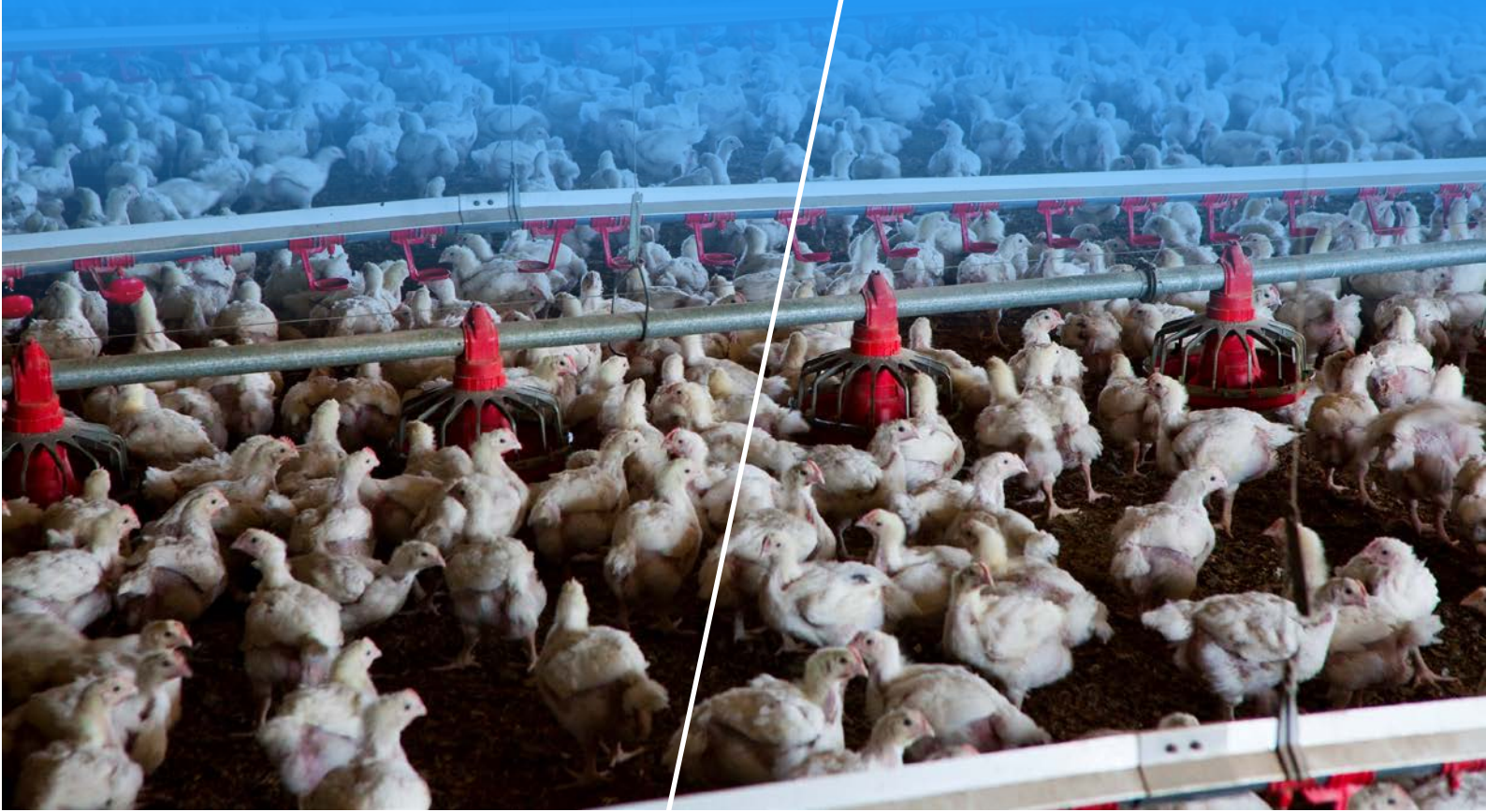




Goolgowi Poultry Complex

*State Significant
Development Assessment
(SSD-8036)*



March 2020

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Cover photo

Young, free-range chickens (Department of Planning, Industry and Environment 2015)

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
Applicant	Muscat Developments Pty Ltd
AQIA	Air Quality Impact Assessment
AQMP	Air Quality Management Plan
BAR	Biodiversity Assessment Report
BCA	Building Code of Australia
CIV	Capital Investment Value
CLEP	Carathool Local Environmental Plan 2012
Consent	Development Consent
Council	Carrathool Shire Council
Department	Department of Planning, Industry and Environment
Development	Goolgowi Poultry Complex
DoI	Department of Industry
DPI	Department of Primary industries
EAD	Emergency Animal Disease
EES	Environment, Energy and Science (Former Office of Environment and Heritage)
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPA	Environment Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
ha	Hectares
Highway	Mid-Western Highway
HIPAP 4	Hazardous Industry Planning Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning'
ICNG	Interim Construction Noise Guideline
kL	Kilolitres
LEP	Local Environmental Plan
LGA	Local Government Area
LPG	Liquified Petroleum Gas

MI	Murrumbidgee Irrigation
Minister	Minister for Planning and Public Spaces
MNES	Matters of National Environmental Significance
ML	Megalitres
NML	Noise Management Level
NORBE	Neutral or Beneficial Effect
NVIA	Noise and Vibration Impact Assessment
OU	Odour Units
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
PSNL	Project Specific Noise Level
RFS	Rural Fire Services
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW
TIA	Traffic Impact Assessment
The Plan	<i>Riverina Murray Regional Plan</i>



Executive Summary

This report details the Department of Planning, Industry and Environment's (the Department) assessment of a State significant development application (SSD-8036) for the proposed Goolgowi Poultry Complex (the development), lodged by Muscat Developments Pty Ltd (the Applicant). The Applicant proposes to construct and operate an intensive poultry production complex consisting of five broiler farms and associated services, supporting structures and infrastructure at 375 McRaes Road, Goolgowi (the site) in the Carrathool local government area (LGA).

The site is located in an area dominated by agricultural uses and is 16 kilometres (km) south-east of the township of Goolgowi and covers approximately 617.7 hectares (ha) of land zoned RU1 - Primary Production (RU1) under the Carrathool Local Environment Plan 2012 (CLEP). The site is approximately 1.28 km from the nearest sensitive receiver located to the west of the site, on the Mid-Western Highway.

Current Proposal

The Applicant seeks development consent to construct and operate an intensive poultry production complex to rear broiler chickens for human consumption. The development would comprise five farms with each farm consisting of 20 tunnel ventilated sheds, with a total development capacity of 6 million birds.

The development has a capital investment of \$101 million and will generate approximately 70 construction jobs and 12 operational jobs in the Carrathool LGA. The development is consistent with the Riverina Murray Regional Plan which seeks to strengthen and diversify the region's economy and support the continued use of productive agricultural land in the area.

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 a poultry production complex which meets the criteria of intensive livestock agriculture under clause 1 of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP). Consequently, the Minister for Planning and Public Spaces (the Minister) is the consent authority for the development under section 4.5(1) of the EP&A Act.

Engagement

The Department exhibited the Development Application and accompanying Environmental Impact Statement (EIS) for the development from Thursday 1 March 2018 until Wednesday 4 April 2018. A total of 11 submissions were received, including 9 from government agencies and two from the general public. Of the 11 submissions received, two objected to the development.

Key concerns raised related to odour, particulates, water supply and stormwater management. The Applicant submitted a Response to Submissions (RtS) in December 2018 to address and clarify matters

raised in the submissions. However, the RtS did not adequately address the issues raised in submissions, with odour predictions still exceeding the relevant criteria and insufficient details provided on stormwater management. Between December 2018 and July 2019 on-going correspondence was exchanged between the Applicant and the Department in an attempt to address matters relating to odour and water supply. Further information, including additional detail on the development's water demand and an addendum to the Air Quality Impact Assessment (AQIA) were submitted in July and October 2019, respectively.

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 key issues for the development relate to odour and air quality, and water supply and water management.

The Department's assessment found the impacts arising from operating a 100 shed farm could be suitably managed and/or mitigated to an acceptable level of environmental performance for all issues except odour. At 100 sheds, the odour assessment was unable to satisfactorily demonstrate that the relevant odour criteria could be met at one of the sensitive receivers (R5) located to the north-east of the site. This receiver (R5) is located between the development and an existing poultry farm approved by Carathool Shire Council (known as the Jeanella Poultry Farm). The Applicant's AQIA was only able to demonstrate compliance at a decreased scale of 60 sheds across five farms, holding a total of 3.6 million birds at any one time.

To manage the potential odour impacts beyond 60 sheds, the Department, in consultation with the Environment Protection Authority (EPA), has recommended a "partial consent" be granted. This means the Applicant would have development consent to construct and operate a 60 shed poultry production complex, 12 sheds per farm. Therefore, further approval from the Minister for Planning would be required to construct and operate the full 100 sheds, comprising of an additional eight sheds per farm, totalling an additional 40 sheds across the development. As part of seeking this further approval, the Applicant will be required to undertake an Air Quality Impact Assessment to the satisfaction of the Planning Secretary, in consultation with the EPA, to demonstrate the development can meet the odour performance criteria at all sensitive receivers.

The poultry farm requires an adequate water supply and efficient water management for its operation. The Department's assessment considered the water demand of the development, as well as proposed stormwater treatment measures. The assessment concluded the property's current water entitlement could provide an adequate water supply and the implementation of stormwater management measures would ensure the quality and quantity of stormwater leaving the site would achieve a neutral or beneficial effect.

Overall the Department's assessment has concluded the development would:

- provide a range of benefits for the region and the State as a whole, including a capital investment of approximately \$101 million in the Carrathool LGA
- provide for approximately 70 construction jobs and 12 new operational jobs
- be consistent with NSW Government policies including, the Riverina Murray Regional Plan, which seeks to strengthen and diversify the region's economy and support the continued use of productive agricultural land in the area

Consequently, the Department considers the development is in the public interest and should be approved, through a partial consent, subject to conditions.



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1. *Introduction*

1.1 The Department's Assessment

This report details the Department of Planning, Industry and Environment's (the Department's) assessment of the State significant development (SSD-8036) for the proposed Goolgowi Poultry Complex (the development). The development involves the construction and operation of an intensive poultry production complex consisting of five broiler farms and associated services, supporting structures and infrastructure. The Department's assessment considers all documentation submitted by the Applicant, including the Environmental Impact Statement (EIS) and Response to Submissions (RtS), and submissions received from government authorities, stakeholders and the public. 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, the issues raised in submissions and evaluates the key issues associated with the Development and provides recommendations for managing any impacts during the construction and operational phases. The Department's assessment of the development has concluded that the development is in the public interest and should be approved, subject to conditions.

1.2 Development Background

Muscat Developments Pty Ltd (the Applicant) is seeking development consent to construct and operate an intensive livestock agriculture operation consisting of a poultry complex to rear broiler chickens for human consumption at Goolgowi in the Carrathool Local Government Area (LGA) (see **Figure 1**).

The demand for chicken meat is on the rise in Australia, largely due to the costs compared to other meat types and the versatility of chicken meat. Growth is expected to increase to 1.4 million tonnes in 2022-23. In the same period, per capita chicken meat consumption is projected to reach around 52 kilograms (kg) per year, increasing from 50 kg per person as reported in 2018. The consolidation and intensification of industry operations is expected as a response to this increase. Therefore, the Applicant seeks to take advantage of the current and projected growth in demand for this product.



Figure 1 | Regional Context Map

1.3 Site Description

The site is located at 375 McRaes Road, Goolgowi (the site) in the Carrathool LGA in far western New South Wales (NSW). The site comprises two lots, with a total area of 617.7 hectares (ha), legally described as Lots 1 and 2 DP 749831, and is situated 16 kilometres (km) south-east from the township of Goolgowi.

The site is relatively flat, ranging in height from 100 metres (m) to 110 m Australian Height Datum (AHD) and has previously been used for various agricultural uses, including stock grazing and cereal cropping prior to 1958. Approximately 560 ha of the site has been cleared as a result of its historical uses, however, five defined areas of vegetation remain, located around the perimeter of the site.

Access to the site is from the Mid-Western Highway into the north-western corner of the site (see **Figure 2** and **Figure 3**). The Mid-Western Highway is a dual carriageway, a classified road and an approved road train route. Greenhills Road, a local road, is located 140 m to the north-east.

An open irrigation channel, known as Wah Wah Channel, operated by Murrumbidgee Irrigation, traverses through the site from east to west. Smaller irrigation paths extend from Wah Wah Channel to crop pastures and existing farm dams within the site (see **Figure 2** and **Figure 3**).

