

**Submission for the Proposed Small Stock Abattoir & Continued
Operation of the Blayney Sealink Cold Store Complex.**

SSD 6594

By Ross Menzies Bsc (Arch) BArch

and

**Kim Menzies Associate Diploma Applied Science
(Horticulture Nursery Management)
Certificate in Horticulture
Certificate in Tree Surgery**

CONTENTS	PAGE
1. Blayney LEP 2012	1
2. Blayney Community Strategic Plan	3
3. Flood Planning	4
4. Flood Planning & the BLEP 2012 Clause 6.1	6
5. Groundwater Vulnerability	7
6. Groundwater Vulnerability & the BLEP 2012 Clause 6.4	8
7. Surface Water Features & Management	8
8. Stormwater Management & BLEP 2012 Clause 6.2	11
9. The Water Management Act 2000 and Controlled Activities	11
10. Wastewater Treatment/Management	12
11. Water Supply and Security	14
12. Odour	15
13. Health Risk	16
14. Visual Impact of the Proposed Abattoir	18
15. Deficient Staff Car Parking	19
16. Traffic Issues	19
17. Community Consultation	21
18. Conclusion	22
19. Appendices	
Appendix A – Blayney Settlement Strategy	23 & 24
Appendix B - IN1 General Industrial Planning Proposal NSW Planning Team Report (pages 2 & 1)	25 & 26
Appendix C - Land uses for zone IN1 & zone IN2	27 & 28
Appendix D – Groundwater Vulnerability Map BLEP 2012	29
Appendix E - Photo 1 – Rural Scenic Landscape Church Hill Lookout & Photo 2 – Mid Western Highway EIS location V2	30

We are making an **objection** to the proposed development based on the following.

Blayney LEP 2012

The EIS says that the proposed abattoir is a “livestock processing industry” which is permitted in the IN1 general industrial zone with consent (para 2.4 on p16 and para 4.5 on p52). This is wrong because the animals being slaughtered are not derived from surrounding districts. See definition of “livestock processing industry” below:

livestock processing industry means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally from surrounding districts, and includes abattoirs, knackeries, tanneries, woolscours and rendering plants.

An abattoir of the proposed type would therefore fall within the general description of “rural industries” because it involves the processing of animal products for commercial purposes.

“Rural Industries” are expressly excluded from the definition of “industry”.

“Industrial activities” (as defined in LEP) are restricted to general industry, light industry and heavy industry.

The IN1 General Industrial zone is intended for industrial activities, not rural industries, and so the proposed abattoir, being a rural industry, if located in the IN1 General Industrial zone on Newbridge Road, is inconsistent with the applicable environmental planning instrument.

The Standard Instrument Principal LEP clearly intends by the specific definition of “livestock processing industry” that abattoirs are only to be located where they are an adjunct to support the agricultural business of local and surrounding districts.

There is a clear intention not to allow abattoirs in the IN1 General Industrial zone in the BLEP 2012. This is evidenced Blayney Council specifically prohibiting agriculture, sale and stockyards and water recycling facilities in the IN1 General Industrial zone.

The Blayney Settlement Strategy dated January 2012 extended the Scenic Protection Area surrounding the urban area of the Town of Blayney

so that it was more closely aligned with the actual visual catchment and therefore substantially larger than in the 1998 LEP. (Appendix A p23 & 24) The aim of the Scenic Protection Area is to limit development in areas of scenic value that would impact on landscape or heritage qualities or backdrop of Blayney. It was to ensure that development within this area is sensitive to the visual impact on Blayney. This is consistent with the outcome sought by the community for tourism and heritage in the community strategic plan.

The extension of the scenic zone (RU2 Rural Landscape) was implemented and gazetted in the BLEP 2012 and this included the project site. Abattoirs are specifically prohibited in the RU2 Rural Landscape zone and this clearly indicates an abattoir was never intended for that area.

