

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 11 October 2017, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



16/3/2020

Anthea Sargeant
Executive Director
Regions, Industry and Key Sites

Sydney

2020

SCHEDULE 1

Application No:	SSD-8036
Applicant:	Muscat Developments Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	375 McRaes Road, Goolgowi, Carrathool local government area Lot 1 DP 749831 Lot 2 DP 749831
Development:	Construction and operation of the Goolgowi Poultry Complex, including: Stage 1, being • five poultry farms consisting of 12 tunnel ventilated poultry sheds (total of 60 sheds) • a maximum operational capacity of 3.6 million broilers at any one time Stage 2, being • additional 8 tunnel ventilated poultry sheds for each poultry farm (total of 100 sheds) • a maximum operational capacity of 6 million broilers at any one time Additional works, as described in the application • 10 residential dwellings for farm manager accommodation • bulk earthworks • road upgrades with the Mid-Western Highway • internal access roads and building pads • on-site water detention dams • electricity and stormwater management works • LPG, feed, bedding and chemical storage • five composting sheds • subdivision for each poultry farm

TABLE OF CONTENTS

DEFINITIONS	iii
PART A: ADMINISTRATIVE CONDITIONS.....	1
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT	1
TERMS OF CONSENT	1
LIMITS OF CONSENT	1
NOTIFICATION OF COMMENCEMENT	2
STAGED SUBMISSION OF PLANS OR PROGRAMS.....	2
EVIDENCE OF CONSULTATION.....	3
PROTECTION OF PUBLIC INFRASTRUCTURE	3
DEMOLITION.....	3
STRUCTURAL ADEQUACY AND CERTIFICATION	3
SUBDIVISION.....	3
EXTERNAL WALLS AND CLADDING FLAMMABILITY	4
UTILITIES AND SERVICES	4
COMPLIANCE	4
DEVELOPMENT CONTRIBUTIONS	4
OPERATION OF PLANT AND EQUIPMENT	4
APPLICABILITY OF GUIDELINES	4
MONITORING AND ENVIRONMENTAL AUDITS	5
ADVISORY NOTES	5
PART B: ENVIRONMENTAL PERFORMANCE AND MANAGEMENT.....	6
AIR QUALITY	6
NOISE.....	7
TRAFFIC AND ACCESS	8
SOILS, WATER QUALITY AND HYDROLOGY.....	9
ANIMAL WELFARE AND BIOSECURITY	11
ABORIGINAL HERITAGE.....	12
BIODIVERSITY	12
HAZARDS AND RISK.....	12
FIRE PROTECTION AND MANAGEMENT	13
WASTE MANAGEMENT	13
CONTAMINATION.....	14
VISUAL AMENITY	14
COMMUNITY ENGAGEMENT	14
PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	15
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN	15
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN.....	15
MANAGEMENT PLAN REQUIREMENTS	16
REVISION OF STRATEGIES, PLANS AND PROGRAMS	16
ANNUAL REVIEW	16
Reporting and Auditing	17
Incident Notification, Reporting and Response	17
Non-Compliance Notification	17
Compliance Reporting.....	17
Independent Audit	17
Monitoring and Environmental Audits.....	18
Access to Information	18
APPENDIX A DEVELOPMENT LAYOUT PLANS	19
APPENDIX B SENSITIVE RECEIVERS	23
APPENDIX C APPLICANT'S MANAGEMENT AND MITIGATION MEASURES	24
APPENDIX D WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	26

DEFINITIONS

AQMP	Air Quality Management Plan
Applicant	Muscat Developments Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
Broiler	A breed of chicken bred and raised specifically for chicken meat production
Calendar year	A period of 12 months commencing on 1 January
CEMP	Construction Environmental Management Plan
Certifier	A person who is authorised by or under section 6.5 of the EP&A Act to issue Part 6 certificates
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.
Council	Carrathool Shire Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Industry and Environment
Development	The activities relating to Stage 1 as described in Schedule 1, the EIS and Response to Submissions, as modified by the conditions of this consent
DPI	NSW Department of Primary Industries
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EES	Environment, Energy and Science Directorate
EIS	The Environmental Impact Statement titled <i>Environmental Impact Statement Livestock Intensive Agriculture comprising Proposed Poultry Farms</i> , prepared by Tattersall Lander Pty Ltd dated February 2018, submitted with the application for consent for the development
ENM	Excavated Natural Material
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPL	Environment Protection Licence issued by the EPA under the POEO Act
Evening	The period from 6 pm to 10 pm
Heavy vehicle	Any vehicle with a gross vehicle mass of 4.5 tonnes or more
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage Item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
Incident	An occurrence or set of circumstances that causes, or threatens to cause material harm. Note: "material harm" is defined in this consent.
Management & Mitigation Measures	The management and mitigation measures set out in Appendix C
Material harm to the environment	Is harm that: (a) involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or (b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent but is not an incident
NPI	NSW Noise Policy for Industry
OEMP	Operational Environmental Management Plan
Operation	The use of the poultry sheds and ancillary infrastructure and structures for the purpose of growing broiler chickens

PPU	Poultry Production Unit
Principal Certifier	A person who is authorised by or under section 6.5 of the EP&A Act to issue Part 6 certificates
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled "Aboriginal cultural heritage consultation requirements for proponents 2010" (DECCW 2010)
Response to Submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act, titled <i>Response to Agency and Public Submissions SSD 8036</i> , prepared by Tattersall Lander Pty Ltd dated December 2018 and the additional Air Quality Impact Assessment titled <i>Air Quality Impact Assessment</i> prepared by Astute Environmental Consulting Pty Ltd dated 21 October 2019
Planning Secretary	Secretary of the Department (or nominee)
Sensitive Receivers	A location where people are likely to work or reside, this may include a dwelling, school, hospital, office or public recreational area
Site	The land listed in Schedule 1
Stage 1	The construction and operation of the development up to and including 5 poultry farms each with 12 tunnel-ventilated sheds with a maximum population of 3.6 million broilers at any one time
Stage 2	The construction and operation of the development up to and including 5 poultry farms each with 20 tunnel-ventilated sheds with a maximum population of 6 million broilers at any one time
TfNSW	Transport for NSW
VENM	Virgin Excavated Natural Material as defined in the POEO Act
Waste	As defined in the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A: ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS and Response to Submissions;
 - (d) in accordance with the Development Layout in Appendix A; and
 - (e) in accordance with the Management and Mitigation measures in Appendix C.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in (a) above.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in conditions A2(c) to (e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in conditions A2(c) to (e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.

LIMITS OF CONSENT

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

Staging of Development

- A6. The development is limited to the construction and operation of five poultry farms each comprising 12 sheds (total of 60 sheds) housing a maximum population of up to 3.6 million broilers at any one time (Stage 1). The Applicant must obtain further approval from the Minister to expand the development up to a capacity of 100 sheds (8 additional sheds for each poultry farm) with a maximum population of up to 6 million broilers at any one time (Stage 2).