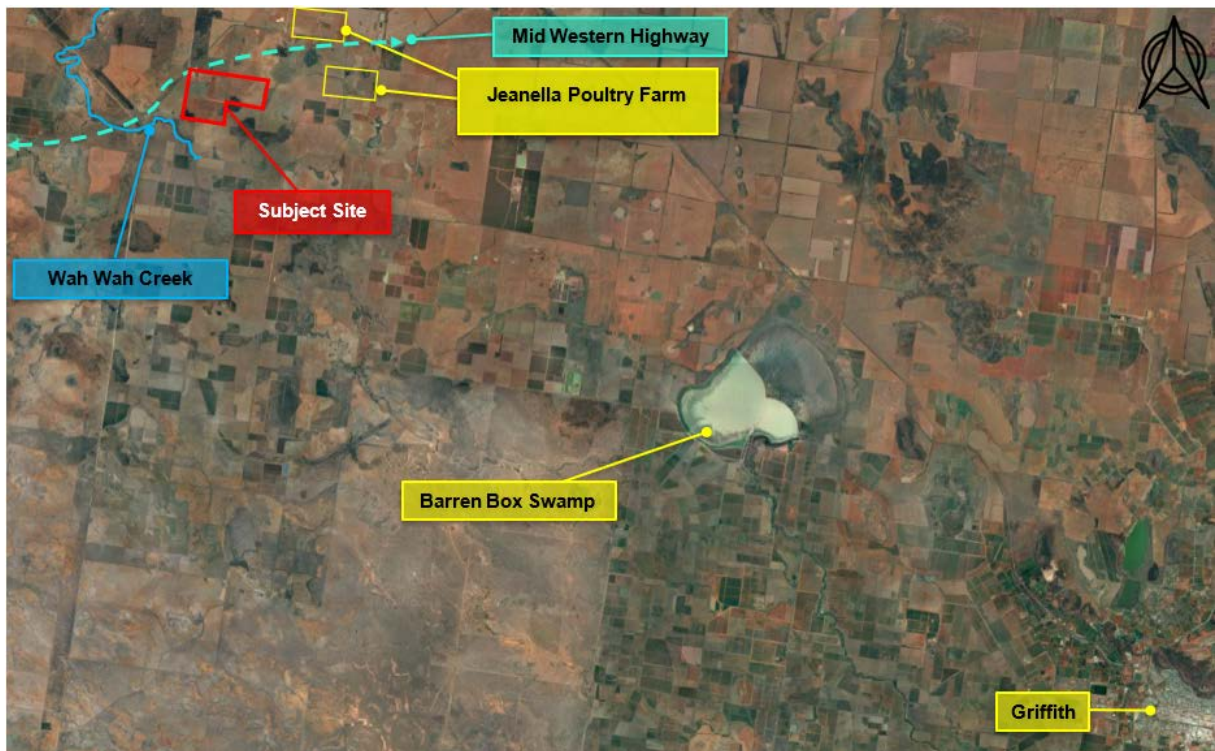


Figure 2 | Locality Map

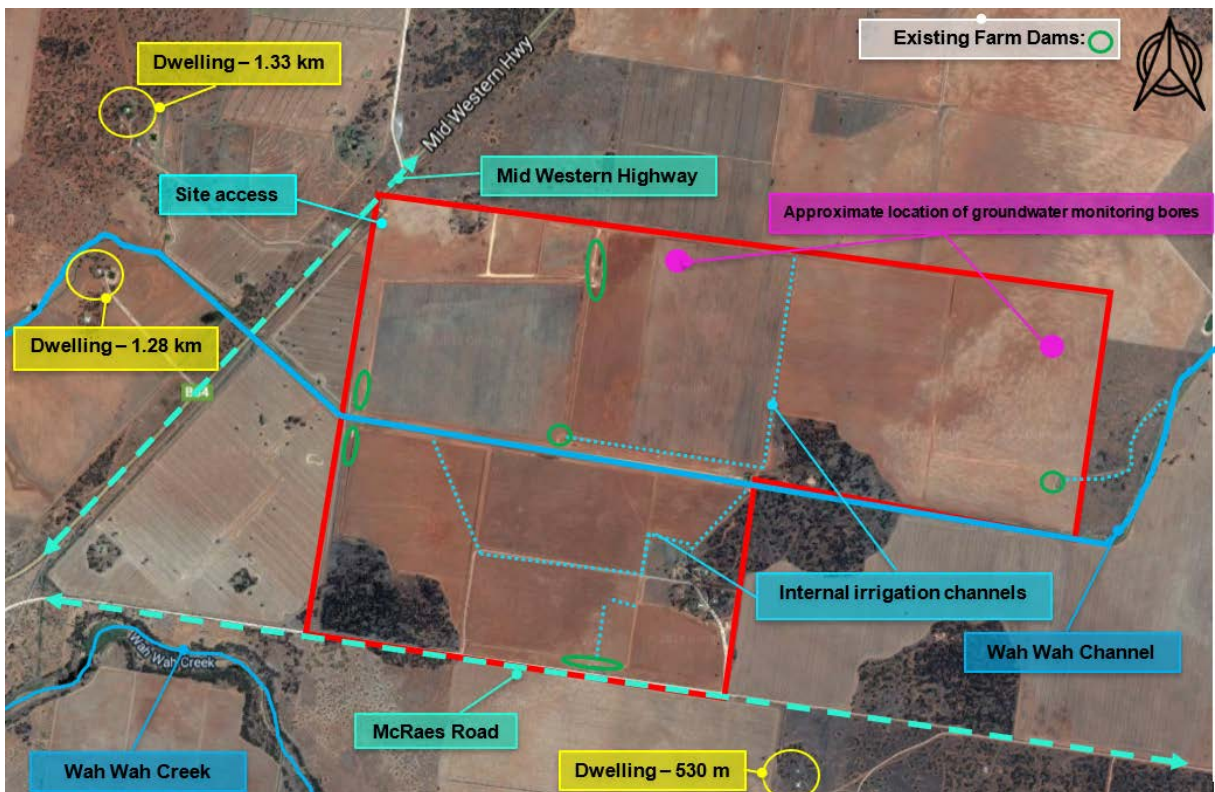


Figure 3 | Existing Site Layout

1.4 Surrounding Land Uses

The locality surrounding the site is dominated by agricultural uses with a small number of residential dwellings. Surrounding land uses and land features of note, include, but are not limited to (see **Figure 2** and **Figure 3**).

- Wah Wah Creek located 320 m to the south-west
- Curlew Tank, a mapped wetland area located two km north-east
- Barren Box Swamp located 23.8 km to the south-east
- Jeanella Poultry Complex (approved by Carathool Shire Council in 2015, operated by ProTen) located around 4.6 km to the north-east.

1.5 Chicken Meat Production

The chicken meat industry consists of several vertically integrated operations that combine to produce a range of chicken meat products including fresh chicken pieces, whole fresh chicken, processed chicken and frozen raw chicken. The production chain consists of breeding farms, hatcheries and growing farms.

Breeder Farms

Breeder farms are specialist, independent operations that house grandparent and parent broiler chickens to provide fertile eggs to be used in the commercial meat process. Broiler stock are housed in high biosecurity farms, typically at lower densities. 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.

Hatcheries

Eggs taken from breeder farms are incubated for 21 days until they hatch. Hatcheries are physically separated from other related poultry operations to maintain biosecurity standards. The day-old chicks are graded for quality and sex, are vaccinated and then dispatched to a meat production facility.

Chicken meat production farms

The development is a chicken meat production farm for the growing of broiler chickens. Broiler chickens are a domesticated fowl, selectively bred for meat production. **Figure 4** below provides a flow diagram of the meat production process. Day old broilers are delivered from hatcheries and raised in tunnel ventilated sheds to their desired processing weight, with a growth cycle of approximately eight weeks. Sheds are cleaned and prepared for one week after each growth cycle to prepared for the start of the next growth cycle.

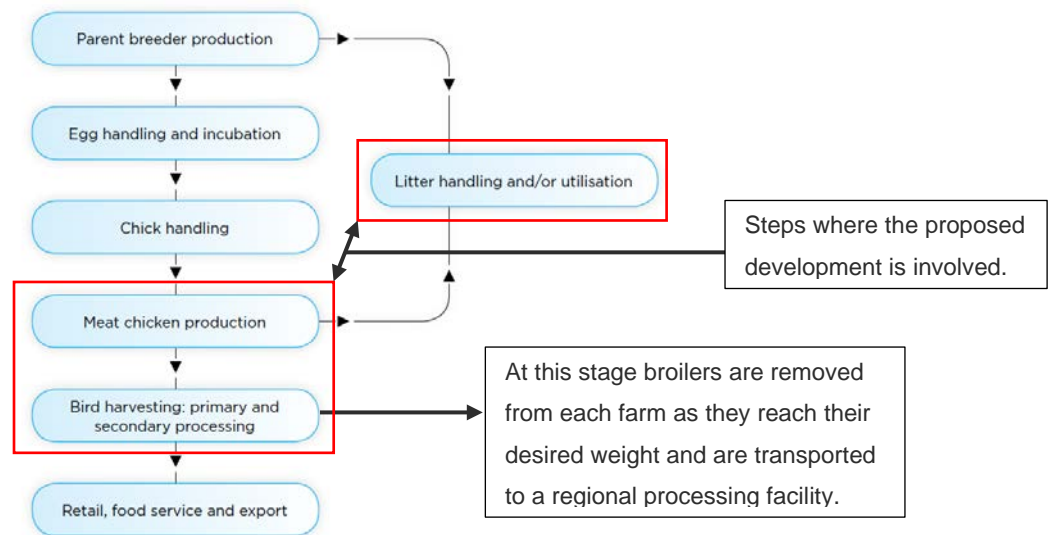


Figure 4 | Flow diagram of the poultry meat production process (DPI, 2012)

In the poultry industry, the design of modern poultry sheds has moved towards tunnel ventilated sheds, that use computerised controls to monitor temperature, humidity and air quality conditions. The sheds are approximately 160 metres in length and have a height of up to eight metres, inclusive of chimneys (see **Figure 5**).

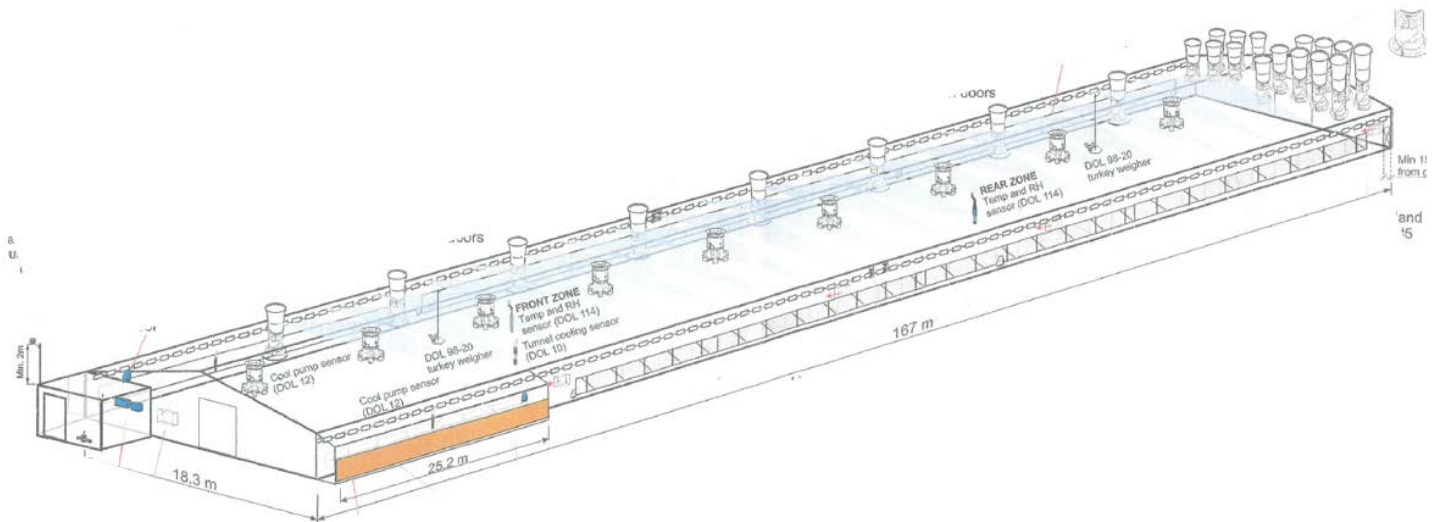


Figure 5 | Example of a tunnel ventilated shed



2. Project

2.1 Description of the Development

The development, as originally submitted by the Applicant, sought consent for the construction and operation of five poultry farms. Each farm would consist of 20 tunnel ventilated sheds for the rearing of broiler chickens, with each shed containing 60,000 broilers, for a total of 1.2 million broilers per farm, at any one time. Overall, the development was proposed to contain 100 sheds with a total of six million broilers on site at any one time. Broilers would be reared to their desired weight over an eight-week growing cycle, with up to 5.5 growing cycles taking place each year. The development would operate 24 hours per day, seven days per week.