In 2011 Blayney Shire Council engaged Hornery & Associates Consulting Pty Ltd (HAC) and Tablelands Certifiers and Planning to prepare a planning proposal to rezone 137 Newbridge Road Blayney from 1(a) General Rural and Zone 7(a) Environmental Protection (Scenic) to Zone IN1 Industrial General and Zone SP2 Infrastructure (Rail Siding) to permit industrial development and Zone RU2 Rural Landscape – to provide an environmental buffer to the township of Blayney. The proposed zone that was exhibited in the draft BLEP 2011 was RU2 Rural Landscape. It was considered that the RU2 would prohibit future expansion of the industrial development currently existing on the site.

The objective of the planning proposal was to reflect the existing industrial land use on the site and to permit additional industrial development. (Planning Proposal IN1 -NSW Planning Team Report Appendix B p25 & 26)

For the reasons already stated an abattoir is not a type of industry. Therefore the abattoir is contrary to the purpose of the rezoning to IN1 general industrial.

The land uses in EIS Appendix L, 2.2 (p3) Surrounding land uses and zoning are not for IN1 General Industrial as stated. The land uses listed are for IN2 Light Industrial. (Appendix C land uses zone IN1 & IN2 p27 & 28)

In EIS appendix L 2.2 it also states the abattoir and associated infrastructure will be constructed within the IN1 zone. This is false. The wastewater turkeys nest dam is in the RU2 Rural landscape zone and is prohibited in that zone.

Blayney Community Strategic Plan

The community strategic plan (CSP) has a high level of objectives for development in the Blayney LGA. The principle is expressed in the CSP itself which says that the purpose of the CSP is to “guide the preferred future” and outline the “Strategic outcomes to achieve the preferred future”.

Future Direction 1 “Grow the wealth of the Shire” There are several outcomes sought to achieve this:

CSP1.1 “A viable agriculture sector with niche opportunities and products coupled with lifestyle”.

Comment: The region has an agricultural based economy and the abattoir will process agricultural product. But the product is sourced from well away from the region, transported through our roads and past our schools, and its output is 100% exported, again through our roads. Even the offal is to be rendered well away from the region. All we are left with is the hair and wastewater solids which go to our landfill. It is in no way a niche adjunct to the local agricultural industry. It will operate in a cocoon so far as the local economy is concerned. Its economic impact is purely in job creation mostly for the benefit of Orange and Bathurst with no wider integration or interdependencies with the Blayney economy. The Shire bears the adverse environmental and social impacts but secures very little economic upside. It is not the sort of development envisaged by the community in the strategic plan.

CSP 1.3 “A well established, connected and prosperous tourism industry”

Comment: An abattoir does not match the CSP. The location is totally wrong. Not only does it have adverse impacts on the town, the location puts the viability of the Athol Gardens wedding and function centre business at serious risk. This business meets a demand for a service sought by the local and regional communities. It brings flow on benefits to other local service providers and income through the multiplier effect is in large part from outside the Shire. Unlike the abattoir, this business does help deliver one of the outcomes sought in the CSP.

CSP 1.6 "A vibrant local retail and business sector"

Comment: The abattoir is on the "doorstep" of the town. Local business relies on the patronage of the local community and visitors. The negative impacts of the abattoir such as odour, the high risk of Q Fever from the abattoir and the feral goat transport trucks will be detrimental. If there was an outbreak of Q Fever, media exposure would ensure that people avoid Blayney. The result would be a moribund retail and business sector.

Flood Planning

The Project Site (Abattoir) is on flood liable land and the development will have an adverse impact and the Blayney Flood Study does not take into account this proposed development (Draft 30 January 2015). The existing catchment conditions will change. The EIS refers to and relies on the flood planning map in the BLEP 2012 which shows the abattoir project footprint does not contain any floodable land. This is stated in the EIS (6.92 Existing Environment – Surface Water paragraph three). In Blayney Council's letter 30 July 2014, to Mr Byrne Senior Planner NSW Planning and Environment (Appendix A EIS), Council advised that a flood study is currently being coordinated for the Belubula River adjoining the proposed development site and that:

- The proposed development should consider this study,
 - (i) in particular siting of any buildings or associated infrastructure,
 - (ii) consider if the proposed development will have any adverse impact on the flood study.
- Information regarding the flood study can be obtained from Council's Director of Infrastructure.