To obtain approval for Stage 2 of the development, the Applicant must prepare an updated Air Quality Impact Assessment and undertake the work to the satisfaction of the Planning Secretary, in consultation with the EPA. The updated Air Quality Impact Assessment must:

- (a) be undertaken in accordance with condition B2; and
- (b) demonstrate that an increase in the development to Stage 2 can achieve compliance with the odour impact assessment criteria set out in the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* at all sensitive receptors identified in Figure 2 – Appendix B.

Note: This development consent does not require a further development application to be made as part of seeking approval of the Minister for Stage 2. However, any such consent will be subject to the Applicant preparing additional information to the requirements of the Planning Secretary, in consultation with the EPA.

Farm Operations

- A7. The Applicant must ensure:
- (a) ventilation stacks are constructed to:
 - (i) achieve an exit height of 8 metres when in tunnel ventilation mode; and
 - (ii) be consistent with the parameters detailed at page 3 of the *Astute Environmental Consulting* letter dated 21 October 2019;
 - (b) the stocking densities of the development comply at all times with the standards detailed in the *National Animal Welfare Standards for the Chicken Meat Industry* (Barnett et al, 2008), as amended;
 - (c) the development is not populated with the permitted number of broilers simultaneously at the commencement of each production cycle;
 - (d) a minimum time period of two (2) days is required between the commencement of broiler population in each PPU; and
 - (e) the time period to populate the entire farm (all five PPUs) for each production cycle shall be a minimum of 10 days.

Farm Manager Accommodation

- A8. The residential dwellings for farm manager's accommodation as described in the EIS are only to be occupied by persons employed by the Applicant, their partner and dependants in conjunction with the operation of a poultry farm for the operational life of the development and shall not be occupied or let for any other purpose.
- A9. The Applicant must obtain further approval from Council under section 68 of the *Local Government Act 1993* for the installation of the farm manager accommodation.
- A10. Dwellings must be installed on the site in accordance with Division 4 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*.
- A11. The Applicant must ensure that all septic systems for the farm manager accommodation are serviced by suitably qualified personnel.

NOTIFICATION OF COMMENCEMENT

- A12. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
 - (b) operation;
 - (c) cessation of operations; and
 - (d) decommissioning.
- A13. If the construction or operation or decommissioning of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage, or as otherwise agreed with the Planning Secretary.

STAGED SUBMISSION OF PLANS OR PROGRAMS

- A14. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A15. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A16. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

EVIDENCE OF CONSULTATION

- A17. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A18. Prior to the commencement of construction, the Applicant must:
- (a) consult with the relevant owner and/or provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (c) submit a copy of this report to the Planning Secretary and Council.
- A19. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the development; and
 - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

DEMOLITION

- A20. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001: The demolition of structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY AND CERTIFICATION

- A21. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with:
- (a) the relevant requirements of the BCA; and
 - (b) any additional requirements of the Subsidence Advisory NSW where the building or structure is located on land with declared Mine Subsidence Districts.

Note:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.
- Under section 15 of the Mine Subsidence Compensation Act 1961, the Applicant is required to obtain SANSW's approval before subdivision or constructing any improvements in a Mine Subsidence District.

SUBDIVISION

- A22. Prior to the issue of a Subdivision Certificate, detailed work-as-executed drawings shall be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internal roads, drainage and any areas of fill, carried out under this consent. The work-as-executed drawing must be submitted to the certifying authority and Council prior to the issue of a Subdivision Certificate.
- A23. Prior to the issue of a Subdivision Certificate, the Applicant must provide to the Certifying Authority evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.
- A24. Prior to the issue of a Subdivision Certificate, a certificate from an electricity and telecommunications provider must be submitted to the Certifying Authority certifying that satisfactory service arrangements to the site have been established.
- A25. The Applicant is required to undertake the subdivision to ensure that each farm and the associated manager's accommodation are wholly contained within its own allotment. Evidence of lodgement with the Land Titles Office is to be submitted to the Certifying Authority prior to the issue of any Occupation Certificate for the development.

EXTERNAL WALLS AND CLADDING FLAMMABILITY

- A26. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A27. Prior to the issue of:
- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
 - (b) an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.
- A28. The Applicant must provide a copy of the documentation given to the Certifying Authority under condition A27 to the Planning Secretary within seven days after the Certifying Authority accepts it.

UTILITIES AND SERVICES

- A29. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- A30. Before the issue of a Construction Certificate, other than the Highway Intersection Works to upgrade site access, the Applicant is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for:
- (a) the installation of fibre-ready facilities to all individual lots within the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and
 - (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises within the development demonstrated through an agreement with a carrier.
- A31. The Applicant must demonstrate the carrier has confirmed in writing they are satisfied the fibre ready facilities are fit for purpose.

COMPLIANCE

- A32. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

DEVELOPMENT CONTRIBUTIONS

- A33. Before the issue of a Subdivision Certificate, a contribution under section 7.12 of the EP&A Act and the Carrathool Shire Council Section 94A Development Contributions Plan of \$100,000 (adjusted on a quarterly basis from the date of this consent), to account for movements in the *Australian Bureau of Statistics Consumer Price Index – Building Construction* (NSW), must be paid to Council for the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation).

A copy of this plan may be viewed on Council's website at:

<https://www.carrathool.nsw.gov.au/planning/developmental-applications>

OPERATION OF PLANT AND EQUIPMENT

- A34. All plant and equipment used on site or to monitor the performance of the development must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

APPLICABILITY OF GUIDELINES

- A35. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

MONITORING AND ENVIRONMENTAL AUDITS

- A36. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Annual Review and independent environmental auditing.

***Note:** For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

ADVISORY NOTES

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B: ENVIRONMENTAL PERFORMANCE AND MANAGEMENT

AIR QUALITY

Odour Emissions

- B1. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined under the POEO Act).
- B2. Prior to proceeding from Stage 1 to Stage 2, the Applicant must undertake an Air Quality Impact Assessment, to the satisfaction of the Planning Secretary, in consultation with the EPA. The Assessment must be undertaken in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* and include but not necessarily be limited to:
- (a) results and discussion of odour dispersion modelling undertaken for the site over a period of at least twelve months that characterises the odour emission performance of the development, including:
 - (i) data collection across the entire growing cycle and all seasons/ meteorological conditions and stocking density; and
 - (ii) data representative of worst case operating scenarios;
 - (b) results and discussion of at least twelve months of on-site ventilation rate data;
 - (c) results and discussion of at least twelve months of odour complaints data from the operation of Stage 1;
 - (d) outcomes of consultation with nearby sensitive receivers;
 - (e) where the odour criteria specified in condition A6(b) cannot be met, provide details of the odour mitigation and management measures that would need to be implemented in order to meet that criteria.

