grenfell. In 2019, Gooloogong Road serviced an annual average daily bidirectional traffic flow of 410 vehicle per day (15% heavy vehicles).
- The Applicant advised that transportation of agricultural products is being increasingly undertaken by higher productivity vehicles, and a 26 m long A-double has been used as the design vehicle in its assessment. Vehicles will access the site via an existing entry point on Gooloogong Road and the anticipated daily traffic generation for the development is 56 vehicle movements (including 14 heavy vehicle movements) during its operational phase. The Applicant noted that construction traffic is not anticipated to exceed the volumes that will be experienced during operation of the development.
- The EIS included a traffic impact assessment undertaken with reference to Austroads' *Guide to Traffic Management Part 3: Traffic Study and Analysis Methods* and concluded that an intersection analysis is not required due to the low volume of traffic on Gooloogong Road in both the existing and future scenarios. As such, both Council and TfNSW did not raise any concerns and the Department notes that matters relating to intersection performance is not discussed further in this report.
- The traffic impact assessment also included an assessment for turn treatment warrants undertaken in accordance with Austroads' *Guide to Road Design Part 4: Intersections and Crossings* and the Applicant advised the construction of basic right-turn and left-turn treatments are required. In addition, road works corresponding to pavement sealing and shoulder widening are also required to the intersection between Gooloogong Road and the site entrance.

Require the Applicant to:

- complete the design and construction of road upgrades in consultation with Council
- obtain approval from Council under section 138 of the Roads Act 1993
- obtain approval from the NHVR to permit 26m A-doubles along Gooloogong Road

Findings

Recommendations

- In response to issues raised in relation to swept path of turning vehicles, the Applicant consulted closely with Council and TfNSW and developed a series of concept plans for the proposed road upgrade. Following review of the final concept plan (revision F), TfNSW advised it had no further comments and Council (as the custodian of Gooloogong Road) has recommended conditions relating to the consent for the carrying out of works in a road reserve pursuant to section 138 of the *Roads Act 1993*.
- The Department has considered the road upgrade works proposed by the Applicant and is satisfied the Austroads' design requirements have been appropriately addressed. The Department concurs with Council and TfNSW that the road upgrade has been designed to ensure A-doubles do not cross over onto the opposite traffic lane when entering or exiting the site.
- The Department has recommended conditions to govern the detailed design and delivery of the intersection to the satisfaction of Council. Further, a condition has been recommended requiring the Applicant to obtain any necessary permits from the National Heavy Vehicle Regulator to allow the use of A-doubles. With these conditions in place, the Department concludes traffic from the development would be adequately managed and would not impact upon the safety or performance of Gooloogong Road.

Biodiversity

- The EIS include a Biodiversity Assessment Report (BDAR) prepared in accordance with the Biodiversity Assessment Method 2020 to assess the impacts of the development on fauna, flora and vegetation species. In response to agency advice, an updated BDAR was provided which incorporated the final concept plan for the proposed road upgrade.
 - The site largely comprises cleared paddocks as a result of historical agricultural use. Scattered stands of native woodland habitat and derived native grassland exists within the study area, comprising the following plant community types (PCT):
 - Fuzzy Box Woodland on alluvial brown loam soils mainly in the NSW South Western Slopes Bioregion (PCT 201);
 - White Box – White Cypress Pine – Western Grey Box shrub/grass/forb woodland in the NSW South Western Slopes Bioregion (PCT 267); and
 - Yellow Box grassy tall woodland on alluvium or parna loams and clays on flats in NSW South Western Slopes Bioregion (PCT 276).
 - The Applicant's BDAR considered a study area that is 2,364 ha in size, comprising of land within a 1,500 m buffer around the development footprint. The amount of native vegetation cover within the study area is approximately 760 ha.
- Require the Applicant to:
- prepare a biodiversity management plan
 - purchase and retire 34 ecosystem credits

Findings

Recommendations

- The Applicant advised the development footprint has been carefully considered taking into account a range of factors including flood immunity, road user safety, physical constraints, ecological constraints, constructability, amenity and biosecurity. The development will result in clearing of 0.34 ha of PCT 201, 1.21 ha of PCT 267 and 0.01 ha of PCT 276. To offset this loss, a total of 34 ecosystem credits are required to be purchased and retired.
- To minimise the impacts on biodiversity during construction, the Applicant indicated a management plan will be prepared to ensure the implementation of measures such as nest box installation and weed/tree management.
- The E&H Group has reviewed the EIS and RTS and advised that it incorporates the agreed approach for offsetting the biodiversity impacts associated with the development. Furthermore, the E&H Group provided advice on management and monitoring considerations for critically endangered ecological communities to be incorporated in a biodiversity management plan.
- The Department is satisfied the Applicant has made efforts to minimise the loss of tree while appropriately siting infrastructure and PPU's. The Department concurs with the E&H Group and has recommended conditions requiring the Applicant to retire the requisite ecosystem credits and prepare a biodiversity management plan.
- The Department's assessment concludes that the biodiversity impacts for the project are minor and is satisfied that the implementation of the proposed environmental management measures and securing appropriate offsets in perpetuity would adequately manage biodiversity values of the site.