The EIS does not consider this study or the two issues raised by Council.

At Blayney Shire Council's Ordinary Council meeting 9 March 2015, Council resolved to place on exhibition the Blayney flood study Draft V1 30 January 2015 (Business papers pages 24-27 and 33-116). In the report by staff to Council it states "The flood study has produced information on flood levels, velocities and flows for a full range of riverine and overland flood events under existing catchment conditions. The result will inform and enable the next phases in the floodplain risk management process, by identifying possible management options within the floodplain risk management process, by identifying possible

management options within the Floodplain Risk Management Study and development of a draft Risk Management Plan for Council consideration". "The adoption of the flood study will provide Council with improved information to offer upon request and assist Council in the planning and development in Blayney"

There is a considerable difference between the previous traditional flood studies and the technologically sophisticated draft study prepared by Jacobs Group (Australia) Pty Ltd.

The Probable Maximum Flood (PMF) map on page 97 of Council's business papers shows that in the area where the abattoir and associated infrastructure is to be sited, the land is subject to flooding and within the floodplain.

The other flood events pages 93-96 of the Council's business papers show that the existing south west dam on the project site is subject to flooding. This dam is intended for possible use as an Emergency Wastewater storage dam (p34 EIS dot point and p130 EIS Figure 6.14).

There is no buffer to avoid, minimise or mitigate flood and the increased potential future flood that will arise from future upstream development.

The EIS figure 6.14 p130, shows the proposed redirection of a 3rd order watercourse. This existing watercourse exits in the south west corner of the project site. (EIS Figure 6.13 p126) This water course has a catchment area, including the site, of approximately 288ha (calculated from topographic map Newbridge 8730-1-N). The watercourse enters the Belubula River approximately 700 metres downstream of the Newbridge road crossing. The proposed redirection of the watercourse will have it entering 125 metres downstream of Main Western Rail line crossing. The net result is that the water from 288ha of catchment including the 9.5ha of hard surfaces associated with the Sealink and proposed abattoir development will be redirected to enter the Belubula River 1.65km up stream of the natural entry point. This is the worst possible point to direct additional waters because;

1. It is a relatively flat section of the Belubula river between the railway line and Newbridge road.
2. The river flow is slow in this meandering section of the river.
3. The additional water is entering upstream of Newbridge road which is a barrier restricting floodwater flows.

4. Any road works to improve Newbridge road pavement stability for heavy vehicles, that is achieved by raising the height of the road pavement, will further restrict flows and increase flooding caused by the additional water entering upstream.
5. Downstream of Newbridge road the river has a better gradient and water can flow over a wider section of floodplain.
6. Back up of flood waters will increase potential flooding east of Adelaide street between the western railway line and Newbridge/Burns roads.
7. Back up of flood waters will increase potential flooding of the project site and Newbridge road.

The flood study was adopted by Blayney Council at its extraordinary meeting 18 May 2015.

Flood Planning and the BLEP 2012 - Clause 6.1

The Clause 6.1 Flood planning applies to:

- (2)(a) land identified as "Flood planning area" on the Flood Planning Map.
- (2)(b) other land that is flood liable land.

The exhibited Blayney Flood Study Draft V1 applies to (2)(b) above.

Definitions – Council business papers 9 March 2015 page 75 Blayney Flood Study Draft V1

Flood Liable Land – Is synonymous with flood prone land (i.e.) land susceptibility to flooding by the PMF event. Note that the term flooding liable land covers the whole floodplain, not just that part below the FPL (see flood planning area)

Possible Maximum Flood (PMF) – The largest flood that could conceivably occur at a particular location, usually estimated from possible maximum precipitation coupled with the worst flood producing catchment conditions. Generally, it is not physically or economically possible to provide complete protection against this event. The PMF defines the extent of flood prone land, that is, the floodplain.