Note: The purpose of the Odour Impact Assessment is to demonstrate to the satisfaction of the Planning Secretary and the EPA that the development will be able to meet the odour performance criteria specified under condition A6(b) at all sensitive receptors when expanding from 60 sheds (Stage 1) to 100 sheds (Stage 2).

Air Quality Management Plan

- B3. Prior to the commencement of operation, the Applicant must develop and implement an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP is to form part of the development's OEMP (see condition C4) and be prepared in accordance with condition C6 and any other requirements of the EPL for the site. The AQMP must:
- (a) be prepared in consultation with the EPA;
 - (b) detail and rank all emissions from all sources of the development, including particulate emissions;
 - (c) describe a program capable of evaluating the performance of the operation and determine compliance with key performance indicators;
 - (d) identify the control measures that will be implemented for each emissions source; and
 - (e) nominate the following for each of the proposed controls:
 - (i) key performance indicator;
 - (ii) monitoring method;
 - (iii) location, frequency and duration of monitoring;
 - (iv) record keeping;
 - (v) response mechanism; and
 - (vi) compliance reporting.
- B4. The Applicant must:
- (a) not commence operation of the development until the AQMP required by condition B3 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of operation.

Odour Validation Report

- B5. Based on odour complaints and when directed by the EPA, the Applicant must submit an Odour Validation Report (OVR) to the EPA. The OVR must:
- (a) be submitted to the EPA within six (6) weeks of being directed;
 - (b) be completed by a suitably qualified independent expert experienced in the characterisation and treatment of odours from chicken broiler farms;
 - (c) include a summary of any odour complaints received and actions taken to reduce odour emissions where complaints are verified;
 - (d) consider odour generation associated with stocking densities, rates and PPU population practices;
 - (e) where possible, include field odour survey that characterises the frequency, intensity, duration, offensiveness, location and extent of off-site odours;

- (f) benchmark the design and management practices at the premises against industry best practice for minimising odour emissions, including investigation of newly development and emerging control technology;
- (g) determine compliance with or contravention of section 129 of the POEO Act and recommend if additional odour mitigation measures are required;
- (h) where additional odour control measures are recommended, appropriate mitigation measures or management practices must be nominated to ensure that odour is minimised as far as practicable; and
- (i) any odour mitigation measures nominated must include a timetable for implementation.

Dust

- B6. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B7. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or equivalent;
 - (b) all trucks entering and exiting the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) any land stabilisation works are carried out progressively on site to minimise exposed surfaces.

On-site Meteorological Monitoring Station

- B8. During the operational life of the development, the Applicant must ensure there is a suitable meteorological monitoring station on the site that complies with the requirements in the latest version of the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline. The station must be maintained so as to be capable of continuously monitoring the following parameters: air temperature, wind direction, wind speed, solar radiation, rainfall and relative humidity and any other requirements specified in the EPL.

NOISE

Hours of Work

- B9. The Applicant must comply with the hours of work detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.

Table 1 Hours of Work

Activity	Day	Time
Earthworks and construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
Operation	Monday – Sunday	24 hours

- B10. Works outside of the hours identified in condition B9 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers; or
 - (b) works agreed to in writing by the Planning Secretary; or
 - (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

- B11. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in Appendix C.

Construction Noise Management Plan

- B12. The Applicant must prepare a Construction Noise Management Plan for the development to manage high noise generating works. The plan must form part of the CEMP required by condition C1 and must:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) be approved by the Planning Secretary prior to the commencement of construction of the development;

- (c) describe procedures for achieving the noise management levels in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009); and
- (d) describe the measures and strategies to be implemented to manage high noise generating works.

B13. The Applicant must:

- (a) not commence construction of any relevant stage until the Construction Noise and Vibration Management Plan required by condition B12 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B14. The Applicant must ensure that noise generated by the operation of the development does not exceed the noise criteria at any residence on privately-owned land described in the table below.

Table 2 Noise Limits (dB(A))

Location	Day (L _{Aeq} (15 minute))	Evening (L _{Aeq} (15 minute))	Night (L _{Aeq} (15 minute))	Night (L _{A1} (1 minute))
All privately-owned residential premises	35	35	35	45

Note: All noise measurements must be undertaken in accordance with the NSW Noise Policy for Industry (NPI). All measurement terms in the table have the same meaning as defined in the NPI.

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B15. The Applicant must prepare a Construction Traffic Management Plan for the development. The plan must form part of the CEMP required by condition C1 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with the TfNSW;
- (c) be prepared to the satisfaction of the Planning Secretary prior to the commencement of construction;
- (d) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
- (e) detail heavy vehicle routes, access and parking arrangements;
- (f) include a Driver Code of Conduct to:
 - (i) minimise the impacts of earthworks and construction on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise; and
 - (iv) ensure truck drivers use specified routes;
- (g) include a program to monitor the effectiveness of these measures; and
- (h) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B16. The Applicant must:

- (a) not commence construction until the Construction Traffic Management Plan required by condition B15 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

Intersection Works

B17. Prior to the issue of a Subdivision Certificate, the Applicant must complete construction of one (1) private vehicular road access road connection to the Mid-Western Highway (HW6) to provide for access to the site. Any redundant driveways or gates to the Mid-Western Highway are to be removed and the road reserve restored to match the surrounding roadside in accordance with Council requirements.

B18. The Applicant must obtain the concurrence of the TfNSW under section 138 of the *Roads Act 1993* prior to commencement of any roadworks within the road reserve of the Mid-Western Highway.

B19. Prior to finalising the design or undertaking any roadworks in relation to the Mid-Western Highway, the Applicant must enter into a Works Authorisation Deed (WAD) with the TfNSW.

B20. The Applicant must design and construct the intersection of the access road with the Mid-Western Highway described in condition B17 so that it:

- (a) provides a Basic Right Turn (BAR) and Auxiliary Left Turn (AUL) intersection treatment in accordance with the Austroads Guide to Road Design for a Road Train route, as amended by the supplements adopted by TfNSW for the posted speed zone;
- (b) is located and the roadside maintained so as to provide the required sight distance requirements for intersections in accordance with the Austroads Publications as amended by the TfNSW supplements for the posted speed limit. The sight distance requirements must be certified by an appropriately qualified person prior to construction of the vehicular access;
- (c) is constructed perpendicular (or at an angle of not less than 70 degrees) to the carriageway of the highway to a minimum width of 7 metres to accommodate 2 way movement of vehicles;
- (d) is bitumen sealed with a pavement and road surface suitable for road trains for a minimum length of 50 metres from the carriageway of the Mid-Western Highway moving into the site;
- (e) ensures any vehicle entering or exiting the development do not cross to the opposing travel lane of the highway in order to perform the access or egress manoeuvre to/from the access road;
- (f) provides line marking to separate the swept paths of vehicles entering and exiting the development;
- (g) provides associated directional marking and signage is to be installed and maintained in accordance with Australian Standards;
- (h) does not interfere with the capacity of the current roadside drainage network; and
- (i) prevents water from proceeding onto, or ponding within, the carriageway of the highway. If a culvert is to be installed and is to be located within the clear zone of the highway for the prevailing speed zone it is to be constructed with a traversable type headwall.