Aboriginal Cultural Heritage

- To assess potential impacts on Aboriginal cultural heritage, the Applicant undertook consultation with registered Aboriginal parties and prepared an Aboriginal Cultural Heritage Assessment Report (ACHAR) to inform the EIS.
- The Department is satisfied the development footprint has been carefully considered taking into account a range of factors including flood immunity, road user safety, physical constraints, ecological constraints, constructability, amenity and biosecurity.
- The Applicant's assessment noted the field survey, which was attended by the Cowra Local Aboriginal Land Council, recorded an Aboriginal cultural heritage site in the vicinity of Wallah Wallah Creek and within the impact footprint of the internal road. No specific cultural values were identified by the Cowra Local Aboriginal Land Council regarding the study area. However, the Cowra Local Aboriginal Land Council noted that strong cultural values of Aboriginal communities towards landscapes and cultural heritage sites should be recognised.

Require the Applicant to:

- prepare and implement an ACHMP
- follow an unexpected finds protocol in the event any new item or object of Aboriginal heritage significance is identified on the site.

Findings

Recommendations

- This Aboriginal cultural heritage site is known as Wallah Wallah Creek OS-1 and is representative of artefact sites recorded elsewhere in the region. Wallah Wallah Creek OS-1 is a low-density scatter with a low complexity of tools and is manufactured from materials which are common in the region. In addition, the site is in a location where disturbances from the area's agricultural land use and/or erosion is prevalent and any associated sub-surface deposits are considered by the Applicant as unlikely to be intact due to previous levels of disturbance.
- The Applicant advised as partial impact to Wallah Wallah Creek OS-1 cannot be avoided due to need for appropriate flood immune access, a suite of management and mitigation measures will need to be implemented prior to the commencement of works to handle the artefacts and during works in case of unexpected finds.
- The E&H Group advised it was satisfied with the Applicant's ACHAR and the Applicant's commitment to develop an Aboriginal Cultural Heritage Management Plan (ACHMP) in consultation with the Registered Aboriginal Party (RAP). In this regard, the Department is satisfied the Applicant's ACHAR has been prepared in accordance with relevant guidelines and the Applicant has proposed appropriate management and mitigation strategies to ensure the proposed development will not have any adverse impacts on Aboriginal cultural heritage. To this end, the Department has recommended conditions requiring the Applicant to prepare an ACHMP in consultation with the RAP and to follow an unexpected finds protocol in the event any new item or object of Aboriginal heritage significance is identified.
- The Department's assessment concludes the proposed development is unlikely to have any unacceptable impacts on Aboriginal cultural heritage subject to the implementation of the Applicant's proposed management and mitigation measures and the Department's recommended conditions.

Visual Impact

- The Applicant advised in its EIS that the development is not expected to have an unacceptable visual impact given the nearest sensitive receptor is approximately 1.5 km away from the closest PPU (see **Figure 7**).
 - The Applicant advised the PPU's will take similar form to other agricultural operations in the area, with the development including farm sheds being 4.5 m in height and grain silos reaching 7.6 m in height. As stated in the EIS, the PPU's comprise low profile buildings and will be constructed in Colorbond surfmist colour (that is, light neutral, with a subtle warm beige undertone), which is used in poultry sheds because of its low visual impact and maximum thermal performance. Additional visual buffers in the form of vegetative
- Require the Applicant to:
- prepare a landscape management plan to detail species to be planted around each PPU as well as monitoring and maintenance measures required to ensure that plantings are effectively managed

Findings

Recommendations

- screens is also featured in the development design in response to feedback from the neighbouring property (1268 Gooloogong Road).
- During consultation on the EIS, the neighbouring property owners raised further concerns in relation to visual amenity. In this regard, the Applicant noted in the RTS that the property owners of 1268 Gooloogong Road were invited to review the site, during which the following observations were made:
 - Farm 1 and Farm 4 - not likely visible due to intervening topography and existing vegetation
 - Farm 3 - difficult to locate due to the intervening topography, existing vegetation and distance to the site
 - Farm 2 - will be visible from 1268 Gooloogong Road without adequate vegetation buffer.
 - In consultation with the neighbouring property owners, the Applicant has committed to undertaking landscaping works around each PPU involving approximately 10 m (3 rows) of native trees to mitigate potential visual impacts.
 - The Department is satisfied that the visual impacts on surrounding existing receptors would be minor due to the low physical profile of the development, the isolation of the site and separation distances to the nearest receptor and from Gooloogong Road. The Department also considers the development is consistent with the rural character of the area due to the significant presence of the agricultural industry in the region. The Department is satisfied the proposed vegetation buffer will further mitigate any potential visual impacts to the surrounding locality. To this effect, the Department has required the Applicant to prepare a landscape management plan to manage landscaping and vegetation within the site.
 - Overall, the Department's assessment concludes visual impacts from the proposed development are minor and can be satisfactorily mitigated through the siting of the farm infrastructure and the Applicant's proposed mitigation measures and the Department's recommended conditions.

to mitigate potential visual impacts.

Hazards and Risk

- The development would require the use of liquefied petroleum gas (LPG) tanks to heat each shed during cooler temperatures and will also require minor quantities of other chemicals for cleaning.
 - The Applicant provided two versions of its preliminary hazard analysis (PHA) throughout the assessment and found the bulk storage of LPG (eight 7,000 L tanks, totalling 56,000 L) to be potentially hazardous under SEPP 33. Other chemicals used on-site are all under the applicable SEPP 33 thresholds.
 - The Applicant considered the consequences of flash fires and boiling liquid expanding vapour explosions which could potentially occur during loading of
- Require the Applicant to:
- store DGs below SEPP 33 thresholds
 - store DGs in bunded areas
 - prepare a fire safety study and a final hazards analysis

Findings

- the LPG tanks. The PHA indicated the consequences of hazardous events would unlikely extend offsite due to the adequate separation distance of 1,500 m from any LPG vessel to the site boundary.
- Notwithstanding, the Applicant indicated the LPG tanks will be installed to comply with AS 1596:2014 – The storage and handling of LP Gas (AS1596).
 - The Department has considered the findings of the PHA and is satisfied the development would unlikely result in offsite hazardous impacts. To ensure the development is consistent with the EIS and RTS, the Department has recommended conditions requiring the preparation of pre-construction, pre-operation and ongoing management plans, including an Emergency Services Information Package as required by FRNSW.
 - The Department has assessed the Applicant's information and concludes the nature and design of the development would ensure the risks to the surrounding areas are minimised and would comply with the Department's Hazardous Industry Planning Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning' (HIPAP 4).