Clause 6.1 (3) states that Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

- (a) is compatible with the flood hazard at the land, and
- (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
- (c) incorporate appropriate measure to manage risk to life from flood, and
- (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

It is most unlikely that a,b,d, and e above can be satisfied due to the nature of the proposed development and the unknown effects of redirecting the 3rd order watercourse.

Groundwater Vulnerability

There is a significant risk to high vulnerable ground water resources under lands within and surrounding the project site.

The Natural Resource – Groundwater Vulnerability Map – Sheet NRG -004 in the Blayney LEP 2012 shows an extensive area of vulnerability. It is not isolated as stated in the EIS page 125. The project site and the Cadia dewatering site are identified on the attached map. (Appendix D p29) Much of the groundwater vulnerable area is directly associated with the Belubula River which is the water source for Carcoar dam water storage, approx. 5.5km SSW of the project site. Carcoar is currently used for recreation and there is a proposal by NSW Government to transfer water to Orange's water storage.

The proposed use of the existing 11.4 megalitre south west dam formed by excavation into groundwater vulnerable lands, on a 3rd order watercourse as an Emergency wastewater storage can only result in contamination of the groundwater resource. Contaminants are not

permitted under the Water Management Act 2000. The dam in the north west corner of the project site is also excavated into groundwater vulnerable lands.

The proposed Cadia Valley Operations Dewatering Plant east of the project site is on high groundwater vulnerable lands. The storage pond associated with the dewatering plant will be used to accept effluent from the abattoir wastewater treatment plant storage tanks and then pumped to Cadia mine.

Groundwater vulnerability and the BLEP 2012 - Clause 6.4.

The objective of (1)(b) in clause 6.4 is to protect vulnerable groundwater resources from depletion and contamination as a result of development.

Before determining a development application (3)(a)(b)(c)(d) of the clause must be considered.

In relation to the proposed abattoir development the following must be considered.

(3)(a) Existing 11.400 megalitre SW dam on 3rd order water course to be converted to a turkeys nest dam and used for both Emergency Wastewater and Treated Wastewater (effluent) storage. There is a high risk of groundwater contamination.

(3)(c) The cumulative impact on groundwater including impacts on nearby extraction for a potable or stock water supply, the impact on Carcoar dam and future use (Orange pipeline) must be considered.

There are no appropriate measures proposed in the EIS to avoid, minimise or mitigate the negative impact of (3)(a) above and (3)(c) is not considered.

Surface Water Features and Management

The information in the EIS is deficient and the surface water management is inadequate and contravenes the Water Management Act 2000.

A dam shown in plate 13 p106 of the EIS is not identified on the Existing Surface Water Features Figure 6.13 p126 of the EIS. The dam is east of the proposed abattoir access road and north of the existing landscaped mound adjacent to Newbridge road. The capacity of the dam, its catchment area and direction of overflow waters from the dam are not identified in the EIS.

The nominal capacity of the existing SW dam 11.4 megalitres and the NW dam 4.0 megalitres are stated but the useful or available storage capacities are not.

The high groundwater vulnerability around these dams means that like a well they will be filled by ground waters. The available capacity will depend on the height of the water table at the time. When the water table is high after long periods of rain available storage capacity may be zero.

In Blayney Council's letter to Mr Robert Byrne DP&E, Appendix A EIS, states that the existing SW 11.4 megalitres for stormwater is undersized for the scale of the development. The stormwater would be based on the 9.5ha total combined development footprint area (Abattoir and Sealink). The overland flows from the 288ha (approx.) catchment feeding the 3rd order stream watercourse that passes through the SW dam, significantly restricts its capacity to accept and control stormwater from the existing development. There will be an additional 2.05 megalitres (p128 EIS) from the construction phase.