B21. Works associated with the development shall be to the satisfaction of the TfNSW and at no cost to the TfNSW.

Operating Conditions

B22. The Applicant must ensure:

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1 and AS 2890.2;
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
- (c) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on-site;
- (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network;
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times; and
- (i) the transportation of birds must not occur on local roads, restricting vehicles to the use of the Mid-Western Highway and Kidman Way.

Operational Driver Code of Conduct

B23. Prior to the commencement of operation, the Applicant must prepare a Driver Code of Conduct and induction training for the operation of the development to enforce specific transport routes, and to minimise road traffic noise. The Driver Code of Conduct must form part of the OEMP required by condition C4 and be prepared in accordance with Condition C6. The Driver Code of Conduct and induction training must also include measures to ensure vehicles used for the transportation of birds use the Mid-Western Highway and Kidman Way and not local roads.

B24. The Applicant must implement the most recent version of the Driver Code of Conduct for the life of the operation.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B25. The Applicant must:

- (a) ensure that only VENM, or ENM, or other material approved in writing by the EPA is used as fill on the site;
- (b) keep accurate records of the volume and type of fill to be used; and
- (c) make these records available to the Department upon request.

Erosion and Sediment Control

- B26. Before the commencement of construction, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements in the latest version of the *Managing Urban Stormwater: Soils and Construction Vol 1*. (Landcom 2004, the Blue Book) and the Erosion and Sediment Control Plan included in the CEMP required by condition C1.

Discharge Limits

- B27. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Management System

- B28. Prior to the commencement of operation, the Applicant must design and install a stormwater management system for the development. The system must:
- (a) be designed by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
 - (b) be generally in accordance with the conceptual design in the EIS;
 - (c) be in accordance with applicable Australian Standards; and
 - (d) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines (as may be updated or replaced from time to time).
- B29. The Applicant must design, construct, operate and maintain all stormwater and water storage facilities on site with the internal surfaces equivalent to, or better than, a clay liner of a minimum permeability of 1×10^{-9} metres per second and a clay liner thickness of no less than 600mm, or an equivalent alternative.
- B30. The stormwater management system must be operated and maintained for the duration of operation of the development.

Water Management Plan

- B31. Prior to the commencement of operation, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The Water Management Plan must form part of the OEMP required by Condition C4 and be prepared in accordance with condition C6. The Water Management Plan must:
- (a) be prepared in consultation with the DPI;
 - (b) detail water use, metering, disposal and management on-site;
 - (c) detail the number and location of piezometers on-site;
 - (d) detail the water licence requirements for the development;
 - (e) detail the management of wastewater streams on-site;
 - (f) describe how contaminated wastewater and stormwater collection and storage structures will be designed, construction and managed to protect local and regional surface water and groundwater resources;
 - (g) contain a Surface Water Management Plan, including:
 - (i) a program to monitor:
 - a. surface water flows and quality;
 - b. surface water storage and use; and
 - c. sediment basin operation;
 - (ii) surface water impact assessment criteria, including trigger levels for investigating any potential adverse surface water impacts; and
 - (iii) a protocol for the investigation and mitigation where the surface water impact assessment criteria has been exceeded;
 - (h) contain a Groundwater Management Plan, including:
 - (i) a program to obtain baseline data, monitor groundwater levels and quality;
 - (ii) groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts; and
 - (iii) a protocol for the investigation and mitigation where the groundwater impact assessment criteria has been exceeded; and
 - (i) contain a contingency plan for the operation of the development during extreme weather events such as a heat wave or drought.
- B32. The Applicant must:
- (a) not commence operation until the Water Management Plan required by condition B31 is approved by the Planning Secretary; and

- (b) implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development.

Groundwater

- B33. The Applicant must obtain any necessary water related approvals from DPIE Water in the event groundwater is to be intercepted or extracted during construction works.
- B34. The Applicant must ensure that any works within watercourses or on waterfront land is undertaken in accordance with the *Guidelines for Controlled Activities on Waterfront Land* (DoI, 2018).
- B35. The Applicant must consult with Murrumbidgee Irrigation prior to:
 - (a) the removal of the two groundwater bores, to ensure that they are decommissioned appropriately; and
 - (b) seeking any increase to the current water entitlement.

Bunding

- B36. The Applicant shall store all chemicals, fuels and oils use on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling liquids: Environmental Protection – Participants Handbook*.

Domestic Effluent

- B37. The Applicant shall obtain the relevant license/approval from Council under section 68 of the *Local Government Act 1993* prior to the commencement of construction for all domestic effluent disposal and management systems on-site.

ANIMAL WELFARE AND BIOSECURITY

Animal Welfare

- B38. The Applicant must ensure the development complies with the relevant requirements for the welfare of broilers, particularly health, housing, watering, feeding, handling and transport, including but not limited to those contained within the:
 - (a) *National Animal Welfare Standards for Livestock Processing Establishments 2nd edition*, (Meat and Livestock Australia, 2009);
 - (b) *Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock* (Animal Health Australia, 2012);
 - (c) *National Animal Welfare Standards for the Chicken Meat Industry* (Barnett et al. 2008)
 - (d) *NSW DPI Best Practice Management for Meat Chicken Production in NSW – Manual 2* (2012);
 - (e) *National Farm Biosecurity Manual for Chicken Growers* (ACMF, 2000);
 - (f) *Model Code of Practice for the Welfare of Animals – Domestic Poultry, 4th Edition* (PISC, 2002);
 - (g) *Model Code of Practice for the Welfare of Animals, Land Transport of Poultry* (PISC, 2006);
 - (h) any other relevant document that supersedes the above; and
 - (i) Management and Mitigation Measures described in Appendix C of this consent.