Recommendations

- prepare an emergency services information package.

Bush Fire Management

- The site is within a designated bush fire prone area and adequate bush fire protection measures are required to increase life safety, property protection and community resilience to bush fire attack.
- The site features cropping and grazing lands which are capable of sustaining grass fires. The vegetation within 140 m of the site boundary is largely grasslands interspersed with areas of dry forests, agricultural, and grassy as well as rocky hill woodlands. An area of woodland formation sits approximately 95 m from Farm 4 (located at the northern end of the site) which is of the highest risks for bush fire.
- Prevailing weather conditions in bush fire prone region consists of very high daytime temperatures, strong north to north westerly winds and very low humidity. The potential source of ignition includes lightning storm, vehicle accidents and exhausts coming in contact with vegetation along road corridors, conductor clashing, agricultural machinery, incidents associated with the storage of hay, and irresponsible activity during adverse fire weather.
- The EIS included a bush fire hazard assessment which was primarily informed by the NSW RFS' Planning for Bush Fire Protection 2019 and the Mid Lachlan Valley Bush Fire Risk Management Plan. The assessment took into account various aspects of bush fire risks including fuel loads on the site and adjoining lands, prevailing weather conditions and topographic features.
- The bush fire hazard assessment found that it is possible that grass fire could advance toward the operation from almost any direction, but dry north to north

Require the Applicant to:

- Implement bush fire protection measures
- Prepare and implement a bush fire emergency response and evacuation plan

Findings

Recommendations

westerly winds is more likely, and grass fires could advance towards all PPUs through the valley.

- To enhance the resilience of the operation against potential bush fire impact, the Applicant has committed to the following bush fire protection measures:
 - provision of asset protection zones and defendable space areas
 - provision of water supply and utilities in accordance with the requirements of NSW RFS' Planning for Bush Fire Protection 2019 and the National Construction Code
 - construction of masonry radiant heat screens around LPG tanks
 - adoption of BAL-12.5 specifications for the rural workers' dwellings
 - preparation of a bush fire emergency response and evacuation plan
- Furthermore, the Applicant indicated the internal roads have been sized and designed to cater for emergency access and egress during a bush or grass fire event.
- During consultation on the EIS, NSW RFS provided advice on conditions in relation to emergency management, asset protection zones, construction standards, property access, as well as water and utility services. In response, the Applicant has incorporated the advice from NSW RFS in its suite of mitigation and measures for the development.
- The Department has considered the bush fire hazard assessment and is satisfied the development would be resilient to bush fire attack, subject to incorporating the design and management measures recommended by the NSW RFS. The Department has therefore adopted the NSW RFS' recommended bush fire protection measures in the recommended conditions of consent.
- The Department's assessment concludes that bush fire hazards can be appropriately managed, subject to the recommended conditions.

Ancillary Farm Manager Accommodation

- The Applicant has advised the eight dwellings proposed for farm manager accommodation would consist of freestanding brick veneer houses.
- As discussed in Section 4.2 and Appendix D, the proposed residential use is permissible on site as it is ancillary to the poultry rearing and breeding operation. To ensure the proposed residences remains intrinsically linked to the development, the Department recommended a condition which prohibits the dwellings from being occupied by persons other than those employed by the Applicant, or their partner and dependants in conjunction with the operation of a poultry farm for the operational life of the development.

Require the Applicant to:

- operate the residential use only in connection with intensive livestock agriculture uses.
- obtain further approval under section 68 of the Local Government Act 1993.

Findings

Recommendations

- The dwelling sites are indicated on the supplied plans and the Department does not object to this use. However, plans of the water supply, sewerage and stormwater drainage work for the dwellings need to be provided as part of a separate application to Council as required by Section 68 of the *Local Government Act 1993*. The Department has therefore recommended conditions requiring the Applicant to obtain the required approval from Council to carry out plumbing and drainage works for the freestanding houses in connection with the operation of each PPU.
 - With regards to construction of the dwellings, NSW RFS advised that residential buildings need to comply with the Australian Standard AS 3959-2018 - *Construction of buildings in bushfire-prone areas* or the relevant requirements of the National Association of Steel-Framed Housing Standards. In addition, NSW RFS also noted the construction requirements specified in Section 7.5 of *Planning for Bush Fire Protection 2019*, which needs to be met for the proposed dwellings on the site.
 - Accordingly, the Department has recommended a condition to require the proposed dwellings be built with adequate bush fire protection in line with NSW RFS' advice.
 - The Department's assessment concludes the construction and ancillary use of on-site dwellings for farm manager accommodation can be satisfactorily managed, subject to the recommended conditions.
- construct the building structures to comply with relevant building code and standards.

7 Evaluation

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development.

The Department has considered the development on its merits, taking into consideration strategic plans that guide development in the area, the EPIs that apply to the development, advice received from the relevant public authorities, including Council, and submissions from the public.