The Applicant also seeks consent to subdivide the site into six allotments, five of the lots are to incorporate a farm and all supporting infrastructure, the sixth allotment being a residual lot. The five lots would include a machinery and storage shed, composting shed, water storage tanks, water storage dam, pump house, farm manager's accommodation in the form of a dual occupancy, worker's amenities and office. Civil works are also proposed to be undertaken across the development, including internal roads, earthworks and water management, connection of gas and electricity services and construction of feed silos and ventilation stacks. In addition, the application also proposes to construct a new access road and intersection with the Mid-Western Highway.

Following the exhibition of the DA and EIS, significant concerns were raised by the Environment Protection Authority (EPA) about potential air quality impacts from the development. This included concerns around odour generation, particularly from potential cumulative odour impacts from the nearby Jeanella Poultry Complex, as well as the lack of adequate mitigation and management measures proposed for the development.

As a result of discussions between the Department, the Applicant and the EPA, the Applicant undertook further assessment of the odour impacts associated with the development. The revised Odour Impact Assessment (OIA) modelled the development at a decreased scale, a total of 60 sheds (12 sheds per farm) and a capacity of 3.6 million birds. The modelling demonstrated the development could meet the criteria set out in the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (the Approved Methods).

Notwithstanding the Department recommending development consent be granted as a partial consent (see section 6.1), the assessment undertaken in the EIS and as considered by the Department, has been based on the proposal being constructed and operated for the full 100 sheds.

The major components of the development are summarised in **Table 1**, shown in **Figure 6**, **Figure 7**, and **Figure 8** and described in full in the EIS, and included in **Appendix A**.

Table 1 | Main Components of the Development (including staging as proposed in the recommended conditions of consent)

Aspect	Description
Development Summary	<p>Construction and operation of an intensive poultry complex consisting of five farms and associated infrastructure for the rearing of broiler chickens for human consumption. The Development includes:</p> <ul style="list-style-type: none"> • Stage 1 – with 60 sheds in total and stocking of 3.6 million chickens at one time • Stage 2 – with 100 sheds and 6 million chickens at any one time. Stage 2 will need a separate approval from the Minister to proceed.
Site area	<ul style="list-style-type: none"> • 617.1 ha
Development footprint	<ul style="list-style-type: none"> • approximately 170 ha, around 27 percent (%) of the total site area. The developable area is located on the western portion of the site, fronting the Mid-Western Highway
Farm statistics and operations	<p><u>Stage 1</u></p> <ul style="list-style-type: none"> • 12 tunnel ventilated sheds (167 m x 18.3 m, with height of 8.0 m) per farm for a total of 60 sheds • 60,000 broilers per shed (720,000 broilers per farm) • maximum stocking density of 35 kg/m² (approx. 9.6 birds/ m²) • approximately 5.5 growing cycles per year, each being approximately eight (8) weeks <p><u>Stage 2 (subject to further approval)</u></p> <ul style="list-style-type: none"> • additional eight tunnel ventilated sheds per farm for a total of 100 sheds • 60,000 broilers per shed (1.2 million broilers per farm)
Occupation and use	<ul style="list-style-type: none"> • intensive livestock agriculture with an ancillary residential use for farm manager's accommodation and an ancillary rural industry use associated with on-site composting
Construction	<ul style="list-style-type: none"> • construction would occur under one stage, including 12 sheds per farm and all necessary infrastructure. Further approval is required before the additional 40 sheds can be constructed and used
Subdivision	<ul style="list-style-type: none"> • subdivision into six lots between 91 and 124 ha
Earthworks, civil works and infrastructure	<ul style="list-style-type: none"> • earthworks to create building pads for sheds • excavation for five irrigation dams for water collection and re-use between 280,000 and 350,000 cubic metres (m³) in volume • swale drains between each shed leading to perimeter catch drains for each farm and draining to the proposed detention dams • earth bund walls surrounding each farm • some existing dams and drainage channels to be abandoned • extension of electricity to an electricity kiosk at each farm • LPG storage tanks, supply silos, machinery sheds and composting sheds
Accommodation	<ul style="list-style-type: none"> • dual occupancy for farm manager accommodation
Traffic	<ul style="list-style-type: none"> • a peak of 134 vehicles per day comprising mostly of heavy vehicles

Road and intersection works	<ul style="list-style-type: none"> sealed intersection with a slip lane off the Mid-Western Highway internal access roads to each farm with a 20 m right of way wheel washes
Landscaping	<ul style="list-style-type: none"> perimeter landscaping for each farm
Hours of operation	24 hours, seven days
Capital investment value	\$ 101 million (for all 100 sheds)
Employment	70 full-time equivalent construction jobs and 12 operational jobs

The Applicant has advised that all drainage works, including the proposed dams, would be constructed under clause 3, Schedule 1, excluded works under the Water Management (General) Regulation 2011.