Emergency Disposal and Biosecurity

- B39. Prior to the commencement of operation, the Applicant must prepare an Emergency Disposal and Bio-security Protocol, detailing the procedures for a biosecurity emergency including a mass mortality event, to the satisfaction of the Planning Secretary. The protocol must form part of the OEMP required by condition C4 and must:
 - (a) be prepared in consultation with Council, EPA, DPI and other relevant public authorities;
 - (b) be consistent with the relevant AUSTVETPLAN manuals and supporting documents;
 - (c) describe the notification procedures;
 - (d) detail all transport routes to be used in a mass mortality event;
 - (e) detail any requirements to stage the mass disposal of dead livestock;
 - (f) detail the burial location(s) for the disposal of dead livestock, including plans and drawings;
 - (g) detail the measures to maintain quarantine control;
 - (h) detail measures to prevent groundwater contamination; and
 - (i) detail the mass mortality disposal procedures and options.
- B40. The Applicant must:
 - (a) not commence operation until the Emergency Disposal and Biosecurity Protocol required by condition B40 is approved by the Planning Secretary; and

- (b) implement the most recent version of the Emergency Disposal and Biosecurity Protocol approved by the Planning Secretary for the duration of the development.

ABORIGINAL HERITAGE

Unexpected Finds Protocol

- B41. An Unexpected Finds Protocol must be developed prior to construction requiring that if any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the development, the Applicant must:
- (a) not further harm the object;
 - (b) immediately cease all work at the particular location;
 - (c) secure the area to avoid further harm to the Aboriginal object;
 - (d) notify EES as soon as practical, providing any details of the Aboriginal object and its location;
 - (e) not recommence any work at the particular location unless authorised by EES in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.
- B42. In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access, and NSW Police and EES contacted.

BIODIVERSITY

Biodiversity Management Plan

- B43. Prior to commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with EES, to the satisfaction of the Planning Secretary. This plan must:
- (a) Include a description of the measures that would be implemented for:
 - (i) managing the remnant vegetation and fauna habitat on the site;
 - (ii) managing the PVP offset area;
 - (iii) minimising clearing and avoiding unnecessary disturbance associated with the construction and operation of the development;
 - (iv) minimising the impacts to fauna on site and implementing fauna management protocols;
 - (v) rehabilitating and revegetating temporary disturbance areas;
 - (vi) protecting vegetation and fauna habitat outside the approved disturbance areas;
 - (vii) maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement of the offset area or the rehabilitation of the site;
 - (viii) controlling weeds and feral pests.
 - (b) include a seasonally-based program to monitor and report on the effectiveness of these measures;
 - (c) ensure that any actions proposed for the PVP offset area are consistent with provisions in the agreement with Riverina Local Land Services;
 - (d) identify the potential risks to the successful implementation of management and mitigation actions for the offset area, and include a description of the contingency measures that would be implemented to minimise these risks; and
 - (e) include details of who would be responsible for monitoring, reviewing, and implementing the plan.
- B44. The Applicant must:
- (a) not commence operation until the Biodiversity Management Plan is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Biodiversity Management Plan approved by the Planning Secretary.

HAZARDS AND RISK

Pre-construction

- B45. The Applicant must prepare a Fire Safety Study for the development. The study must cover the relevant aspects of the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines'* and the New South Wales Government's *'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'*. The study must be made available on request by Fire and Rescue NSW. Construction, other than of preliminary works that are outside the Fire Safety Study, must not commence until study recommendations have been considered and, where appropriate, acted upon.

Pre-commissioning

- B46. Prior to commissioning, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development. The plan must be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*.

Ongoing

- B47. The design and operation of the development must comply with all relevant Australian Standards, including and not limited to AS 1596: *The storage and handling of LP Gas*.

FIRE PROTECTION AND MANAGEMENT

Asset Protection Zones

- B48. At the commencement of building works and in perpetuity, the land around each structure of the poultry complex for a distance of 27 metres shall be managed as an Asset Protection Zone as outlined within section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection 2006* and the NSW Rural Fire Service's document Standards for asset protection zones.

Design and Construction

- B49. Water, electricity and gas for the site are to comply with section 4.1.3 of *Planning for Bush Fire Protection 2006*.
- B50. Site access roads must comply with section 4.1.3 (2) of *Planning for Bush Fire Protection 2006*.

Farm Management

- B51. The OEMP required under condition C4 of this consent must include operating procedures in the event of:
- (a) fire igniting within the site, being contained within the site and identifying the possible fire sources and mitigation strategies; and
 - (b) fire threats from outside the site from adjoining lands.

WASTE MANAGEMENT

Pests, Vermin and Noxious Weed Management

- B52. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and
 - (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.

Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.

Composting of mortalities on-site

- B53. Composted mortalities cannot be disposed off-site until a Specific Resource Recovery Exemption is granted by the EPA for birds composted at the site.

Note: The general manure composting resource recovery exemption does not permit the inclusion of animal waste.

Waste Management

- B54. The Applicant shall not stockpile, store or utilise spent bedding material in any way within the development, other than for the composing of birds.
- B55. Broiler mortalities shall not be disposed of to land by burial or any other methods at the site, for the life of the development, unless otherwise permitted by a relevant authority during a bio-security emergency at the site.

Statutory Requirements

- B56. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the EPA's *Waste Classification Guidelines Part 1: Classifying Waste*, November 2014, or its latest version and dispose of all wastes to a facility that may lawfully accept the waste.
- B57. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- B58. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of the EPA.

CONTAMINATION

- B59. Before the commencement of earthworks, the Applicant must prepare an unexpected finds protocol to ensure that potentially contaminated material is appropriately managed. The protocol must form part of the CEMP required by condition C1 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.

VISUAL AMENITY

Landscaping

- B60. Before the commencement of operation, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site. The plan must:
- (a) detail the species to be planted on-site;
 - (b) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
 - (c) be consistent with the Applicant's Management and Mitigation Measures at Appendix C.

Lighting

- B61. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of *AS 4282 (INT) - Control of Obtrusive Effects of Outdoor Lighting*; and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage and Fencing

- B62. All signage and fencing must be erected in accordance with the development plans included in the RTS.

Note: This condition does not apply to temporary construction and safety related signage and fencing.

COMMUNITY ENGAGEMENT

- B63. The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified on Figure 2 in Appendix B, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.

PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C1. The Applicant must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Planning Secretary. The CEMP must:
- (a) be approved by the Planning Secretary prior to the commencement of construction;
 - (a) identify the statutory approvals that apply to the development;
 - (b) outline all environmental management practices and procedures to be followed during construction works associated with the development;
 - (c) describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages;
 - (d) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
 - (e) describe the roles and responsibilities for all relevant employees involved in construction works associated with the development; and
 - (f) include the management plans required under condition C2 of this consent.
- C2. As part of the CEMP required under condition C1 of this consent, the Applicant must include the following:
- (a) Construction Noise Management Plan (see condition B12);
 - (b) Construction Traffic Management Plan (see condition B15);
 - (c) Erosion and Sediment Control Plan;
 - (d) Unexpected Heritage Items Procedure (see condition B41);
 - (e) Biodiversity Management Plan (see condition B43); and
 - (f) Community Consultation and Complaints Handling.
- C3. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C4. The Applicant must prepare an Operational Environmental Management Plan (OEMP) to the satisfaction of the Planning Secretary. The OEMP must:
- (a) be submitted to the Planning Secretary for approval prior to the commencement of operation;
 - (b) be prepared by a suitably qualified and experienced expert;
 - (c) provide the strategic framework for environmental management of the development;
 - (d) identify the statutory approvals that apply to the development;
 - (e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (f) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
 - (g) include the following environmental management plans:
 - (i) Air Quality (see condition B3);
 - (ii) Water (see condition B31);
 - (iii) Driver Code of Conduct (condition B23);
 - (iv) Emergency disposal and Biosecurity protocol (see condition B39); and
 - (v) Biodiversity (see condition B43).
- C5. The Applicant must:
- (a) not commence operation until the OEMP is approved by the Planning Secretary; and
 - (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

MANAGEMENT PLAN REQUIREMENTS

- C6. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) detailed baseline data;
 - (b) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (d) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (g) a protocol for managing and reporting any:
 - (i) incident and non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (h) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C7. Within three months of:
- (a) the submission of an Annual Review under condition C8;
 - (b) the submission of an incident report under condition C9;
 - (c) the submission of an Independent Audit under condition C16;
 - (d) the approval of any modification of the conditions of this consent; or
 - (e) the issue of a direction of the Planning Secretary under condition A3.

the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing that a review is being carried out.

If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

Note: *This is to ensure the strategies, plans and programs are updated on a regular basis, and to incorporate any recommended measures to improve the environmental performance of the development.*

ANNUAL REVIEW

- C8. Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as may be agreed by the Planning Secretary), the Applicant must submit a report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. The review must:
- (a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out in the current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the:
 - (i) relevant statutory requirements, limits or performance measures/criteria;
 - (ii) requirements of any plan or program required under this consent;
 - (iii) monitoring results of previous years; and
 - (iv) the relevant predictions in the EIS, Response to Submissions or Modification Assessment;
 - (c) identify any non-compliance over the previous year and describe what actions were (or are being) taken to rectify the non-compliance and avoid recurrence;
 - (d) identify any trends in the monitoring data over the life of the development;

- (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (f) describe what measures will be implemented over the next year to improve the environmental performance of the development.

Copies of the Annual Review must be submitted to Council and made available to any interested person upon request.

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C9. The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident. Subsequent notification requirements must be given and reports submitted in accordance with the requirements set out in Appendix D.

Non-Compliance Notification

- C10. The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.
- C11. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C12. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

- C13. No later than 6 weeks before the date notified for the commencement of operation, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Planning Secretary.
- C14. Compliance Reports of the development must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
- C15. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

Independent Audit

- C16. No later than 4 weeks before the date notified for the commencement of operation, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Planning Secretary.
- C17. Independent Audits of the development must be carried out in accordance with:
 - (a) the Independent Audit Program submitted to the Planning Secretary under condition C16 of this consent; and
 - (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).
- C18. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:
 - (a) review and respond to each Independent Audit Report prepared under condition C17 of this consent;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

Monitoring and Environmental Audits

- C19. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

Note: *For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

ACCESS TO INFORMATION

- C20. At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vii) a summary of the current stage and progress of the development;
 - (viii) contact details to enquire about the development or to make a complaint;
 - (ix) a complaints register, updated monthly;
 - (x) the Compliance Report of the development;
 - (xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

**APPENDIX A
DEVELOPMENT LAYOUT PLANS**

Job No.	Drawing No.	Rev.	Date	Title
Farm #2				
215474	21600084	F	10/12/2019	Proposed Poultry Farm Lot 1 & 2 in DP 749831 Mid Western Highway Goolgowi
215474	21600085	F	10/12/2019	Farm 2 Overall
215474	21600385	C	14/12/2018	Detail Plan 1 – Proposed Intersection
215474	21600086	F	10/12/2019	Detail Plan 2 – Sheds 1 to 12
215474	21600087	F	10/12/2019	Detail Plan 3 – Stage 2 & Dam
215474	21600088	C	14/12/2018	Site Cross Section – Farm 2 Section A
215474	21600089	C	14/12/2018	Site Cross Section – Farm 2 Section B
215474	21600090	E	10/12/2019	Site Cross Section – Farm 2 Section C
215474	21600386	C	14/12/2019	Stormwater Longitudinal Sections
215474	21600091	B	14/12/2018	Proposed Machinery & Supply Sheds – Typical Shed Details
215474	21600092	C	14/12/2018	Proposed Poultry Sheds – Typical Shed Details
215474	21600439	B	14/12/2018	Proposed Composting Shed – Typical Shed Details
215474	21800299	D	10/12/2019	Proposed LPG Tank Compounds – Overall Development
215474	21800300	B	14/12/2018	LPG Compound Siting
215474	21800301	D	10/12/2019	ESCP – Overall Development
215474	21800302	D	10/12/2019	Farm 2 ESCP
Farm #3				
215474	21600120	F	10/12/2019	Proposed Poultry Farm Lot 1 & 2 in DP 749831 Mid Western Highway Goolgowi
215474	21600121	E	10/12/2019	Farm 3 Overall
215474	21600122	E	10/12/2019	Detail Plan 1 – Sheds 1 to 12
215474	21600123	E	10/12/2019	Detail Plan 2 – Stage 2
215474	21600124	C	14/12/2018	Detail Plan 3 – Dam
215474	21600125	C	14/12/2018	Site Cross Section – Farm 3 Section A
215474	21600126	C	14/12/2018	Site Cross Section – Farm 3 Section B
215474	21600127	E	10/12/2019	Site Cross Section – Farm 3 Section C