The development involves the construction and operation of a poultry rearing and breeder farm in Grenfell. The development is needed to support the broader poultry production industry through the steady and reliable supply of fertile eggs.

None of the relevant government authorities objected to the proposal. The Department acknowledges the concerns raised by the local community regarding air quality, operational noise, water security, effect on waterways, animal welfare and biosecurity. The Department has sought to address any issues raised, including those raised in public submissions, through consultation with both the government authorities and the Applicant. As a result, the Applicant has incorporated additional controls to minimise odour, noise and visual impacts and refined the concept plan for the proposed road upgrade.

The Department's assessment considered odour, noise and water management to be the key matters for consideration.

Poultry production has the potential to generate significant odour impacts. The development will utilise fully enclosed, tunnel ventilated poultry sheds and has been designed to minimise odour impacts at surrounding sensitive receivers by leveraging on the large distance buffer and incorporating vegetative screens. In addition, the Applicant is committed to implementing best management practices for the site. The Department has recommended the Applicant undertake an odour validation study and implement additional measures should unforeseen odour impact arise. The Department has also recommended the Applicant prepare an air quality management plan to demonstrate the ongoing operation of the development meets the air quality objectives and targets.

Given the rural nature of the existing environment, 24-hour operation of mechanically ventilated sheds and heavy vehicle transport has the potential to impact on the acoustic amenity of nearby residential land uses. The Department considers noise impacts would be largely mitigated by the large separation distance between the proposed development footprint and surrounding sensitive residential receivers. To ensure compliance with the relevant noise criteria, the Applicant's proposed noise mitigation and management measures have been refined over the course of the assessment, which included a suite of best-practice management measures and specific engineering controls such as an acoustic mound and enclosures around on-site generators. The Department is satisfied the development has been designed to respond sensitively to the nearest residential property. The Applicant's proposed management and mitigation measures have been incorporated into the recommended conditions of consent. The Department has also recommended the Applicant undertake a noise verification study to demonstrate compliance and implement additional controls should unforeseen impacts be identified.

The operation of an integrated poultry rearing and breeder farm at the site requires a secure water supply to meet ongoing demand and efficient water management to minimise potential impacts on the Wallah Wallah Creek. The Department's assessment found that flood risks are low, subject to the implementation of design measures for bridge and culverts, and the development has been designed

to incorporate swales and detention basins to manage the quantity and quality of stormwater runoff. In relation to water access, the Department is satisfied that Central Tablelands Water has confirmed the availability of water supply to the development. The Department has recommended conditions to ensure design measures are fully implemented prior to the commencement of operation and require the Applicant prepare a set of flood response and water management plans to facilitate the ongoing implementation of best practice by its employees.

The Department has also recommended a range of detailed conditions to address road upgrades, animal welfare management, ongoing waste management, storage of dangerous goods, as well as any residual Aboriginal cultural heritage, biodiversity and contamination impacts associated with the construction of the development. These conditions were informed by the recommendations of the relevant government authorities.

Overall, the development is consistent with the objectives of the relevant NSW Government policies, would increase the diversity of the agricultural sector within Weddin Shire, would provide ongoing employment opportunities and would help minimise constraints in the chicken meat supply chain. On balance, the Department considers the development is in the public interest and the SSD application is approvable, subject to conditions.

8 Recommendation

For the purpose of section 4.38 of the *Environmental Planning and Assessment Act 1979*, it is recommended that the Director, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **accepts** and **adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **considers** any findings or recommendations of the Independent Planning Commission following a review
- **agrees** with the key reasons for approval listed in the notice of decision (see **Appendix D**)
- **grants** consent for the application in respect of the Grenfell Poultry Rearing/Breeder Farm SSD-13855453, subject to the conditions in the attached development consent (**Appendix E**)
- **signs** the attached development consent and recommended conditions of consent (see **Appendix E**).

Recommended by:



27 October 2022

Jeffrey Peng

Senior Environmental Assessment Officer
Industry Assessments

Recommended by:



27 October 2022

Joanna Bakopanos

Team Leader
Industry Assessments

9 Determination

The recommendation is **Adopted** by:



4 November 2022

Chris Ritchie
Director
Industry Assessments

Appendices

Appendix A – List of Documents

The Department has relied upon the following key documents during its assessment of the proposed development:

Environmental Impact Statement

- 'Environmental Impact Statement – Grenfell Breeder/Rearer Farm', prepared by PSA Consulting (Australia) Pty Ltd dated 8 December 2021

Submissions

- All submissions received from relevant public authorities and the general public

Response to Submissions

- Response to Community Submissions Development Application SSD-13855453, prepared by PSA Consulting (Australia) Pty Ltd and dated 28 April 2022
- Response to Agency Recommendations for Development Application SSD-13855453, prepared by PSA Consulting (Australia) Pty Ltd and dated 29 April 2022

Additional Information

- Response to Agency Recommendations for Development Application SSD-13855453, prepared by PSA Consulting (Australia) Pty Ltd and dated 14 July 2022

Statutory Documents

- Relevant considerations under section 4.15 of the EP&A Act (see **Appendix B**)
- Relevant environmental planning instruments, policies and guidelines (see **Appendix C**)

All documents relied upon by the Department during its assessment of the application may be viewed at: <https://www.planningportal.nsw.gov.au/major-projects/projects/grenfell-poultry-breeder-farm>