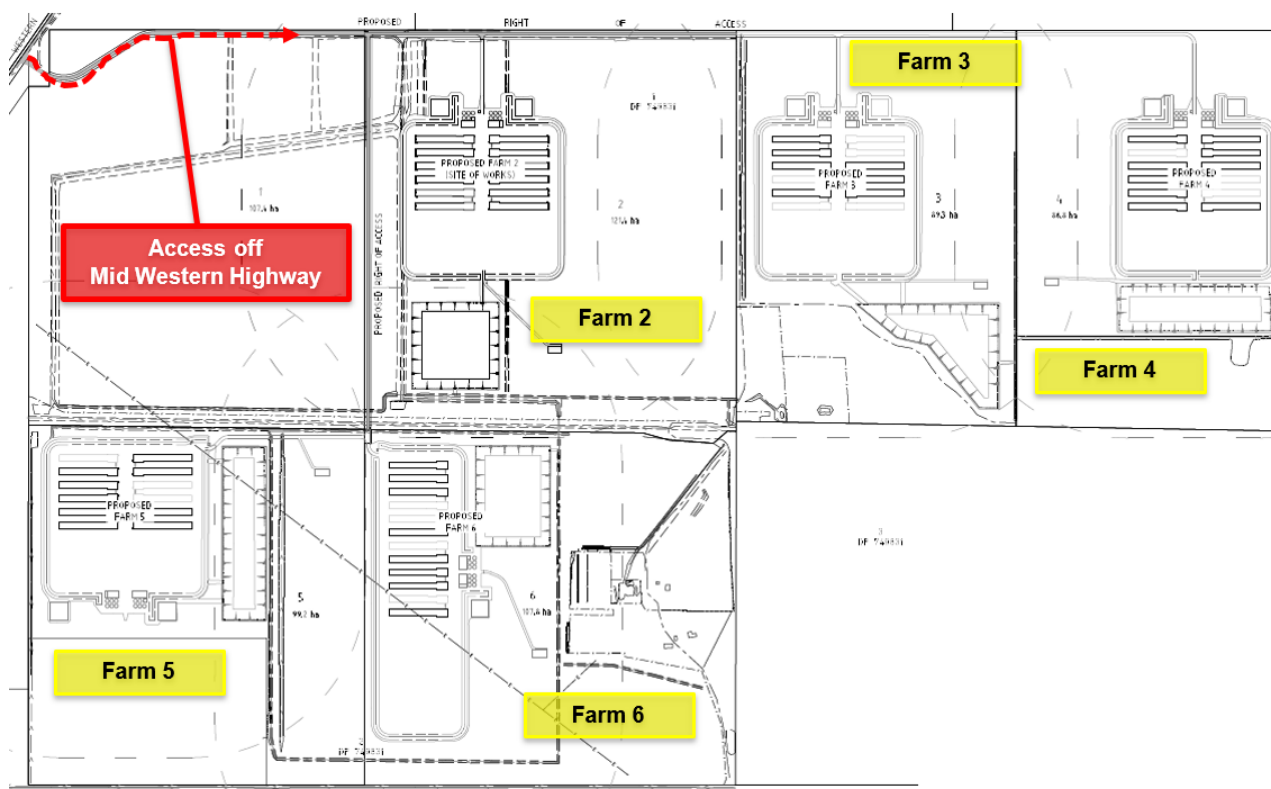


Figure 6 | Site plan

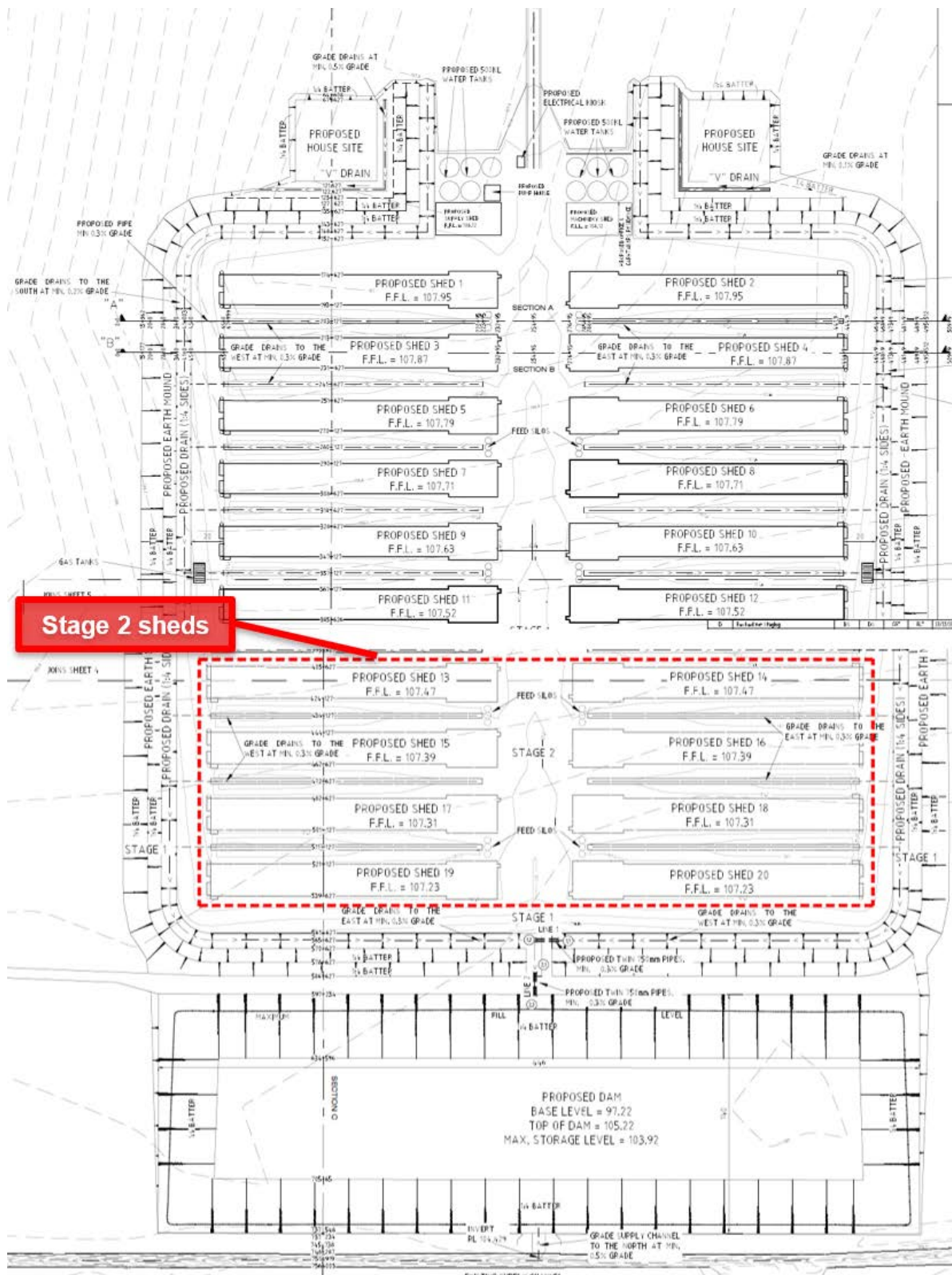


Figure 7 | Site plan of typical farm

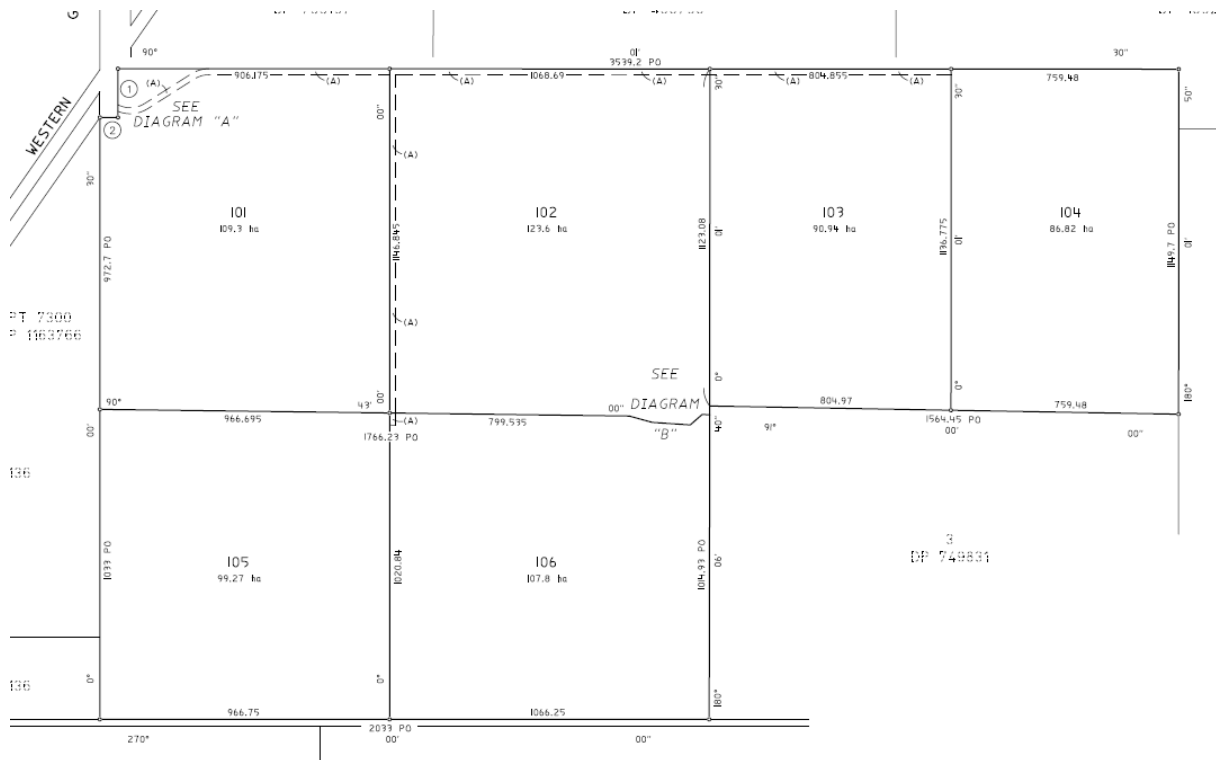


Figure 8 | Subdivision layout

2.2 Proposed Operations

The growing cycle for the development would last for eight weeks. Flock thinning and broiler removal would start at day 32 (for broilers that reach weight early) up to day 54. Broilers would remain in the sheds for the entire growth cycle. One week at the end of this period is used to clean and prepare the sheds for the next batch of broilers. There would be 5.5 growth cycles per year for each farm. Each growth cycle would involve the steps detailed below and as outlined in **Figure 9**:

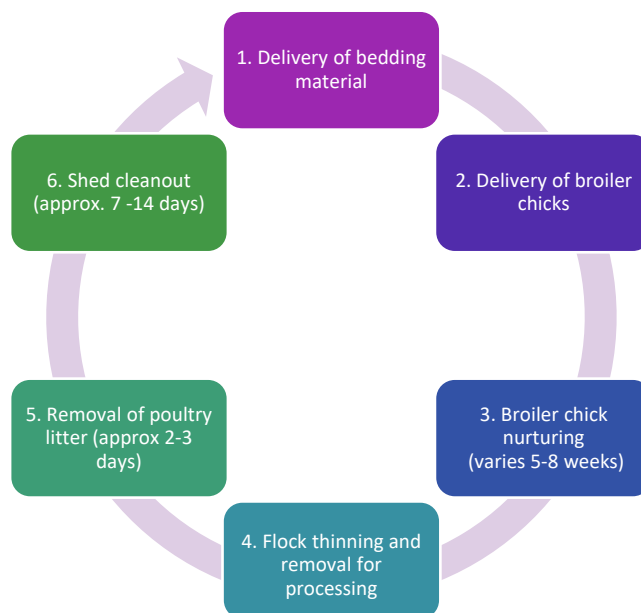


Figure 9 | Poultry farm production process

1. **Delivery of bedding material.** Bedding material such as wood shavings, rice hulls and/or soft chopped straw is delivered and placed in each poultry shed, prior to receiving broiler chicks.
2. **Delivery of broilers.** Day-old broiler chicks are delivered to the site from a hatchery operation in plastic ventilated boxes. On arrival, they are unloaded and placed in a sectioned off area in each shed.
3. **Chick nurturing.** The broilers are nurtured to their desired live-weight, typically achieved between day 32 to day 54. Flock thinning would occur as some broilers grow at different rates.
4. **Thinning and removal.** Periodic flock thinning occurs from day 32 as the broilers develop to maintain stocking density limits. Remaining broilers are collected from the sheds at the end of the cycle and would be transported a processing plant, the nearest of which is Baiada's facility at Hanwood.
5. **Removal of poultry litter.** Following broiler removal, spent bedding material is removed from the sheds and transported off-site for disposal and/or potential re-use as a fertilizer. A small part of this litter would be composted on-site in specific composting sheds with three holding cells.
6. **Shed cleanout.** Following the removal of spent litter, each poultry shed is cleaned and disinfected in preparation of the next growth cycle. The washout water drains into grassed swales between each poultry shed.

The development is proposed to operate on an all-in/all-out basis to ensure the flock is of the same age. Each farm would be populated during the daytime and would be sited with separation distances between 450 and 550 m within the overall site.

Biosecurity is also managed through ensuring adequate separation distances to other poultry farms and on-site practices. Operational practices include using a single aged flock of birds (via delivery at similar times) and a closed flock system (no movement of broilers between farms), control gates, wheel washes, cleaning and disinfecting tools and equipment, effective waste management and establishing disease and emergency management protocols.

Farm Manager's Accommodation

Farm manager's accommodation will be located near each farm within the site. This is standard industry practice due to the 24-hour, seven day a week nature of poultry farm operations and ensures changes to the environmental conditions of the sheds and external environmental impacts to the rearing process are minimised and mitigated promptly.

2.3 Applicant's Need and Justification for the Development

Chicken meat is the most widely consumed meat in Australia. In 2017, 44 % of the total volume of meat produced in Australia was chicken meat. Demand is expected to remain strong, largely due to lower costs compared to other meat types and the versatility of chicken meat for a range of food products. Growth is expected to increase to 1.4 million tonnes in 2022-23. In the same period, per capita chicken meat consumption is projected to reach around 52 kilograms per year. The consolidation and intensification of industry operations is expected to support and drive this increase, as it can sustain the lower cost of the final product.

Australian exports of chicken meat typically account for a small proportion of production but have also seen some increase. In 2016-17 exports of chicken meat increased by 31 % to 35,700 tonnes. Between

2017-18 to 2022-23 as a result of an increase to 48,000 tonnes of exported product, the value of Australian chicken meat export is predicted to rise to around \$70 million.

The chicken meat industry is well established in NSW, both within the Sydney metropolitan basin and in regional NSW including the Central Coast, Hunter Valley, Tamworth, North Coast and Griffith. Tamworth and Griffith are the two-key regional chicken meat production areas in NSW.

Griffith has centralised feed, hatchery and processing facilities operated by one entity overseeing the entire supply chain, being Baiada. To operate effectively, broiler farms need to be located in close proximity to supporting operations and utilities to minimise transportation costs and ensure broiler welfare. Other considerations include adequate transport routes, a secure water supply and access to electricity. The poultry industry in the Goolgowi and Griffith area has seen substantial investment in production farms as well as processing capacity. These increased farming activities are having a sustainable growth pattern for the region.

Therefore, the Applicant considers it a financial imperative for farms to get bigger or cease operations and given a local processor has recently developed spare processing capacity, there is the additional responsibility of seeing that processing capacity being utilised. The development of this farming operation is considered both logical and necessary and at a scale that creates long term financial viability and industry stability.

In addition, the Applicant proposes to operate the development to take advantage of the current and projected growth in demand. The Applicant considers the proposal would support the capacity of regional poultry operations in the Riverina by providing increased supplies of broilers for processing, direct employment from construction and operation and indirect employment from supporting business sectors in the poultry supply chain (feed production, logistics, broiler processing etc.).

The Applicant considers the Site suitable for the development as it is generally free of physical constraints, has access to an adequate water supply from the Wah Wah Channel, is located near few residential dwellings, is not flood affected and has good access to the regional road network with routes to supporting facilities in Griffith and Hanwood.



3. Strategic Context

3.1 Riverina Murray Regional Plan

The development represents a capital investment (CIV) of up to \$101 million in the Riverina Murray region, and would generate approximately 70 construction jobs and up to 12 operational jobs within the Carrathool LGA.

The *Riverina Murray Regional Plan* (the Plan) sets out the NSW Government's vision for twenty local councils, including the Carrathool LGA, within the Riverina Murray region until 2036. The Plan emphasises that agriculture is integral to the success of the State's economy, with the Riverina Murray region contributing approximately \$1.4 billion to NSW's agricultural production industry each year. In addition, the Plan anticipates the population of the region will increase by 11,150 to approximately 284,300 by 2036, resulting in an increased demand for dwellings and jobs.

The key priorities of the Plan are to strengthen and diversify the region's economy, manage and protect natural resources, support the delivery of efficient transport and infrastructure networks, and allow for the development of strong, connected and healthy communities. The development would align with the strategic aims of the Plan as:

- The development would implement a variety of biosecurity and pest management controls during operation, which would protect and support the continued use of productive agricultural land in the surrounding area (Direction 1);
- the development would involve the on-site reuse of stormwater runoff throughout the broiler production process, which would minimise demand placed upon the Wah Wah Stock and Domestic area (Direction 13); and
- the development has been designed to avoid the removal of native vegetation to accommodate each poultry farm and would facilitate the ongoing management and protection of remnant vegetation and fauna habitat across the site (Direction 15).

The development would support the diversification of the region's agricultural industry through the large-scale production of broilers for processing.



4. Statutory Context

4.1 State Significant Development

The development is SSD pursuant to section 4.36 of EP&A Act because it involves the construction and operation of a poultry production complex (intensive livestock agriculture) with a CIV greater 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 Carrathool Local Environment Plan 2012 (CLEP). The development is classified as intensive livestock agriculture and would be supported by associated farm buildings (machinery sheds, silos and storage tanks, etc) and on-site accommodation for farm managers which are permissible with consent in the RU1 zone.

4.3 Consent Authority

The Minister for Planning and Public Spaces (the Minister) is the consent authority for the development under section 4.5 of the EP&A Act. On 11 October 2017, the Minister delegated the functions to determine certain SSD applications to the Executive Director, Regions, Industry and Key Sites where:

- the relevant local council has not made an objection; and
- there are less than 25 public submissions in the nature of objections; and
- a political disclosure statement has not been made.

Council did not object to the development and only two public objections were received during the exhibition period (see **Section 5**). No reportable political donations were made by the Applicant in the last two years and no reportable political donations were made by any persons who lodged a submission.

Accordingly, the development can be determined by the Executive Director, Regions, Industry and Key Sites under delegation.

4.4 Other Approvals

Section 4.42 of the EP&A Act requires further approvals for SSD projects under the EP&A Act to be obtained, considered or determined in a manner that is consistent with the relevant Part 4 approval. 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 development would require upgrade works to the existing site access point off the Mid-Western Highway, including the provision of a dedicated left turn lane at this location. In its submission, the Roads and Maritime Services, now Transport for NSW (TfNSW) advised the upgrade works would require

concurrence from TfNSW prior to the commencement of construction in accordance with section 138 of the *Roads Act 1993*.

TfNSW also recommended additional intersection treatments (including a dedicated right turn lane) to align with the requirements of the relevant Austroads guidelines, and requested the Applicant enter into a Works Authorisation Deed for those works which would be carried out within the highway corridor.

The Department has considered the advice of the EPA and TfNSW in its assessment of the development and included suitable conditions in the recommended consent (see **Section 6**).

4.5 Considerations under Section 4.15 of the EP&A Act

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 **Sections 4.6, 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.

4.6 Environmental Planning Instruments

Under section 4.15 of the EP&A Act, the consent authority 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 development.

The Department has assessed the development against the relevant provisions of the following relevant EPIs:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy (Rural Lands) 2008 (Rural Lands SEPP)
- draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)
- Carrathool Local Environmental Plan 2012 (CLEP).

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

4.7 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 publicly exhibited for at least 28 days. The Development was placed on public exhibition from **Thursday 1 March 2018** until **Wednesday 4 April 2018** (35 days). Details of the exhibition process and notifications are provided in **Section 5.1** below.

4.8 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 facilitation of Ecologically Sustainable Development (ESD, in its assessment of the development (see **Table 2** below).