There is no provision in the EIS surface water management conceptual layout (Figure 6.14 p130 EIS) for a stormwater retention dam separate from the existing 3rd order or proposed redirected 3rd order watercourse for overland flows. As stated by Blayney Council the dam would have to have a capacity greater than the existing 11.4 megalitres.

The existing NW basin/dam 4.0 megalitres is well undersized for storm water control. If the proposed redirection of a 3rd order watercourse through this basin/dam is permitted the dam will be rendered useless for stormwater management. This is due to the overland flows from the catchment area over and outside the project site, approximately 288ha. There is nothing in the Water Management Act 2000 or the Office of Water Guidelines for instream works that allows for the proposed redirection of a 3rd order watercourse.

The construction of the existing SW dam 11.4 megalitres is a controlled activity and the dam would require a licence. The proposed extension of the formalised channel spillway to the property boundary along the Belubula River is also a controlled activity.

Total catchment practices have not been used to control the quality of surface water leaving the project site. There are no appropriate structural controls used to mitigate the impacts of polluted waters leaving the project site and adversely affecting the environment, adjoining land

and receiving waters. Polluted waters from the project site could carry soil, effluent, wastewater, biological material including contaminated dust or chemicals.

The proposed surface water management conceptual layout (Figure 6.14 EIS p130) does not show any appropriate measures to prevent contaminated stormwater, effluent or wastewater from leaving the 47ha project site.

Issues for concern are:

1. That bunding or other control structures west of the existing Sea Link buildings will be ineffective or useless because they are on a floodplain.
2. The project site is over high groundwater vulnerable lands. Surface waters may escape into ground waters particularly from excavated retention storage dams/basins.
3. The existing SW 11.4 megalitre dam on a 3rd order watercourse is intended to become a turkeys nest dam, after minimal earthworks and to be used for emergency waste water storage. The dam is on a floodplain and is groundwater vulnerable.
4. The location of the 2 x 250 kilolitre treated wastewater (effluent tanks) is not identified in the EIS and the wastewater treatment plant is close to a 3rd order watercourse to the north.
5. There is no bunding capacity identifiable for the above effluent tanks.
6. In-ground tanks are not permissible.
7. There is a 3rd order watercourse over the project site fed by overland flows from lands in its catchments to the north and around to south east of the project site. These waters cannot be contained within the site and must exit onto adjoining lands.
8. There is no separate stormwater management controls for water relating directly to the development footprint - abattoir and Sealink roofs, access roads, carparks and manoeuvring areas.
9. The stormwater which may be polluted is directed to the 3rd order watercourses that can only exit the project site.
10. Only the abattoir building is to be bunded and there is no bunding for external hard surface areas servicing the building that would control contaminated stormwater.

11. The existing NW dam 4.0 megalitres is on a floodplain and groundwater vulnerable land.

12. The abattoir and associated infrastructure is on flood liable land.

Stormwater management and the BLEP 2012 - Clause 6.2

(1)The objective of this clause is to minimise the impacts of urban stormwater and land to which this clause applies (industrial zones) and on adjoining properties, native bushland and receiving waters.

(3) Development consent must not be granted unless the development:

- (3)(c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.

There is no retention/detention dam to control stormwater flows and the useable capacity of any dam that could be used will be reduced by the nature of the groundwater vulnerable land previously described.

The Water Management Act 2000 and Controlled Activities

History of the project site

The development of the project site for Sealink's developments since 2001 has resulted in significant change to the 3rd order watercourse line as shown on the Newbridge 8730-1-N topographic map.

These changes include:

- Relocation of the watercourse into an engineered channel running east to west and north of the Sealink footprint.
- Demolition of existing dam that was on the water course at the time and was located under the proposed abattoir building footprint.
- Construction of a detention basin (11,400 megalitres) on the line of the watercourse before it exits the project site in a south westerly direction.
- Re-alignment of the watercourse into a formalised water channel as it flows SW to the detention basin.