Appendix B – Considerations under Section 4.15 of the EP&A Act

Table 4 | Matters for Consideration under Section 4.15 of the EP&A Act

Matter	Consideration
<p>a) the provisions of:</p> <ul style="list-style-type: none"> i.) any environmental planning instrument, 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 iii) 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), that apply to the land to which the development application relates, 	<p>A detailed consideration of the provisions of all environmental planning instruments (including draft instruments subject to public consultation under the EP&A Act) that apply to the development is provided below.</p> <p>Under section 2.10 of the Planning Systems SEPP, development control plans do not apply to State significant development.</p> <p>The Applicant has not entered into any planning agreement under section 7.4 of the EP&A Act.</p> <p>The Department has assessed the development in accordance with all relevant matters prescribed by the regulations, the findings of which are contained in this report.</p>
<p>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,</p>	<p>The Department has considered the likely impacts of the development in detail in Section 6 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.</p>
<p>c) the suitability of the site for the development,</p>	<p>The development involves the construction and operation of intensive livestock agriculture located in an area zoned Primary Production (RU1). The proposed development is permissible with development consent.</p>
<p>d) any submissions made in accordance with this Act or the regulations,</p>	<p>All matters raised in submissions have been summarised in Section 5 of this report and given due consideration as part of the assessment of the development in Section 6 of this report.</p>
<p>e) the public interest.</p>	<p>The development would generate up to 60 jobs during construction, 50 jobs during operation and direct \$64 million in capital investment in the Weddin Shire local government area. The environmental impacts of the development would be appropriately managed via the recommended conditions. The Department considers to the development is in the public interest.</p>

Appendix C – Consideration of Environmental Planning Instruments

To satisfy the requirements of section 4.15(1) of the EP&A Act, the following EPIs were considered as part of the Department's assessment:

- former State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- former State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- former State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)
- former State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)
- former State Environmental Planning Policy (Rural Lands) 2008 (Rural Lands SEPP)
- Weddin Local Environmental Plan 2011 (Weddin LEP).

Former State Environmental Planning Policy (State and Regional Development) 2011

The SRD SEPP identifies certain classes of development as SSD. The construction and operation of an intensive livestock agriculture development with a CIV greater than \$30 million meets the criteria in clause 1 of Schedule 1 of the SRD SEPP and is consequently classified as SSD. The development satisfies the criteria in clause 1 of Schedule 1 as it would involve the construction of an intensive livestock agriculture with a CIV of approximately \$64 million.

Former State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)

The ISEPP aims to facilitate the effective delivery of infrastructure across the State and lists the type of development defined as Traffic Generating Development. Clause 104 of the ISEPP specifies that the consent authority for any of the traffic-generating developments listed in Schedule 3 refer the development application to the TfNSW and take into consideration any submission received from TfNSW, the accessibility of the site and any potential traffic safety, road congestion or parking implications. While “intensive livestock agriculture” (or similar) is not specifically listed in Schedule 3 of the ISEPP, given the combined size/capacity of the development, the development application was referred to TfNSW.

TfNSW did not object to the development but has recommended conditions in consultation with Council requiring the Applicant provide rural basic right-hand turn and left-hand turn treatments, pavement sealing and shoulder widening at the intersection between Gooloogong Road and the access road to the site (see Section 6.4). The Department has included the road upgrade requirements into the recommended conditions.

Former State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)

SEPP 33 aims to identify proposed developments with the potential for significant off-site impacts, in terms of risk and/or offence. A development is defined as potentially hazardous and/or potentially offensive if, without mitigating measures in place, the development would have significant risk and/or adverse impact on off-site receptors. The EIS identified that the proposed development would involve the storage and handling of six categories of Dangerous Goods (DG), including liquified petroleum gas (LPG), petrol and diesel. The LPG storage will include eight 7,000 L tanks, totalling 56,000 L across the development.

The Applicant's preliminary hazard analysis found the bulk storage of LPG to be potentially hazardous under SEPP 33 and evaluated the level of risk associated with the potential for off-site safety or environmental effects. The preliminary hazard analysis found the consequences of hazardous events would unlikely extend offsite due to the adequate separation distance of 1,500 m from any LPG vessel to the site boundary. The risks from each poultry production unit and from the whole development is expected to satisfy the Department's *Hazardous Industry Planning Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning'*. Notwithstanding, the LPG tanks will be installed to comply with *AS 1596:2014 – The storage and handling of LP Gas (AS1596)*.

The Department is satisfied that the development is consistent with the aims of SEPP 33, and would appropriately minimise any risks associated with the storage and handling of DGs, therefore it would not be considered a potentially hazardous or potentially offensive development under clause 3 of this SEPP.

Former State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

SEPP 55 aims to provide a State-wide approach to the remediation of contaminated land. In particular, SEPP 55 aims to promote the remediation of contaminated land to reduce the risk of harm to human health and the environment by specifying:

- under what circumstances consent is required
- the relevant considerations for consent to carry out remediation work
- that remediation works undertaken meet certain standards and notification requirements.

The Applicant's assessment indicated the site has been historically used for agriculture (cropping and grazing), and given agricultural use is ongoing and the site is not listed as being contaminated in the NSW EPA Contaminated Land Record of Notices, no further assessment or a remedial action plan were required. The Department is satisfied the development is consistent with the aims, objectives and provisions of SEPP 55.

Draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)

The draft Remediation SEPP seeks to retain the key operational framework of the current SEPP 55, while also adding new provisions relating to changes in categorisation and introducing modern approaches to the management of contaminated land. The development has been assessed against SEPP 55 (see above), and the Department is satisfied the development would be consistent with the draft Remediation SEPP.