Table 2 | Considerations against 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: <ul style="list-style-type: none">• ensure the proper management and development of suitably zoned land for the economic welfare of the Carrathool LGA and the State• promote social and economic welfare in the community through the provision of an additional 70 construction jobs and up to 12 operational jobs in the area• promote a better environment through the ongoing management and protection of on-site remnant vegetation and fauna habitat.
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 align with the principles of ESD through: <ul style="list-style-type: none">• the retention of approximately 52.6 ha of existing native vegetation at the site• the installation of perimeter landscaping around each poultry farm• on-site reuse of stormwater runoff for the purposes of feeding, cooling and shed cleaning• the provision of up to 12 operational jobs within the Carrathool LGA.
1.3(c) to promote the orderly and economic use and development of land,	The development proposes an intensification of agricultural production on the land, 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. Furthermore, the development will retain approximately 52.6 ha of native vegetation on site.
1.3(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The development is located on land that has seen extensive, historical agricultural use for grazing and cropping, and is not anticipated to result in any significant impacts upon built and cultural heritage, including Aboriginal cultural heritage (see Section 6.3).
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

Object	Consideration
	through appropriate siting and the incorporation of landscaping does not detract from the amenity of the local area.
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 B).
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 5.1 , 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 development as outlined in Section 5.1 , which included notifying adjoining landowners, placing a notice in the local paper and on the Goolgowi General Store's community noticeboard, and displaying the SSD application on the Department's website, at the Department's Sydney office, at Council's offices and at all Service NSW Centres.

4.9 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991* (the PEA Act). Section 6(2) of the PEA 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:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- 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 6.3** of this report, the impacts on native flora or fauna, including threatened species, populations and ecological communities, and their habitats is anticipated to be negligible. The development would require the removal of a single Red Mallee (*Eucalyptus socialis*) tree in the north-western corner of the site to allow for the existing site access road off the Mid-Western Highway to be widened. In this instance, the Environment, Energy and Science Group (EES) (formerly the Office of Environment and Heritage) have advised the credit calculator under the Framework for Biodiversity Assessment does not need to be used (see **Section 6.3**).

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 Environment Protection and Biodiversity Conservation Act 1999

Under the *Environment Protection and Biodiversity Conservation Act 1999*, a separate 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.

5.1.1 Consultation by the Applicant

The Applicant's consultation during the preparation of the EIS included:

- Communicating with local and State authorities, as well as special interest groups
- Coordinating a community information session

The Applicant noted that a number of questions were raised at the information session, with the feedback used to inform the preparation of the EIS and supporting documentation.

5.1.2 Consultation by the Department

The Department consulted with relevant public authorities during the preparation of the SEARs.

After accepting the DA and EIS for the application, the Department:

- made it publicly available from **Thursday 1 March 2018** until **Wednesday 4 April 2018**:
 - on the Department's website
 - at the Department's Sydney office (Pitt Street, Sydney)
 - at Carrathool Shire Council
- notified surrounding landowners of the development about the exhibition period by letter
- notified the Goolgowi General Store to place a notice on the General Community Noticeboard
- notified relevant State government authorities and Carrathool Shire Council by letter
- advertised the exhibition in the Hillston Ivanhoe Spectator.

5.2 Submissions

A total of 11 submissions were received on the development during the exhibition period, including nine from public authorities and two from the general public. Of the 11 submissions received, two objected to the development. A summary of the issues raised in submissions is provided below, with a copy of each submission included in **Appendix E**.

5.2.1 Public Authorities

Carrathool Shire Council (Council) did not object to the development and recommended a condition of consent to restrict the vehicles used to transport birds to utilise the Mid-Western Highway and Kidman

Way when travelling to Griffith. This would ensure that vehicles use for the transportation of birds would avoid local roads in the area.

The **EPA** raised concerns over odour and particulate modelling and the odour risk resultant from the development. The EPA requested further information including justification of meteorological factors, the assumptions used in the modelling, further sensitivity analysis of a worst case operational scenario be carried out, details of the assumed shed ventilation rates, revised cumulative modelling to include all 40 sheds at the Jeanella poultry facility, further particulate assessment addressing stage 1 of the development, further particulate modelling to include pollution control strategies to mitigate PM₁₀ emissions and identify feasible odour mitigation measures.

Department of Industry (DoI) raised concerns relating to impacts associated with the development upon groundwater and whether the development would have an adequate water supply. DoI requested further details on procedures relating to the cleaning of poultry sheds, the leachate collection system and proposed management to ensure biosecurity within the site.

The then **RMS** (now TfNSW) did not object to the development and provided recommendations to ensure the safety and efficiency of the road network. These conditions include undertaking the intersection upgrade prior to building any other component of the development, ensuring the intersection is designed to provide adequate sight distances and swept paths, turning treatments and minimum sealed distances to manage dust. TfNSW also advised a that Works Authorisation Deed must be entered into to undertake the required works.

EES, former Office of Environment and Heritage, considered the assessment had not satisfied the requirements of the Framework for Biodiversity Assessment (FBA). EES requested minor design amendments to increase separation distances to remnant vegetation and for the Biodiversity Assessment Report (BAR) be revised to comply with the FBA requirements including field surveys, assessment of indirect impacts, the potential for the introduction and spread of weeds and landscaping and to confirm if vegetation would be cleared to facilitate the proposed upgrade to the Mid-Western Highway.

Rural Fire Service (RFS) did not object to the development and recommended a 27m wide asset protection zone be established around each farm, as well as recommending that water, electricity, gas and road access is required to comply with the relevant sections of Planning for Bushfire Protection 2006. The RFS also recommended the Applicant prepare a Farm Management Plan detailing measures to be undertaken in the event of a fire.

Murrumbidgee Irrigation (MI) did not object to the development and requested to be consulted before the two groundwater monitoring bores on-site are removed. MI also advised the Applicant must follow its Water Delivery and Development Rules if an increase in water entitlements is needed.

Transport for NSW (TfNSW) (as existed prior to incorporating RMS) did not object to the development and raised no issues or recommended conditions of consent.

RSPCA advised it would not provide a submission on the development.

5.2.2 Public Submissions

The Department received two submissions from the public, both in objection to the development. The concerns raised in the submissions included:

- the generation of odour
- impacts on water demand, groundwater and effect on the local waterway
- traffic safety on the Mid-Western Highway
- impacts associated with noise and vibration

5.2.3 Response to Submissions

On 12 December 2018, the Applicant provided a Response to Submissions (RtS) on the issues raised during the exhibition of the development (see **Appendix B**).

The RtS provided additional information in relation to:

- modelling and management of air quality
- assessment of potential aboriginal cultural heritage
- biodiversity assessment report
- detailed plans on the proposed highway intersection
- detailed plans for the individual farm layouts

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

Council raised no further concerns

EPA advised the RtS had not adequately addressed their concerns, therefore additional information was requested from the Applicant. The EPA advised the Applicant did not propose to implement mitigation measures to manage the odour generation during the operational phase of the development and raised concerns regarding uncertainty associated with the assumed ventilation rates. As such, the EPA requested a revised Air Quality Impact Assessment (AQIA) to include modelling of additional odour mitigation measures that could demonstrate the development would comply with the EPA's impact assessment criterion of 5 odour units.

DoI requested further detail on the hydrogeology of the site and potential impacts upon the groundwater system due to the development. DoI also requested clarification on the treatment of water and whether the Applicant had a contingency plan for the water supply.

The then **RMS** provided comments of support for the proposed design of the highway intersection.

EES advised that their comments had been addressed, and recommended conditions to require the Applicant to prepare an Unexpected Heritage Items Procedure and a Biodiversity Management Plan prior to the commencement of construction.

RFS raised no further concerns.

MI raised no further concerns.

TfNSW raised no further concerns.

Following a review of the RtS, further concerns were raised by the Department, EPA and DoI on potential odour impacts and groundwater interactions and management. In response, further discussions were held between the Applicant and these agencies to address the concerns raised.

To address groundwater issues, the Applicant agreed to undertake detailed groundwater monitoring and prepare a water management plan prior the commencement of any construction work on site to ensure appropriate management measures are in place. Further, the Applicant prepared a revised AQIA as part of an addendum to the RtS to model odour generation at a reduced scale of the development, 60 sheds in lieu of 100. The Applicant also provided further details on the proposed ventilation stacks proposed to be incorporated into the design of the sheds submitting this documentation to the Department in late November 2019. Plans illustrating Stage 1 and Stage 2 of the development were provided in late December 2019. The Department has considered the issues raised in submissions, the RtS and supplementary concerns raised in its assessment of the development.



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 air quality
- water supply and stormwater management.

A number of other issues have also been considered. These issues are considered to be minor and are addressed in **Table 4** under **Section 6.3**

6.1 Odour and air quality

Poultry farming is inherently a process which produces odour and generates particulate matter (dust, PM_{2.5} and PM₁₀) from the farm operations. The Riverina region, where the site is located, includes a large number of existing poultry operations. As such, appropriate siting, design and operational management practices are critical to ensure odour and particulate emissions do not create standalone or cumulative adverse impacts on the amenity of surrounding sensitive receivers.

The Applicant undertook a quantitative AQIA in accordance with the Approved Methods, to evaluate the odour and particulate matter impacts of the proposed operations.

Odour emissions

The main odour source during operation of the development would be from ground litter (used for ground cover and bedding) within the sheds. Odour is emitted from the shed ventilation fans and ventilation stacks during the production cycle when this material (consisting of manure, dry organic matter, dust and feathers) breaks down. These emissions would generally increase over the course of a growth cycle as a flock matures, litter material breaks down and adjustments to ventilation fans and stack emissions are made. In accordance with the Approved Methods, an odour criterion of 5 OU was adopted for the AQIA.

The Applicant modelled the farms on an 'all-in/all-out' placement and on a 'staggered' placement over 14-day increments for the five farms. All-in/all-out placement of poultry seeks to present a worst-case odour outcome, modelling the placement/removal of a full capacity of birds across all five farms at the one time, while the staggered placement more closely resembles how the overall development would operate in practice. The Applicant also ran a cumulative odour model to include the existing Jeanella Poultry Farm (approved by Carrathool Shire Council) operated by ProTen to the north-east of the site.

A scaling factor (K) was used in the AQIA to rate the design and management practices of sheds, where a value of 1 represents a very well designed and managed shed operating with minimal odour emissions. A K factor of 4 or 5 is very uncommon, representing a shed with high odour emissions and very poor

management. The Applicant applied a K factor of 2.2 to be conservative and reflect modern poultry facilities operating at best practice. The assessment considered 12 sensitive receivers, located within a radius of 6 km of the site.

The EPA considered the modelling provided in the EIS did not represent a worst-case operational scenario nor did it account for different meteorological conditions over time. The Applicant undertook additional air quality monitoring and prepared revised modelling of the odour generation of the development as part of its RTS. The modelling predicted odour concentrations would not meet the criterion of 5 OU at all receivers, as such the EPA required the Applicant to demonstrate mitigation measures to achieve compliance with the relevant criteria.

Further modelling undertaken by the Applicant continued to exceed the criterion of 5 OU at one residential receptor (R5) located between the proposed facility and the existing Jeanella South poultry farm (see **Figure 10** and **Table 3**).