215474	21600128	C	14/12/2018	Site Cross Section – Farm 3 Section C
215474	21600129	C	14/12/2018	Stormwater Longitudinal Sections
215474	21600130	B	14/12/2018	Proposed Machinery & Supply Sheds – Typical Shed Details
215474	21600131	C	14/12/2018	Proposed Poultry Sheds – Typical Shed Details
215474	21600440	B	14/12/2018	Proposed Composting Shed – Typical Shed Details
215474	21800305	D	10/12/2019	Proposed LPG Tank Compounds – Overall Development
215474	21800306	B	14/12/2018	LPD Compound Siting
215474	21800307	D	10/12/2019	ESCP – Overall Development
215474	21800308	D	10/12/2019	Farm 3 ESCP
Farm #4				
215474	21600248	F	10/12/2019	Proposed Poultry Farm Lot 1 & 2 in DP 749831 Mid Western Highway Goolgowi
215474	21600249	E	10/12/2019	Farm 4 Overall
215474	21600250	E	10/12/2019	Detail Plan 1 – Sheds 1 to 12
215474	21600251	E	10/12/2019	Detail Plan 2 – Stage 2 & Dam
215474	21600252	C	14/12/2018	Site Cross Section – Farm 4 Section A
215474	21600253	C	14/12/2018	Site Cross Section – Farm 4 Section B
215474	21600254	E	10/12/2019	Site Cross Section – Farm 4 Section C
215474	21600257	C	14/12/2018	Stormwater Longitudinal Sections
215474	21600255	B	14/12/2018	Proposed Machinery & Supply Sheds – Typical Shed Details
215474	21600256	C	14/12/2018	Proposed Poultry Sheds – Typical Shed Details
215474	21600441	B	14/12/2018	Proposed Composting Shed – Typical Shed Details
215474	21800309	D	10/12/2019	Proposed LPG Tank Compounds Overall Development
215474	21800310	B	14/12/2018	LPG Compound Siting
215474	21800311	D	10/12/2019	ESCP – Overall Development
215474	21800312	D	10/12/2019	Farm 4 ESCP
Farm #5				
215474	21600283	F	10/12/2019	Proposed Poultry Farm Lot 1 & 2 in DP 749831 Mid Western Highway Goolgowi
215474	21600284	F	10/12/2019	Farm 5 Overall

215474	21600285	E	10/12/2019	Detail Plan 1 – Sheds 1 to 12
215474	21600286	E	10/12/2019	Detail Plan 2 – Stage 2 & Dam
215474	21600287	C	14/12/2018	Site Cross Section – Farm 5 Section A
215474	21600288	C	14/12/2018	Site Cross Section – Farm 5 Section B
215474	21600289	E	10/12/2019	Site Cross Section – Farm Section C
215474	21600293	C	14/12/2018	Stormwater Longitudinal Sections
215474	21600291	B	14/12/2018	Proposed Machinery & Supply Sheds – Typical Shed Details
215474	21600292	C	14/12/2018	Proposed Poultry Sheds – Typical Shed Details
215474	21600442	B	14/12/2018	Proposed Composting Shed – Typical Shed Details
215474	21800313	D	10/12/2019	Proposed LPG Tank Compounds – Overall Development
215474	21800314	B	14/12/2018	LPG Compound Siting
215474	21800315	D	10/12/2019	ESCP – Overall Development
215474	21800316	D	10/12/2019	Farm 5 ESCP