Former State Environmental Planning Policy (Rural Lands) 2008 (Rural Lands SEPP)

Rural Lands SEPP aims to facilitate the orderly and economic use and development of rural lands for rural and rural related purposes, and minimise land use conflicts. The development would support the poultry meat industry in the Central West region in response to an increase in the domestic demand for poultry meat products. Furthermore, the development has been designed to minimise impacts upon biodiversity, native vegetation and water resources. The development is consistent with the Central West and Orana Regional Plan 2036 and poses minimal impacts on the provision of services and infrastructure.

Weddin Local Environmental Plan 2011 (Weddin LEP)

The Weddin LEP aims to encourage a range of housing, employment, recreation and community facilities to meet the needs of existing and future residents of Weddin. It also aims to protect, enhance and conserve agricultural land through the proper management, development and conservation of natural and man-made resources.

The development is located on land zoned RU1 Primary Production under the Weddin LEP. As discussed in Section 4.2 of this report, the use of the site as intensive livestock agriculture is permissible with consent, pursuant to the Weddin LEP.

Clause 4.2C of the Weddin LEP aims to ensure the provision of adequate accommodation for employees of existing agricultural or rural industries. However, this clause does not apply to ancillary development. In this regard, the Department is satisfied that the dominant purpose of the development is for intensive livestock agricultural, of which the eight dwellings for farm manager accommodation are ancillary to the development and are required to enable the development to operate. Notwithstanding, the Department recommended a condition to ensure the proposed dwellings remains intrinsically linked to the development.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the LEP and those matters raised by Council in its assessment of the development (see Section 6 of this report). Council did not object to the proposed development and noted the significance of the poultry industry to Weddin Shire. Council advised that, provided the proposal is determined to be satisfactory having regard to all relevant matters, including air quality (odour and dust), traffic, water (surface and supply availability), waste management, noise and visual impacts, it had no objection to the proposal. The Department concludes the development is consistent with the relevant provisions of the Weddin LEP (see **Table 5** for the Department's consideration).

Table 5 | Consideration of the Weddin LEP – clause 5.18(3) Intensive Livestock Agriculture

Matter	Consideration
Adequacy of the information provided in the statement of environmental effects	The Applicant has provided a comprehensive environmental impact statement in response to the SEARs, which included an assessment of key issues including not but limited to air quality (odour and dust), traffic, water (surface and supply availability), waste management, noise and visual impacts. The Applicant has also provided a series of additional information in response to submissions and the Department's request for information.

Matter	Consideration
Potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site	The Department has considered the information provided by the Applicant along with the issues raised by EPA, DPI and the public and is satisfied that air quality impacts associated with the operation of the rearing and breeder facility would be suitably mitigated by the large separation distance between the proposed operations and surrounding sensitive residential receivers (predicted compliance with the conservative odour criterion of 5 OU). The use of vegetative screens provides further buffer towards the avoidance of unreasonable air quality impacts and is consistent with DPI's Best Practice Management for Meat Chicken Production in NSW, which offers guidance on environmental risk management associated with the more intensive meat chicken production farms.
Potential for the pollution of surface water and ground water	The Department is satisfied the development has been designed to incorporate swales and detention basins to manage the quantity and quality of stormwater runoff, which is expected to be of similar quality and no more than the peak runoff flow from the existing site. Notwithstanding, the Department has recommended a condition requiring the development comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.
Potential for the degradation of soils	The Department is satisfied the Applicant has committed to implementing appropriate sediment and erosion control measures during construction to ensure contaminated runoff does not reach the Wallah Wallah Creek. The Department has recommended a condition of consent that requires the Applicant to install and maintain suitable erosion and sediment control measures on site during construction.
Measures proposed to mitigate any potential adverse impacts	<p>The 24-hour operation of the development has the potential to impact on the acoustic amenity of rural residential properties. Concerns regarding noise pollution were raised by the nearest residential landowners at 1268 Gooloogong Road. The Department is satisfied that operational noise would comply with the relevant noise criteria, subject to the implementation of engineering noise controls and best practice noise management measures.</p> <p>In addition to the above, the Department has recommended a suite of conditions to address road upgrades, animal welfare management, ongoing waste management, as well as any residual Aboriginal cultural heritage, biodiversity and contamination impacts associated with the construction of the development. These conditions were informed by the recommendations of the relevant government authorities and have been reviewed by the Applicant.</p>

Matter	Consideration
<p>Suitability of the site in the circumstances</p>	<p>The development involves the construction and operation of intensive livestock agriculture located in an area zoned Primary Production (RU1). The proposed development is permissible with development consent.</p> <p>The Department is satisfied the proposed development has been well planned and designed and provides adequate buffers between the poultry sheds and residential areas to mitigate potential impacts. A suite of best management practices and mitigation measures are also proposed. The site is considered suitable for the development with appropriate road and water access.</p>
<p>Whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals</p>	<p>The Applicant advised it is fully committed to its animal welfare and biosecurity policies and noted that for any animal husbandry enterprise to be viable, animals require optimum care and management, as well as provision of the best available housing and equipment.</p> <p>The Applicant has committed to meeting all standards for animal care and management under the National Animal Welfare Standards for the Chicken Meat Industry (Australian Poultry CRC, 2008), Prevention of Cruelty to Animals Regulation 2012 and Prevention of Cruelty to Animals (Land Transport of Livestock) Standards 2013.</p> <p>The Applicant has also committed to implementing the biosecurity objectives under the National Farm Biosecurity Manual for Chicken Growers (ACMF, 2010).</p>
<p>Consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary</p>	<p>The Department is satisfied the Applicant has adequately addressed the environmental planning and assessment provisions of relevant DPI guidelines, including issues raised by DPI during the assessment process.</p>

Appendix D – Key Issues - Community Views

The Department publicly exhibited the EIS from 14 December 2021 to 1 February 2022 (49 days) 14 on the Major Projects website. During the exhibition period, the Department received 11 submissions from the public (eight from individuals and three from special interest groups) and advice from eight public authorities and Council. One submission was a petition with 4,227 signatures and all 11 submissions from the public objected to the proposal, including the nearest landowners of 1268 Gooloogong Road.