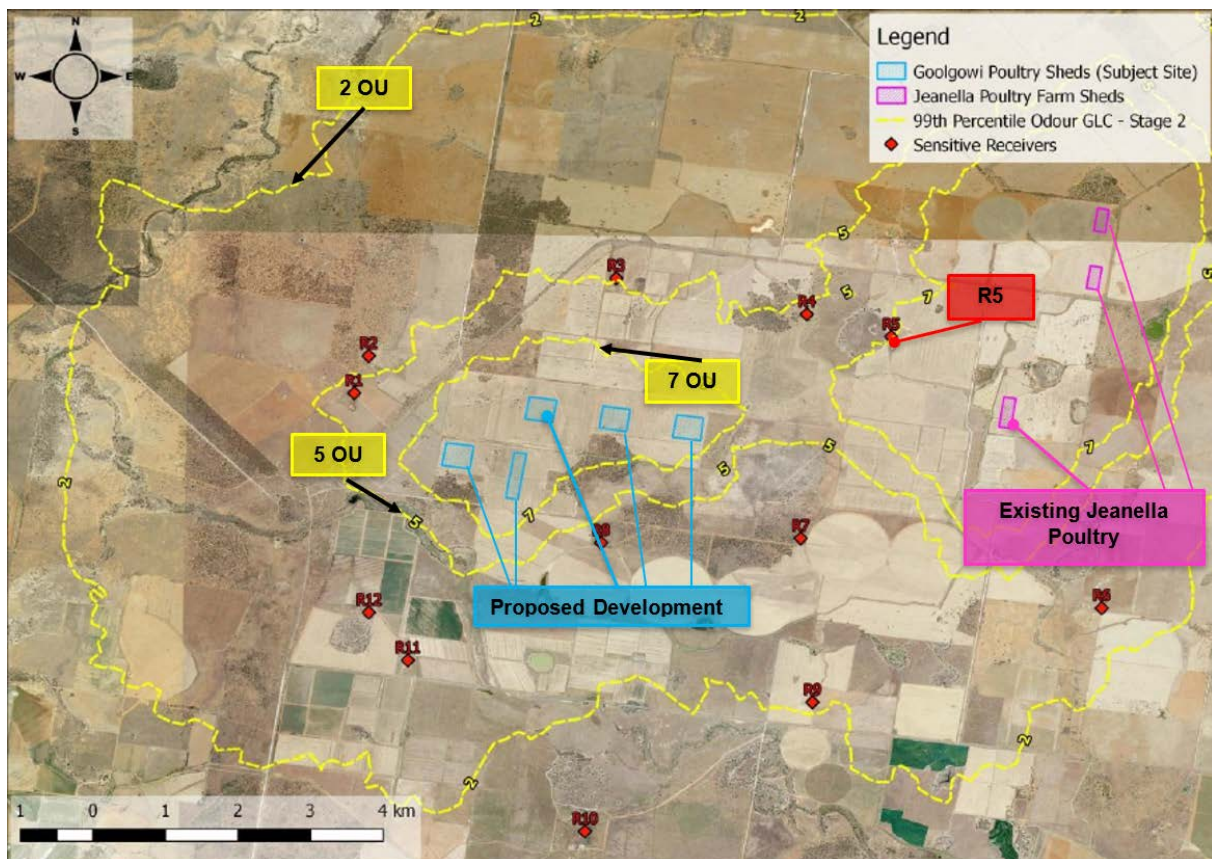


Figure 10 | Cumulative odour modelling of proposed development and existing Jeanella Poultry

Table 3 | Predicted odour concentrations at Sensitive Receivers

Receptor	Predicted Odour (Subject Site) (OU)	Current Odour (Jeanella) (OU)	Predicted Cumulative Odour (Subject Site & Jeanella) (OU)	Compliance
R1	5 (4.67)	1	5 (5.11)	Yes
R2	4	1	4	Yes
R3	4	2	4	Yes
R4	3	4	5	Yes
R5	2	6 (5.78)	6 (6.05)	No
R6	1	2	2	Yes
R7	2	2	3	Yes
R8	3	1	4	Yes
R9	1	1	2	Yes
R10	1	0	2	Yes
R11	3	1	3	Yes
R12	3	1	3	Yes

The EPA requested additional pollution control strategies be presented in a revised AQIA to demonstrate whether the development could comply with all impact assessment criteria in the Approved Methods, as well as detail on the engineering solution sought for the ventilation stacks, as the detail had been omitted from the report.

Odour risk and mitigation

Following discussions between the Department, EPA and the Applicant, the Applicant submitted a revised AQIA which included updated modelling. The inputs to the model included:

- a reduction of sheds, from 100 to 60 (reduction of birds from 6 million to 3.6 million on-site at any one time)
- the incorporation of an improved ventilation system.

The modelling demonstrated the criterion of 5 OU would be met at all receivers, for the development in isolation as well as cumulatively with the nearby Jeanella Poultry Farm. This was achieved through a decrease in the scale of the development, being a maximum of 60 sheds each housing 60,000 birds per shed, for a total site capacity of 3.6 million birds, as well as a change in the ventilation design, to improve emission control and dispersion. The farm would be constructed in one stage with 8 metre emission stacks on all sheds, incorporating technology which would efficiently ventilate the sheds.

The EPA reviewed the revised AQIA and confirmed the development could operate efficiently and manage the odour adequately, based on the reduced number of sheds and through the incorporation of the emission stacks.

The Department has carefully considered the information submitted by the Applicant and the submissions received, including advice provided by the EPA. The Department is satisfied odour impacts could be adequately managed at 60 sheds, however, it is uncertain whether the development could

meet the odour performance criteria beyond this. To address this, the Department has recommended a number of strict conditions concerning the management and reporting on odour issues including that the development consent be issued as a 'Partial Consent' under section 4.16(4) and section 4.16(5) of the EP&A Act.

A 'Partial Consent' grants consent for the development, except for a specified aspect of the development. This aspect of the development must be satisfied as part of a future approval. For this development, the Department has recommended consent be granted for the construction and operation of the farm up to 60 sheds, containing a total of 3.6 million birds, as the relevant odour criteria can be satisfied at this scale. To achieve the 60 sheds, the Applicant proposes to remove 8 sheds per farm at the development of Stage 1. The Applicant is unable to expand to 100 sheds until it has obtained further approval from the Minister (referred to as Stage 2).

In seeking this further approval, the Applicant will be required to demonstrate it can comply with the Approved Methods at all sensitive receptors by undertaking an AQIA, in consultation with the EPA, and to the satisfaction of the Planning Secretary. The AQIA is required to include the following:

- odour dispersion modelling over a period of at least twelve months
- data from on-site ventilation for a period of at least twelve months
- odour complaints data for a period of at least twelve months
- evidence that the criterion of 5 OU at all nearby sensitive receivers would be met, or details of the odour mitigation and management measures required where the odour criteria had not been met.

In addition to the above, to ensure the environmental performance of the poultry farm is maintained at a high standard, the Department has recommended conditions that require the Applicant to:

- install the proposed ventilation stacks
- prepare and implement an Air Quality Management Plan
- prepare an Odour Validation Report if requested by the EPA
- periodically submit an Annual Review
- periodically be audited by an independent person

The EPA is supportive of the recommended approach in ensuring the environmental performance of the development is managed appropriately and that further approval will be required if the Applicant elects to expand the development to 100 sheds. Therefore, the Department is confident these measures provide a suitable framework for the reporting and, if necessary, implementation of additional odour mitigation controls at the proposed facility.

Particulates

Potential sources of particulate matter (dust and particles less than 10 micrograms) from poultry farm operations include air flows from shed fan and ventilation equipment, truck movements on internal roads and emergency diesel generators. The Applicant modelled the 100th percentile annual and 24-hour average PM₁₀ and PM_{2.5} and the 100th percentile Total Suspended Particulates from the sheds. The assessment concluded that particulate emissions, PM_{2.5} (criteria of 25µg/m³) and PM₁₀ (for the annual

average) would meet the relevant EPA criteria. However, the 24-hour PM₁₀ criteria (50 µg/m³) was predicted to be exceeded on at least 3 occasions due to a combination of ambient air dust concentration, poultry shed and wheel-generated emissions. The Applicant proposed to incorporate mitigation measures to manage these emissions, however, they were not specified in the original assessment.

The Department notes the assessment did not include emissions from the diesel generators. The EPA also raised concerns as the modelling did not consider cumulative impacts from nearby farms, nor did it test the effectiveness of particulate mitigation measures or justify the shed ventilation rates used in the model. Therefore, it was unclear whether the model represented a worst-case scenario and if the proposed measures would provide suitable mitigation. On this basis, the Applicant was requested to provide a revised dispersion model.

The EPA reviewed the updated assessment undertaken by the Applicant and considered that any generation of particulate matter could be managed effectively through the implementation of appropriate control measures. As such, the EPA has recommended conditions to require the Applicant to prepare an Air Quality Management Plan, which would include details of emission limits, compliance checking, monitoring and emission controls.

The Department has considered the information provided by the Applicant and the EPA's recommendations. The Department notes that 24-hour PM₁₀ emissions may exceed the relevant criteria without appropriate mitigation. To address this, the Department concurs with the EPA's recommendation to implement a detailed Air Quality Management Plan. The Department also recommends conditions be imposed to install monitoring equipment and requirements as specified in the Environment Protection Licence (EPL) required for the site.

With these recommended conditions, the Department concludes air quality and odour impacts arising from the operation of the development can be suitably mitigated and managed to an acceptable level.

6.2 Water supply and Stormwater management

Poultry farm operations require a secure water source to operate. The Applicant has advised that the development will require approximately 1,645 mega litres (ML) of water per year when fully built, and 1,680 ML of water for an extremely dry year. The development would also alter the sites landform and overland flow paths as a result of bulk earthworks and an increase in impervious areas from road surfaces and roofed areas. This may impact the direction, volume and quality of stormwater run-off.

The EIS included a stormwater management plan detailing water demand, proposed stormwater treatment measures, quality and quantity targets and water re-use goals.

Water Supply

The Applicant has advised the site has existing water rights for 1,645 ML to supply the proposed poultry farms. Water supply for the proposed dwellings would be provided through individual 5 kilolitre (kL) tanks, per dwelling.

The development will source all its necessary water supply from the Wah Wah Channel. This channel, which forms part of the Wah Wah Stock and Domestic area managed by MI, has had recent modernisation and upgrade works undertaken. Upgrades have consisted of automation works and canal expansions which seek to increase the efficiency of how water is delivered via the channel network. The area consists of a number of open channels that are filled twice a year to fill on-farm in-ground dams. The development seeks to construct five on-site detention dams, of a turkey nest design, to store water for each farm, drawing upon the Wah Wah Channel. The dams would range in storage capacity from 280,000 to 350,000m³.

Dol did not object to the development, however, did request further detail on the water demand, management and monitoring of the development. MI also did not object and advised that in any case where additional water entitlements would be required for the development that such a request would be reviewed by MI and be subject to their Water Delivery Contract and Development Rules under existing market arrangements. The Applicant detailed that during an average year, adequate water supply would be available to the development, and given the ten-week growing cycle, the size of storage on site would ensure water would not be exhausted in an extreme dry year scenario. However, the Applicant added that given an additional demand on farm irrigation, if necessary, the poultry operation would be destocked / reduced at the end of a ten-week growing cycle.

Dol confirmed that the measures proposed by the Applicant would be adequate and has recommended conditions to be included in the consent to ensure water supply is managed sufficiently, and baseline groundwater monitoring is implemented. MI advised that any change to the development which would require an increase to the current water entitlement would require the submission of an application for an increase in supply to MI. The Department has recommended a condition requiring the Applicant consult with MI prior to seeking any increase to the water entitlement, and before the removal of the groundwater bores.

Stormwater management

The development will result in a disturbance of 170 ha of the site, increasing the impervious areas on-site and potentially impact the quality and quantity of stormwater run-off. The EIS included a stormwater quality report to assess the pre and post development stormwater characteristics.

The Applicant proposes to construct a stormwater system with perimeter catch drains for each farm, ensuring stormwater run-off is conveyed away from the proposed dwellings. Stormwater would be then captured and contained in the individual farm dams for re-use as drinking water for the broilers, following treatment. Each farm has an area of 33 ha, with 28 ha of this area draining to each of the proposed dams. The remaining 5 ha would drain to the surrounding dams and eventually into Wah Wah Creek.

The stormwater management plan prepared by the Applicant sought to achieve a Neutral or Beneficial Effect (NORBE) outcome. The assessment concluded that in order to manage an increase in the quantity and an alteration to the quality of stormwater, the development would require the following measures to be implemented:

- construction of a storage dam for each farm, between 280,000 and 350,000m³ in storage volume
- installation of a 5kL tank with each dwelling
- water reuse for the purposes of feeding, cooling and shed cleaning.

The Department considers that based on the stormwater management plan, the development can achieve a NORBE and improve the stormwater pollutant levels and peak flowrates leaving the site, compared to the existing situation. DoI recommended conditions, as follows:

- require the Applicant to prepare a groundwater monitoring plan
- require the Applicant to prepare a water management plant

The Department's assessment concludes the site is provided with an adequate water supply for the operation of the farms and that quality and quantity of stormwater can be managed appropriately to minimise undesirable environmental impacts. Through the recommended conditions the Department considers the development can be suitably managed to minimise any potential impacts.

6.3 Other Issues

The Department's assessment of other issues is provided in **Table 4**.

Table 4 | Assessment of other issues

Consideration	Recommended Conditions
Traffic and Transport	
<ul style="list-style-type: none"> • The EIS included a Traffic Impact Assessment (TIA) to assess traffic impacts of the development on the local road network. • The site is located near the Mid-Western Highway, which is a classified road with a posted speed limit of 110 km/hr. • The Applicant proposes to upgrade the sites access off the Mid-Western Highway (the Highway) to provide a heavy vehicle access point and a left-hand turn slip lane. Individual access roads would be built within the site to service each farm, with associated rights of way. • Public submissions raised concerns relating to traffic impacts along the Highway and considered access from McRaes Road would be safer. • Austroad Guidelines require clear sight lines of 351m for a 110 km/hr speed limit. • The proposed Highway access would provide sight lines up to 2km in both directions, satisfying these requirements. The required sight distances would not meet Austroad Guidelines from Carrathool Road, due to a bend and vegetation along the highway. • TfNSW considered the proposed access arrangements provided safe and practicable access. Furthermore, Council recommended all vehicles transporting birds use the Highway and Kidman Way when travelling to Griffith, avoiding local roads. • The TIA concluded the development would generate peak traffic volumes during shed clean out and flock thinning of up to 134 movements in a 24-hour period (67 inbound and 67 outbound). The bulk of these trips would move to and from Griffith or Hanwood for supplies or for the delivery of broilers to Baiada's processing plant. The development is also predicted to generate a total of 4,000 in and 4,000 out 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> • consult with TfNSW in finalising the design of the intersection upgrade works • construct the proposed road treatment in accordance with TfNSW requirements prior to the construction of any of the poultry farms • prepare and implement traffic management plans during the construction and operational phases of the development • prepare and implement a Driver Code of Conduct • restrict vehicles to avoid using local roads.