The existing surface water features on Fig.6.13 p126 EIS overlaid in blue are not consistent with the actual features on the aerial photograph.

Proposed Changes to Project site

The proposed changes to the 3rd order watercourse on the project site as shown on Fig 6.14 p130 EIS are:

- Relocation of a section of the open engineered channel to the north of the proposed abattoir footprint. The abattoir building will be 12m approx. from the centre of the proposed new channel.
- Major earthworks to fill and close off the existing section of watercourse flowing to the existing SW dam, the natural drainage pattern and redirect waters to;
- A proposed newly constructed open channel (new 3rd order watercourse). This will direct flows to the existing 4 megalitre dam/basin and then on towards the Belubula river in the NW corner of the project site.
- Extension of formalised channel spillway to the Belubula river property boundary.
- The conversion of the existing SW dam currently on the 3rd order watercourse to a turkeys nest dam will involve more than the minor earthworks stated in the EIS.

The net result is the redirection of the natural drainage pattern of a 3rd order watercourse to enter the Belubula river some 1.65km approx. upstream of its natural entry point.

It appears the environmental outcomes required under the Water Management Act cannot be delivered by the ill conceived conceptual proposal for surface water management in the EIS. The proposed works go way beyond any controlled activities that may be assessed by the Office of Water. Metziya wants to redirect a 3rd order watercourse and construct a new abattoir building well within the VRZ width 30m and that is after the watercourse has been relocated to the north.

Wastewater Treatment/Management

The proposed annual quantity of treated wastewater to Cadia Valley Operations (CVO) is stated to be 13.18 megalitres (Table 8 p35 EIS). This figure is false and misleading. The daily output to CVO is 527 kilolitres (table 41 p 127 EIS). The annual rate for 7 days a week will be 184.45 megalitres which is 14 times the figure stated.

There are many conflicting statements in the EIS with respect to the proposed management of wastewater (untreated) and treated wastewater (effluent).

The statements in the EIS include:

1. If the abattoir is unable to export the treated wastewater to CVO due to unforeseen circumstances, it will be temporarily stored in the turkey nest basin located in the south west corner of the Project Site. (P14 EIS)
2. No outside wastewater treatment ponds. (EIS 6.3.5 p78)
3. Treated wastewater will be captured in a holding tank, and therefore no outdoor wastewater ponds will be required. (EIS 6.3.5 p78)
4. Emergency wastewater directed into SW turkeys nest dam when the treated wastewater can't be sent to CVO. (dot point 5 p131 and Fig 6.14 p130 EIS)
5. This turkeys nest basin will allow up to 22 operating days of treated wastewater to be stored. In the event that the volume of stored treated wastewater approaches the maximum capacity of the basin (i.e. after approximately 22 days), all processes which generate wastewater will be ceased until the treated wastewater can be sent to CVO. (EIS p40)
6. The sole purpose of the adjusted basin will be to provide emergency wastewater storage capacity in the unlikely event that treated wastewater cannot be exported to CVO. (p132 EIS)
7. Proposed Surface Water Management – Conceptual Layout Fig. 6.14 p130 EIS. Note to broken blue line to SW dam “Emergency Wastewater Line” and note to solid blue line from wastewater treatment equipment to CVO “Treated Wastewater Pipeline” (Fig 6.14 reinforces points 4 and 6 above) .
8. A dual purpose pipeline and pump system will be attached to this basin to transfer the stored wastewater back to the on-site wastewater treatment system. (EIS p131 waste management paragraph 3)

The only conclusion that can be drawn from the above information is that the SW turkeys nest dam (outside pond) will be used to store both wastewater (untreated) and treated wastewater (effluent). The EIS has no other contingency for wastewater when a failure of the specifically designed custom built wastewater treatment facility occurs.

The distances from the SW turkeys nest dam to the following locations have been scaled from Fig 6.14 are:

Newbridge road – 44 metres

Athol Gardens – Heritage garden boundary – 65 metres

Athol Garden Homestead and function centre building 147 metres

Tetlaw east boundary 96metres

Tetlaw dwelling 159metres

The odour and health risks generated by the waters in the SW dam are unacceptable.