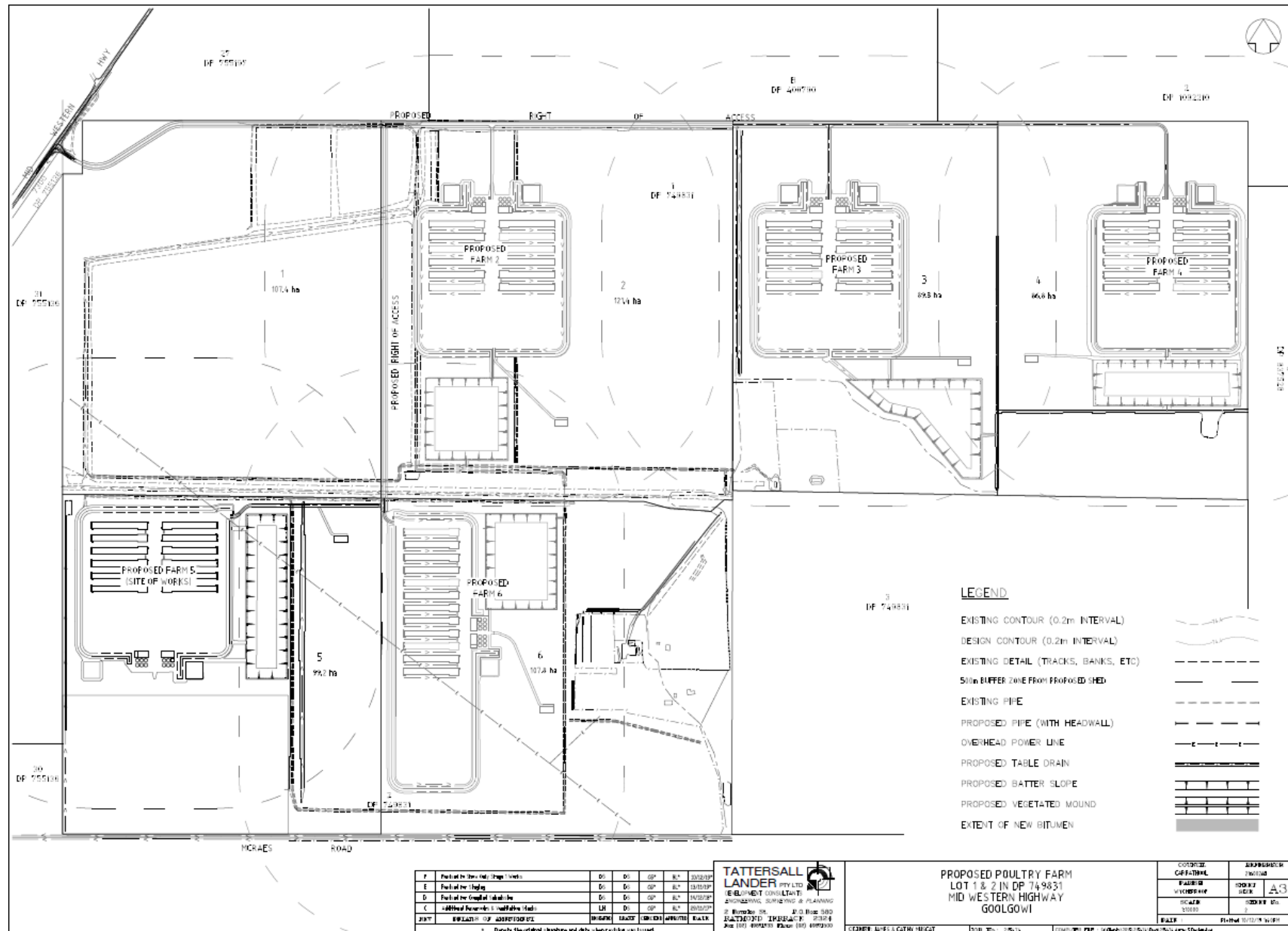


Figure 1: Site Plan

APPENDIX B
SENSITIVE RECEIVERS

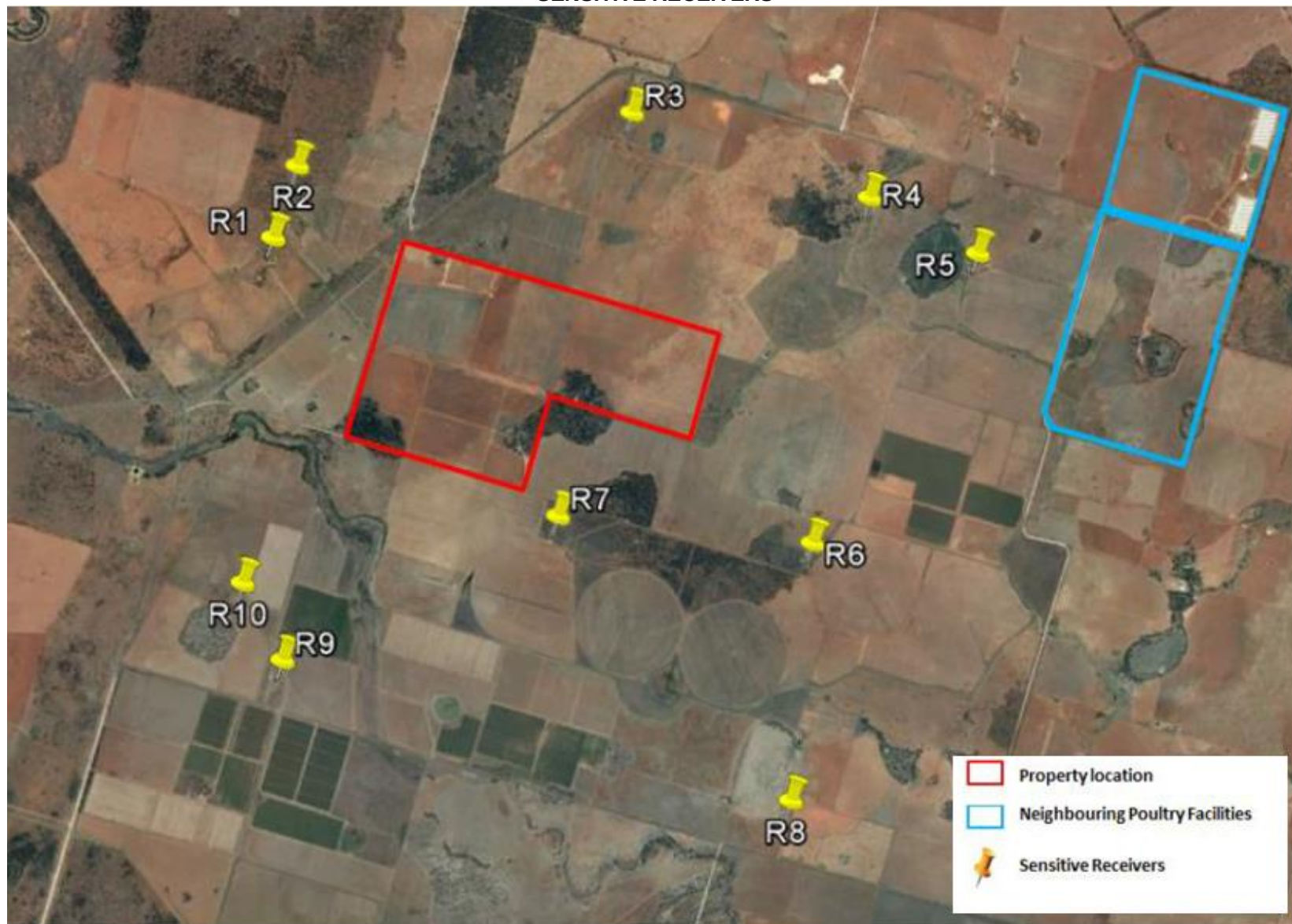


Figure 2: Local Sensitive Receivers

APPENDIX C APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Mitigation Measures

Erosion & Sediment Control & Dust

- A Construction Management Plan will be prepared and submitted as part of the Construction Certificate documentation to detail proposed site control measures including a water management plan.

Traffic

- A Construction Traffic Management Plan will be prepared as part of the Construction Certificate documentation to address site access and construction activities.

Noise Impacts

- Noise minimisation is to be undertaken as per the recommendations of the Noise Impact Assessment.

Odour Impacts

- Odour minimisation is to be undertaken as per the recommendations of the Air Quality Impact Assessment by Advitech dated 20 November 2018

Bushfire

- At the commencement of building works and in perpetuity the land around each structure for a distance of 27m shall be managed as an APZ as per PfBP 2006.
- Water, electricity and gas are to comply with section 4.1.3 of PfBP 2006.
- Property access roads shall comply with section 4.1.3 (2) of PfBP 2006.

Ecology

- The Proponent to implement a Biodiversity Management Plan as per EES advice and include:-
 - Site protection measures
 - Weed introduction prevention
 - Revegetation
 - General weed control

Aboriginal Cultural Heritage

- All contractors are to be inducted to an Unexpected Heritage Items Procedure

Protection of Groundwater

- The proponent will prepare an ongoing groundwater monitoring plan including a baseline assessment.

Highway Construction Activities

- Works on the Highway are not to be undertaken until a WAD is approved by the RMS
-

Interaction with Murrumbidgee Irrigation

- Any decommissioning of MI water monitoring bores is only to be undertaken with appropriate consultation with MI.

Community Consultation

- The Proponent will engage with the local community at the commencement of site works and at the commencement of operations. The community will be provided with relevant contact numbers as part of the Farm Management Plan for any post commencement activities. Adjoining neighbours will be engaged on an ongoing basis.

Construction Management

- A Construction Management Plan will be prepared and include discussions on:-
 - Bulk Earthworks
 - Establishment of batter plantings
 - Dam Construction
 - Leachate Control
 - Groundwater Monitoring
 - Dust Minimisation/ Air Quality
 - Ecological Impacts
 - Aboriginal Cultural Heritage
 - Site Access
 - Traffic Control
 - Noise Control
 - Complaints Register with details of actions taken to resolve issues
 - Persons responsible for complaint handling

Operational Management

- A detailed Farm Management Plan will be prepared by the Proponent with relevant input from the Processor for all operational aspects of the project, and include:-
 - Odour Control
 - Litter Odour Control
 - Daily Mortality Procedures
 - Shed Cleanout Odour Control
 - Control of waterfowl
 - Bird drinking water quality
 - Noise Controls
 - Emergency Procedures
 - Mass mortalities

APPENDIX D

WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C9 or, having given such notification, subsequently forms the view that an incident has not occurred.

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

Written notification of an incident must:

- (a) identify the development and application number
- (a) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident)
- (b) identify how the incident was detected
- (c) identify when the applicant became aware of the incident
- (d) identify any actual or potential non-compliance with conditions of consent
- (e) describe what immediate steps were taken in relation to the incident
- (f) identify further action that will be taken in relation to the incident
- (g) identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.

The Incident Report must include:

- (a) a summary of the incident
- (b) outcomes of an incident investigation, including identification of the cause of the incident
- (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence
- (d) details of any communication with other stakeholders regarding the incident.