Consideration	Recommended Conditions
<p>movements during a 12-month construction period, or approximately 22 movements per day.</p> <ul style="list-style-type: none"> TfNSW raised no objection to the development and requested intersection upgrades are constructed with Basic Right Turn (BAR) and Auxiliary Left Turn (AUL) treatments, prior to the construction any other component of the development, in consultation with the RMS TfNSW. The Department reviewed the EIS and the issues raised in the submissions received and considers the predicted traffic volumes can be accommodated by the local and regional road network. The Department also considers the proposed site access off the Highway would provide better visibility for road users and would be designed to ensure heavy vehicles associated with the development do not interfere with other road traffic. Conditions have been recommended to ensure the required road infrastructure works are provided to the satisfaction of TfNSW. Further conditions are recommended to manage traffic impacts such as the preparation of a Construction Traffic Management Plan (CTMP), restrictions on using local roads and an Operational Driver Code of Conduct. The Department's assessment concludes the development would not adversely impact the Mid-Western Highway and would ensure adequate sight distances are provided to maintain road safety. 	
Animal Welfare and Biosecurity	
<ul style="list-style-type: none"> The development would have a maximum broiler capacity of 3.6 million at any one time (720,000 broilers per farm). Shed populations would decrease over the course of a growing cycle due to broiler mortalities and flock thinning (processing birds earlier than the remainder of the population) as broilers reach the desired weight. The Applicant advised the maximum broiler density in each shed would be 9.6/m² which complies with the Model Code of Practice for the Welfare of Animals – Domestic Poultry (PISC, 2002). 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) 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 National Farm Biosecurity Manual for Chicken Growers (ACMF, 2010). DPI and the RSPCA raised no concerns regarding animal welfare. The Department's assessment concludes that the development can be managed and operated in accordance with the relevant 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 animal welfare standards.
Waste Management	
<ul style="list-style-type: none"> Poultry farms generate waste from manure, spent litter placed in each shed and from broiler mortalities during typical operation. The scale of the development has the potential to generate significant volumes of these waste streams, which need to be managed appropriately. The EIS included a waste assessment detailing the predicted waste streams and management measures during construction and operation. Waste from a mass mortality management is discussed further below. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> prepare a Waste Management Plan detailing the classification, treatment, handling and disposal of all waste streams generated on-site

Consideration	Recommended Conditions
<ul style="list-style-type: none"> The Applicant has advised the composting of operational waste (mortalities and spent litter) is part of typical farm operations and no ancillary rural industry or waste facility use is sought as part of this application. <p><u>Poultry Litter/Manure and Mortalities</u></p> <ul style="list-style-type: none"> The Applicant advised each farm would generate a maximum 2,000 tonnes of spent litter for each growing cycle (10,000 tonnes per cycle for the overall development). The Applicant has advised the exemptions under the POEO (Waste) Regulation 2014, Compost Order 2016 and Compost Exemption 2016 permit the handling of these waste streams for management and re-use. Therefore, the Applicant proposes to have the majority of litter removed off-site, to be used as fertiliser, with a small amount to be used for composting on-site. <p><u>Composting</u></p> <ul style="list-style-type: none"> Routine mortalities (in the order of 0.1 to 0.25 per cent per day) would be composted on-site in the on-site composting sheds, located on each farm. Each shed would be separated from the drainage collection system and designed in accordance with the Environmental Guidelines: Composting and Related Organics Processing Facilities (DEC, 2004) with three bays, per farm, used on a rotational basis. Leachate would be allowed to evaporate off each mound. If routine mortalities exceed the capacity of the composting cells, located at each farm, they would be stored in a freezer and collected by a pre-arranged pet-food company. <p><u>Wastewater</u></p> <ul style="list-style-type: none"> DPI requested details of the shed wash-down water and the leachate collection system for the proposed composting sheds. Poultry and composting sheds would be constructed with a sealed concrete base. Approximately 8,000 litres of water are required to clear each shed between each cycle. The Applicant has advised wastewater from shed clearing would be allowed to evaporate within each shed. The discharge of water outside of the sheds is not proposed. The Applicant has also advised composting sheds containing dry litter would be designed to prevent contact with rain or moisture and would be managed in accordance with DPI's manual for storing poultry litter. Any leachate would be retained within the sheds and allowed to evaporate off. The Applicant considers spent poultry litter and end products from on-site composting can be used as a nutrient rich fertiliser to add to fertiliser or soil, given the sites location near plant agriculture in the Riverina. Waste from the houses would either be collected by a pump out system or via an irrigation and infiltration system. EPA and DoI considered the Applicant's approach to waste management appropriate for the nature of the development, and as such raised no objection. The Department's assessment concludes the site can adequately manage waste, and recommends a condition requiring the Applicant to prepare a waste management plan. 	<ul style="list-style-type: none"> manage waste in accordance with relevant DoI guidelines not stockpile dead broilers 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.

Consideration	Recommended Conditions
Mass Mortality	
<ul style="list-style-type: none"> In the event of an emergency animal disease (EAD), the DPI assumes control of the operation to determine the appropriate disposal method. This will vary depending on the cause of death. The Applicant has advised potential disposal methods include: <ul style="list-style-type: none"> disposal at landfill rendering on-farm, in-shed composting incineration Any landfill disposal option would be supervised by DPI, EPA and Council to ensure quarantine controls and disposal is undertaken in accordance with the relevant AUSVETPLAN disease strategies to ensure effective response to an animal disease emergency. The EPA has recommended a condition relating to the composting of mortalities on-site, requiring the Applicant prepare an Emergency Disposal and Bio-security Protocol. Council raised no issues regarding the management of a mass mortality event. The Department considers the Applicant's proposed disposal options would provide a range of methods to respond to an EAD. The Department's assessment concludes that mass mortality can be managed appropriately through the recommended conditions to ensure that adequate measures are undertaken to handle a mass mortality event. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> not dispose of dead broilers via burial or any other means on-site unless directed to do so during a bio-security emergency prepare an Emergency Disposal and Bio-security Protocol.
Hazards and Risk	
<ul style="list-style-type: none"> The development would involve the use of liquefied petroleum gas (LPG) tanks to heat each shed during the early stages of each growth cycle and minor quantities of other chemicals for clearing and pest management. Each farm would have 75 m³ of LPG per farm, for a total volume of 375 m³ and is potentially hazardous under SEPP 33. LPG would be stored in two sets of aboveground tank arrays, each with five 7.5 KL tanks. These would be installed to comply with AS 1596-2014 – <i>The storage and handling of LP Gas</i> (AS-1596). The transport volumes of LPG would be more than 2 tonnes and is also potentially hazardous from a transport volume perspective, however, the Department considers LPG movements are not potentially hazardous given the rural context of the site and because LPG transport movements would be less than 1 trip per week. Other chemicals used on-site are all under the applicable SEPP 33 thresholds. The Department has recommended conditions requiring the preparation of pre-construction, pre-operation and ongoing management plans to ensure the development is consistent with the information provided. 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 <i>Hazardous Industry Planning Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning'</i> (HIPAP 4). 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> prepare a Fire Safety Study prior to the commencement of construction prepare an Emergency Plan prior to commissioning the LPG storage areas and to comply with AS-1596 for the storage of LPG.
Noise and Vibration	
<ul style="list-style-type: none"> Noise from the movement of light and heavy vehicles, use of plant and equipment and fans and ventilation stacks may impact acoustic amenity in the locality. 	<p>Require the Applicant to:</p>

Consideration	Recommended Conditions
<ul style="list-style-type: none"> The EIS included a noise and vibration assessment impact (NVIA) in accordance with the EPA's Industrial Noise Policy 2000, Interim Construction Noise Guideline (ICNG) and Road Noise Policy (RNP). The NIA adopted a project specific noise level (PSNL) of 35 dB(A) for operation and a construction noise management level (NML) of 40 dB(A). Worst-case construction and operational scenarios were adopted involving concurrent construction activities and concurrent operation, including heavy vehicle movements and the use of ventilation fans. The Department considers this approach is conservative. Some activities (such as broiler removal) would take place at night-time as this is when the broilers are calmer and easier to handle. The NVIA concluded operation of the development would comply with the PSNL and sleep disturbance criteria. The NVIA predicted the NML would be exceeded by 1 dB(A) during bulk earthworks. However, the Department considers the prediction is conservative and would not be perceived by nearby receivers. The Department has recommended conditions requiring compliance with the PSNL during operation and NML during construction. The Department's assessment concludes the development would comply with the PSNL and construction NML during operation and construction. 	<ul style="list-style-type: none"> construct the development during the standard construction hours outlined in the IGNG comply with a PSNL of 35 dB(A) and a construction NML of 40 dB(A).
Contamination	
<ul style="list-style-type: none"> The EIS included a Phase 1 site investigation which concluded there is a moderate to high risk of contamination associated the site's historical agricultural uses, identified waste stockpiles, operation of on-site waste (effluent), machinery areas and hazardous materials in existing buildings. The Phase 1 assessment recommended further investigations are carried out. A Phase 2 Detailed Investigation was carried out with 260 boreholes and 92 samples undertaken across the site. Due to the proposed future uses of the site, the samples were assessed against the Health Investigation Levels – Residential A criteria. The Phase 2 assessment identified: <ul style="list-style-type: none"> one sample exceeding the criteria for faecal coliforms taken near treated effluent area servicing the main residence on-site all other samples were below the adopted criteria. The assessment concluded the site is suitable for the proposed agricultural use subject to engaging qualified personnel to service the septic systems, undertake a hazardous materials survey of any structures prior to demolition and classify excavated material in accordance with (ENM Order 2014) (EPA Waste Classification Guideline). The Department's assessment concludes the site does not contain any significant areas of contamination and any issues can be adequately managed through the recommended conditions. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> ensure all septic systems for the farm manager accommodation(s) are maintained by suitably qualified personnel prepare an unexpected finds protocol to ensure that potentially contaminated material is appropriately managed.
Groundwater	
<ul style="list-style-type: none"> The EIS found the geology of the site consists of silty clay up to 1 m below ground level. The Applicant has advised the clay from within the site would be excavated and used to line each of the proposed farm dams to prevent seepage, subject to detailed geotechnical design. The development has been designed to be independent of groundwater supplies. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> consult with MI prior to commencing construction of Farm four

Consideration	Recommended Conditions
<ul style="list-style-type: none"> Two boreholes are present on site. A third bore is 1.8 km to the south of the site. All three are currently used by MI for groundwater monitoring. Logs from the bores found groundwater levels range between 10 to 25 m deep, which are below the depth proposed excavations would reach. The Applicant proposes to remove the eastern monitoring bore when Farm 4 is constructed. MI did not object to the removal of the eastern bore when Farm 4 is constructed, but requested the Applicant consult with them before construction of Farm 4 begins. Dol requested further groundwater investigations be undertaken, details of water management on-site and for the Applicant to commit to a groundwater monitoring plan. The Department concurs with the requirements of Dol and MI and has included these requirements in the recommended conditions. The Department's assessment concludes groundwater impacts can be managed and can operate without the need to access groundwater supplies. 	<ul style="list-style-type: none"> prepare a groundwater monitoring plan, including establishing a baseline level and impact assessment criteria.
Biodiversity	
<ul style="list-style-type: none"> The EIS included a Biodiversity Assessment Report (BAR) to assess the impacts of the development on fauna and flora species. Five areas of vegetation exist along the perimeter of the site. The development has been designed to avoid these areas and sits within 170 ha of land heavily cropped by historical agriculture uses. The development will require the removal of one native Red Mallee (<i>Eucalyptus socialis</i>) tree to allow the upgrade of internal site roads. The site is subject to a Property Vegetation Management Plan between the Applicant and Riverina Local Land Services. EES assessed the submitted BAR and recommended the Applicant prepare a Biodiversity Management Plan to ensure remnant vegetation and fauna habitat is managed appropriately. The Department has recommended conditions to ensure the recommendations of the BAR are implemented during construction and operation. The Department's assessment concludes biodiversity impacts of the development are low and is unlikely to significantly impact on any habitat of the identified threatened species. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> prepare a biodiversity management plan.
Heritage	
<ul style="list-style-type: none"> The site has been used for agricultural uses since before 1958 and has been heavily disturbed. Notwithstanding, the EIS included an assessment of European and Aboriginal Cultural Heritage. The assessment concluded the likelihood of any items of heritage significance being uncovered during construction are low. EES have recommended the Applicant prepare an unexpected heritage items procedure prior to commencing construction. The Department's assessment concluded the development will not impact on any items of significance and any unexpected items will be appropriately managed through the recommended protocol. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> prepare an unexpected finds protocol.