The issues raised by these public submissions and how each issue has been addressed is summarised in **Table 9**.

Table 6 | Department’s Consideration of Community Views

Issue	Consideration
<p>Odour and Dust</p> <p>Concerns were raised by the public regarding the potential odour and dust impacts associated with the 24-hour operation of a poultry production facility</p>	<p>The Department has worked closely with Baiada Properties Pty Ltd (the Applicant) and in consultation with the EPA to ensure odour and dust impacts can be adequately managed. The Department is satisfied that air quality impacts associated with the construction and operation of the rearing and breeder facility would be suitably mitigated by the large separation distance between the proposed development footprint and surrounding sensitive residential receivers.</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions requiring the Applicant to submit an odour validation report, including the implementation of additional measures should unforeseen odour impact arise. The Department has also recommended a condition that requires the Applicant to take all reasonable steps to minimise dust generated by the development during construction and operation. It is also recommended the Applicant be required to prepare and implement an Air Quality Management Plan as part of its overarching Operational Environmental Management Plan for the development.</p>
<p>Noise</p> <p>Concerns were raised by the public regarding the potential noise impacts associated with the 24-hour operation of mechanical plant and heavy vehicles</p>	<p>Noise impacts associated with the operation of the rearing and breeder facility would be largely mitigated by the large separation distance between the proposed development footprint and surrounding sensitive residential receivers. To ensure compliance with the relevant noise criteria, the Applicant’s proposed noise mitigation and management measures have been refined over the course of the assessment, which included a suite of best-practice management measures and specific engineering controls such as an acoustic mound and enclosures around on-site generators. The Department is satisfied the development has been designed to respond sensitively to the nearest residential property.</p> <p><u>Conditions include:</u></p> <p>The Applicant’s proposed management and mitigation measures have been incorporated into the recommended conditions of consent. The Department has also recommended the Applicant undertake a noise verification study to demonstrate compliance and implement additional controls should unforeseen impacts be identified.</p>

Issue	Consideration
<p>Water security</p> <p>Concerns were raised by the public regarding the availability of water source in the region</p>	<p>The proposed poultry development requires a total water supply of 141 megalitres (ML) per year (equivalent to an average daily demand of approximately 0.39 ML per day), with a maximum daily demand of 1 ML in the worst-case scenario (representative of a hot summer day combined with maximum bird population on the site).</p> <p>The Department is satisfied there is sufficient water supply to service the operation of the development as Central Tablelands Water advised the nominated water demand will be available during periods up to and including level 6 restrictions. The required water supply during high demand periods will be sourced from a combination of Lake Rowlands Dam (extraction licence of 3,150 ML per year) and Gooloogong Bores (extraction licence of 400 ML per year). Additionally, Central Tablelands Water advised the required peak water flowrate of 1 ML per day can be attained by the new potable pipeline between Gooloogong and Grenfell, which was commissioned in 2020.</p> <p><u>Conditions include:</u></p> <p>The Department has recommended a condition to ensure the Applicant finalise and confirm any water supply upgrade works required in consultation with Central Tablelands Water throughout the detailed design phase.</p>
<p>Effect on waterways</p> <p>Concerns were raised by the public regarding the potential impacts of contaminants on water quality</p>	<p>The Department acknowledges the concerns raised by the public regarding the potential for adverse impacts on nearby waterways and the broader Lachlan River Catchment during operation of the development. The Department is satisfied the development has been designed to incorporate swales and detention basins to manage the quantity and quality of stormwater runoffs, which is expected to be of similar quality and no more than the peak runoff flow from the existing site.</p> <p>The Department notes that the proposed poultry production units will be constructed on an elevated pad and concrete slab and surrounded by a waterproof blockwork at the base of the insulated panel wall. As such, internal shed areas will be entirely separated from interaction with stormwater or roof water. Furthermore, the Applicant advised there would be no contaminated stormwater generated from shed cleaning as the sheds would be swept and vacuumed cleaned once the birds are removed, with the remaining floor litter taken off site via a covered truck. Following dry cleaning, the sheds would be sanitised using a high-pressure spray to minimise water use and sheds would dry via an evaporation process before being set up for the next batch of birds.</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions requiring the Applicant to comply with Section 120 of the POEO Act and that all wastewater and contaminated stormwater be captured in a waste collection system. In addition, the Department has also recommended the Applicant be required to prepare and implement an Operational Environmental Management Plan to manage site activities effectively.</p>