Consideration	Recommended Conditions
Proposed Dwellings	
<ul style="list-style-type: none"> The Applicant has advised the ten dwellings proposed for farmer accommodation would consist of dual occupancies in the form of moveable dwellings. As discussed in Section 4.2 and Appendix D, the proposed residential use is permissible on site. The Department does not object to this use, and dwelling sites are indicated on the supplied plans. Plans of the dwellings themselves will need to be provided as part of an application to Council as required by section 79 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. The Department has therefore recommended conditions requiring the Applicant to obtain the required approval from Council to install the moveable dwellings in connection with the operation of each farm. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> operate the residual use only in connection with intensive livestock agriculture uses. obtain further approval under section 68 of the <i>Local Government Act 1993</i>.
Developer Contributions	
<ul style="list-style-type: none"> The Carrathool Shire Council Section 94A plan applies to the development. While Council provided no comments or recommended conditions on the development, the Department considers it warranted to require the payment of a section 7.12 (formerly 94A) contribution. On this basis, the Department has recommended a condition of consent requiring the payment of a section 7.12 contribution to Council. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> pay Council the required 7.12 development contribution.



7. *Evaluation*

The Department's assessment of the development has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects listed under section 1.3 of the EP&A Act and the principles of ESD. 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 and the submissions received from Government agencies, Council and the public.

The key issues for the development relate to air quality, water supply and stormwater management. The Department's assessment found that the impacts arising from operating a 100 shed farm could be suitably managed and/ or mitigated to an acceptable level of environmental performance for all issues, however, there remains some uncertainty as to whether the Applicant could meet the relevant limits for odour set out in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW. The Applicant's AQIA was only able to demonstrate compliance at a decreased scale of 60 sheds across five farms, with a total of 3.6 million birds at any one time.

To manage the potential odour impacts beyond 60 sheds, the Department, with the endorsement of the EPA, has recommended a "partial consent" be granted. This means the Applicant would have development consent to construct and operate a 60 shed poultry production complex. Therefore, further approval from the Minister would be required to construct and operate the full 100 sheds, comprising of an additional eight sheds per farm, totalling an additional 40 sheds across the development. As part of seeking this further approval, the Applicant will be required to undertake an Air Quality Impact Assessment to the satisfaction of the Planning Secretary, in consultation with the EPA, to demonstrate the development can meet the odour performance criteria at all sensitive receptors.

The poultry farm requires an adequate water supply and efficient water management for its operation. The Department's assessment considered the water demand of the development, as well as proposed stormwater treatment measures, concluding that the property's current water entitlement could provide an adequate water supply and the implementation of stormwater management measures would ensure the quality and quantity of stormwater leaving the site would achieve a neutral or beneficial effect.

The Department considers the impacts associated with the development can be mitigated and/or managed to ensure an acceptable level of environmental performance, subject to recommended conditions of consent, including but not limited to:

- the implementation of management and mitigation measures identified in the EIS and RtS
- the preparation of an Air Quality Management Plan
- the preparation of a Groundwater Monitoring Plan

- the preparation of a Water Management Plan.

The Department concludes that the impacts of the development are acceptable and can be managed appropriately through the implementation of the recommended conditions of consent. Therefore, the Department considered that the proposal is in the public interest and a partial consent, for the approval of a total of 60 sheds, should be granted, subject to conditions.



8. Recommendation

It is recommended that the Executive Director, Regions, Industry and Key Sites, as delegate of the Minister for Planning and Public Spaces:

- **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 partial consent to the development
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants partial consent** for the application in respect of SSD-8036, subject to the conditions in the attached development consent
- **signs** the attached development consent (see **Appendix E**).

Prepared by:

Ania Dorocinska
Senior Environmental Assessment Officer
Industry Assessments

Recommended by:

Joanna Bakopanos
Team Leader
Industry Assessments

Recommended by:

Chris Ritchie
Director
Industry Assessments



9. *Determination*

The recommendation is: **Adopted by:**

Sargeant

16/3/2020

Anthea Sargeant

Executive Director

Regions, Industry and Key Sites



Appendices

Appendix A – List of Documents

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

Appendix C – Consideration of Environmental Planning Instruments

Appendix D – Key Issues – Community Views

Appendix E – Recommended Conditions of Consent

Appendix A List of Documents

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

Environmental Impact Statement

- Environmental Impact Statement for Livestock Intensive Agriculture comprising Proposed Poultry Farms, prepared by Tattersall Lander Pty Ltd, dated February 2018

Submissions

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

Response to Submissions

- Response to Agency and Public Submission SSD-8036, prepared by Tattersall Lander Pty Ltd, dated December 2018
- Addendum Response to Submissions letter and attachments, prepared by Tattersall Lander Pty Ltd, dated 21 October 2019

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 development may be viewed at: <https://www.planningportal.nsw.gov.au/major-projects/project/10856>

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

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a DA. The Department's consideration of these matters is set out in **Table 5**. In summary, the Department is satisfied the proposed development is consistent with the requirements of section 4.15 of the EP&A Act.

Table 5 | Consideration under Section 4.15 of EP&A Act

Matter	Consideration
<p>a) the provisions of:</p> <p>(i) any environmental planning instrument, and</p> <p>(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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</p> <p>(iii) any development control plan, and</p> <p>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</p> <p>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph).</p>	<p>Detailed consideration of the provisions of all environmental planning instruments (including draft instruments subject to public consultation under this Act) that apply to the proposed development is provided below.</p> <p>The Applicant has not entered into any planning agreement under section 7.4.</p> <p>The Department has undertaken its assessment of the proposed development in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within 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.</p> <p>The Department concludes that environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.</p>

Matter	Consideration
c) the suitability of the site for the development,	The development involves the construction and operation of intensive livestock agriculture located in an area zoned for Primary Production. The proposed development is permissible with development consent. The Department's assessment concludes that approval could be given for up to 60 sheds, however, the Applicant will need to seek further approval from the Minister to expand to 100 sheds due to potential odour impacts.
d) any submissions made in accordance with this Act or the regulations,	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 proposed development in Section 6 of this report.
e) the public interest	<p>The development would generate up to 70 jobs during construction and 12 jobs during operation. The development is a considerable capital investment in the Carrathool LGA that would contribute to the provision of local jobs.</p> <p>The environmental impacts of the development would be appropriately managed via the recommended conditions. On balance, the Department considers 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 EPI's were considered as part of the Department's assessment:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy (Rural Lands) 2008 (Rural Lands SEPP)
- draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)
- Carrathool Local Environmental Plan 2012 (CLEP).

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

The SRD SEPP identifies certain classes of development as SSD. In particular, the construction and operation of an intensive livestock agriculture development with a CIV in excess of \$30 million meets the criteria of 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 intensive livestock agriculture with a CIV of \$101 million.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The ISEPP aims to facilitate the effective delivery of infrastructure across the State and lists the type of development defined as traffic generating development. The development fronts a classified road, Mid-Western Highway, and is considered a traffic generating development in accordance with the ISEPP as it would involve the construction and operation a development which would generate in excess of 50 motor vehicles per hour on a site with access to a classified road. Consequently, the development was referred to RMS for comment and consideration of accessibility and traffic impacts. RMS did not object but recommended conditions requiring the Applicant construct an intersection between Mid-Western Highway and the access point to the site (see Section 6.3). The Department has included the RMS' requirements into the recommended conditions. The development is therefore considered to be consistent with the ISEPP.

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 three categories of Dangerous Goods (DG), including liquified petroleum gas (LPG) and petrol. The LPG storage will include two sets of LPG tanks, equivalent to approximately 70 tonnes, in each farm complex. The risk screening correctly identified that LPG storage quantity, as such the proposed development is potentially hazardous. The remaining DGs are to be stored or handled below SEPP 33 threshold quantities. The risks from each poultry lot 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'*.

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.

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
- the remediation works undertaken meet certain standards and notification requirements.

The EIS included two site contamination assessments. The Phase 1 assessment concluded a moderate to high risk of contamination associated the sites historical agricultural uses, identified waste stockpiles, operation of on-site waste (effluent), machinery areas and hazardous materials in existing buildings.

In accordance with SEPP 55, the EIS included a Phase 2 Detailed Investigation which consisted of 260 boreholes and 92 samples in a grid across the site and in the locations identified by the Phase 1 assessment.

The assessment concluded the site is suitable for the proposed agricultural use subject to engaging qualified personnel to service the septic systems, undertake a hazardous materials survey of any structures prior to demolition and classify excavated material in accordance with (ENM Order 2014) (EPA Waste Classification Guideline).

The Department is satisfied the development is consistent with the aims, objectives and provisions of SEPP 55 and subsequently recommended the Applicant undertake a hazardous materials survey of the existing houses on site prior to demolition.

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.

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 Riverina 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 Riverina Murray Regional Plan and poses minimal impacts on the provision of services and infrastructure.

As such, the Department is satisfied the proposed development is consistent with the Rural Planning Principles of the Rural Lands SEPP.

Carrathool Local Environmental Plan 2012 (CLEP)

The CLEP aims to encourage employment generating activities, which respond to emerging markets and changes in technology whilst protecting and promoting agricultural and primary production uses which relate to processing services and value-adding industries. The development is located on land zoned RU1 Primary Production under the 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 CLEP. 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). The Department concludes that the development is consistent with the relevant provisions of the CLEP.

Appendix D Key Issues – Council and Community Views

The Department publicly exhibited the EIS for Goolgowi Poultry Complex from Thursday 1 March 2018 until Wednesday 4 April 2018. The Department received 12 submissions during the exhibition period, including nine from public authorities, one from Council and two from the general public. Of the 12 submissions, two objected to the development. The issues raised by the general public, and a summary of how each issue has been addressed is provided in **Table 6** below.

Table 6 | Department's response to issues raised in submission from the public from the public exhibition period

Issue raised	Consideration
Water supply <i>'Dams, storage and earthworks all disrupt the natural landscape and the flow and penetration of water – our stock and domestic bores draw from the same water table.'</i>	<p>As discussed in Section 6.2, the Department concludes that the development has access to an adequate water supply through the existing water rights with MI. Furthermore, stormwater quantity and quality will be managed at each farm through the construction of a stormwater system with perimeter catch drains.</p> <p>Conditions of consent have been recommended to require the preparation and implementation of Water management plan and require the Applicant to apply to MI in any case an increase in water supply is required.</p>
Noise impacts <i>'Emissions from this development will not be unnoticeable and the effect on those living close by may be quite serious.'</i>	<p>As discussed in Section 6.3, the Department has considered the worst-case construction and operational noise impacts of the development. The assessment concluded that the development would comply with the Industrial Noise Policy 2000, Interim Construction Noise Guideline and Road Noise Policy.</p> <p>A condition of consent has been recommended to ensure the development complies with relevant criteria at all stages.</p>
Odour impacts <i>'Physical barriers, such as proposed earth embankments, may block the view but the smells are still evident. I can already enjoy the odour of sheds in the district which are further away.'</i>	<p>As discussed in Section 6.1, the Department has considered the odour impacts associated with the development. Following an assessment of the development at the reduced scale, 60 sheds, it was</p>

Issue raised	Consideration
	<p>concluded that the odour impacts could be mitigated efficiently to ensure the sensitive receivers in the area would not be impacted negatively as a result of the development.</p> <p>Conditions of consent have been recommended to require the preparation and implementation of an Air Quality Management Plan, as well as if required by the EPA, the preparation of an Odour Validation Report.</p> <p>The Department has recommended the development is granted a partial consent based on the odour impacts. Should the Applicant seek to expand the development to a maximum of 100 sheds, an updated Air Quality Impact Assessment would be required to be submitted to the Minister for further approval. The conditions of consent reflect specific requirements which need to be addressed at such time.</p>
<p>Traffic safety</p> <p><i>'The increased traffic that will result from this development will just add to an already busy road. There are a number of school bus stops along this section of Highway and slower traffic when entering and exiting the development onto the Highway is cause for concern when this traffic is mixed with local and regular heavy haulage vehicles plying the Highway.'</i></p>	<p>As discussed in Section 6.3, the Department has considered the proposed access arrangements for the development. In consultation with RMS the Department concluded that the proposed site access off the highway would provide better visibility for road users and would be designed to ensure heavy vehicles associated with the development would not interfere with other road traffic.</p> <p>Conditions of consent have been recommended to require the Applicant to construct an intersection between Mid-Western Highway and the site access, as well as prepare and implement a Traffic Management Plan.</p>

Appendix E Recommended Conditions of Consent

The recommended conditions of consent for SSD-8036 can be found on the Department's website at:
<https://www.planningportal.nsw.gov.au/major-projects/project/10856>