Issue	Consideration
<p>Animal welfare and biosecurity</p> <p>Concerns were raised by the public regarding animal cruelty, animal density/welfare and disease transmission</p>	<p>The Applicant advised it is fully committed to its animal welfare and biosecurity policies and noted that for any animal husbandry enterprise to be viable, animals require optimum care and management, as well as provision of the best available housing and equipment.</p> <p>The development would have a maximum bird capacity of 570,000 birds at any one time and birds would be housed in tunnel-ventilated, fully enclosed, climate-controlled sheds. The maximum bird density in each rearing and breeder shed would be 30 kg per square metre, which complies with the <i>Model Code of Practice for the Welfare of Animals – Domestic Poultry</i> (PISC, 2002).</p> <p>The Applicant has committed to meeting all standards for animal care and management under the <i>National Animal Welfare Standards for the Chicken Meat Industry</i> (Australian Poultry CRC, 2008), <i>Prevention of Cruelty to Animals Regulation 2012</i> and <i>Prevention of Cruelty to Animals (Land Transport of Livestock) Standards 2013</i>. In addition, the Applicant has also committed to implementing the biosecurity objectives under the <i>National Farm Biosecurity Manual for Chicken Growers</i> (ACMF, 2010).</p>
<p>Vegetation removal</p> <p>Concerns were raised by the public regarding the clearing of native vegetation</p>	<p>The Department and its Environment and Heritage Group are satisfied that the Applicant has adequately assesses the impacts of the development to biodiversity in accordance with the <i>Biodiversity Assessment Method 2020</i>. The Applicant has made efforts to minimise the loss of tree while appropriately siting infrastructure and poultry farms. Where vegetation removal cannot be avoided, the Applicant will be required to purchase and retire biodiversity credits to offset impacts.</p> <p>In addition, the Applicant is required to implement environmental management measures such as nest box installation and weed/tree management to manage biodiversity values of the site.</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions requiring the Applicant purchase and retire a total of 34 ecosystem credits prior to any clearing or construction works for the development to offset the removal/disturbance of 1.56 hectares of threatened ecological communities at the site. The Department has also recommended the Applicant prepare and implement a biodiversity management plan to manage impacts on Box-Gum and Fuzzy-Box Woodlands.</p>
<p>Disturbance to Aboriginal site</p> <p>Concerns were raised by the public regarding the disturbance of an Aboriginal cultural heritage site near Wallah Wallah Creek during construction</p>	<p>An Aboriginal cultural heritage site has been identified in the vicinity of Wallah Wallah Creek and within the impact footprint of the internal road. The identified Aboriginal cultural heritage site is representative of artefact sites recorded elsewhere in the region, which features a low-density scatter and a low complexity of tools. The Department has worked closely with the Applicant in consultation with Heritage NSW during the assessment process to ensure appropriate management and mitigation strategies are in place to handle the artefacts and during works in case of unexpected finds.</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions requiring the Applicant to prepare an Aboriginal Cultural Heritage Management Plan in consultation with the Registered Aboriginal Party and to follow an unexpected finds protocol in the event any new item or object of Aboriginal heritage significance is identified.</p>

Issue	Consideration
<p>Storage of dangerous goods</p> <p>Concerns were raised by the public regarding the bulk storage of liquified petroleum gas (LPG)</p>	<p>The proposed development would involve the storage and handling of six categories of Dangerous Goods (DG), including LPG which could result in potential impacts when tanks are being loaded. The Applicant's preliminary hazard analysis (PHA) indicated the consequences of hazardous events would unlikely extend offsite due to the adequate separation distance of 1,500 m from any LPG vessel to the site boundary. Notwithstanding, the Applicant indicated the LPG tanks will be installed to comply with Australian Standard AS 1596:2014 – The storage and handling of LP Gas (AS1596).</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions requiring the preparation of pre-construction, pre-operation and ongoing management plans, including an Emergence Services Information Package as required by Fire and Rescue NSW.</p>
<p>Visual amenity impacts</p> <p>Concerns were raised by the public regarding visual impacts on the landscape and amenity of nearby residential properties</p>	<p>The Department is satisfied the visual impacts on surrounding existing receptors would be minor due to the low physical profile of the development, the isolation of the site and separation distances to the nearest receptor and from Gooloogong Road. The Department also considers the development is consistent with the rural character of the area due to the significant presence of the agricultural industry in the region.</p> <p>The Applicant's assessment found the development is not expected to have an unacceptable visual impact given the nearest residential dwelling is approximately 1.5 km away from the closest poultry production unit. Additional visual buffer in the form of vegetative screens has also been incorporated in development design in response to feedback from the neighbouring property.</p> <p><u>Conditions include:</u></p> <p>The Department considers that the proposed vegetation buffer will further mitigate any potential visual impacts to the surrounding locality. To this effect, the Department has required the Applicant prepare a landscape management plan to manage landscaping and vegetation within the site.</p>
<p>Inconsistency with the Weddin LEP</p>	<p>The Department has consulted with Weddin Shire Council (Council) throughout the assessment process and has considered all relevant provisions of the Weddin Local Environmental Plan 2011 (Weddin LEP) and those matters raised by Council in its assessment of the development. Council did not object to the development and noted the significance of the poultry industry to Weddin Shire. Council advised that, provided the proposal is determined to be satisfactory having regard to all relevant matters, including air quality (odour and dust), traffic, water (surface and supply availability), waste management, noise and visual impacts, it had no objection to the proposal. The Department has carefully evaluated the likely environmental impacts and concludes the development is consistent with the relevant provisions of the Weddin LEP for Intensive Livestock Agriculture.</p>

Appendix E – Recommended Instrument of Consent

The recommended conditions of consent for SSD-25452459 can be viewed on the Department's website at: <https://www.planningportal.nsw.gov.au/major-projects/projects/grenfell-poultry-breeder-farm>