Blayney Council has stated “Council will not accept any liquid trade waste generated by the development at its Sewer Treatment Plant. (Appendix A EIS SEAR’s)

The operation of the abattoir is totally dependent on offsite disposal of treated wastewater (effluent). There is no evidence of a binding agreement between Metziya and Cadia Holdings Pty Ltd (CHPL) for CHPL to accept the effluent of 185 megalitres per annum at the proposed dewatering facility. This should be a pre-requisite to consideration of the application.

Water Supply and Security

The annual wastewater output of 13.18 megalitres is false. On this basis how much water was Central Tablelands Water (CTW) asked to supply annually? How much water is CTW prepared to supply annually? CTW only says that the system has the capacity to supply the required 585kl/day delivered to the existing on site water tanks over a 24hr period at a maximum flow rate of 10l/s (section 5.6 p59 and p127 EIS).

The annual water supply required for 585 kilolitres 7 days a week is 204.75 megalitres.

The CTW extraction licence from Lake Rowlands (4500 megalitre capacity) was 3,150ML per annum in 2013. The abattoir requirement 204.75ML per annum is 6.5% of the extraction licence. The abattoir and Sealink water supply requirement of 605 kilolitres per day which equals 211.75ML per annum is 6.72% of that extraction licence. In times of low storage levels in Lake Rowlands CTW’s capacity to supply such significant quantities of water will be reduced. The water supply may not be secure.

Odour

The EIS claims that fully enclosing the holding yards will minimise the impacts relating to odour. When the roller doors are up for goat delivery there will be air exchange positive pressure out or positive pressure in if there is a howling westerly. When the roller doors are shut then the 3m ventilation stack on the roof will pump the concentrated gases into the environment around 17.8 metres above ground level. Athol homestead and function centre is on a hill and is at a similar altitude to the top of the proposed ventilation stack (see plate 16 photo location A7 page 113 EIS).

The odour dispersion modelling is based on:

- Orange airport Bom for the year 2010 wind roses. The airport is 20km NW from the proposed abattoir.
- Bathurst air quality monitoring station 32km NE of the site is used for background air quality.

The Calmet generated wind roses at the project site are incorrect and misleading (EIS Fig.12 p29 App.D). The input data from Orange airport is in fact the Orange Airport Calmet wind rose and not applicable to Blayney.

The air pollution model (TAPM) used the surface observations from the Orange airport and is not applicable to the project site. Orange airport is on a plateau with the minor topographic features that could obstruct and change the direction and velocity of prevailing winds. The project site on the other hand is part of the greater Belubula river valley running N-S. The project site is within a side valley generally running E-W. There are significant topographic features that can change prevailing wind direction and velocity. Without specific project site wind data the true impacts on the surrounding properties and town of Blayney cannot be assessed.

Feral goats give off a more noxious odour than the odour from farmed goats used for the data collection and odour contour modelling. Therefore the possible odour level is understated. The maximum capacity of the abattoir's holding yards is 10,000 goats. This is equal to 2.2 days of processing. The goats will be standing in the holding yards for well over the one hour standing time for 300 goats used for data collection and odour analysis.

The Main Western railway line is only 90 metres from the holding yards and 121 metres to the ventilation stack. There is no consideration of passenger train air conditioning intake exposure to odour as the trains travel slowly through Blayney station.

Health Risk

At the community information session 14 May 2015 for the abattoir much was said about the significant risks of Q Fever as an infectious disease in feral goats that can be passed onto humans.

The Q Fever spores can be transmitted on dust or from aerosols with only a low infection dose required. The urine, faeces, blood and birthing products from feral goats are possible sources for infection. Tick blood and faeces travelling with the goats are another source.

The following issues are of concern in relation to health risk and the proposed abattoir project site:

1. The location is too close to existing residences and businesses.
2. It is too close to the town of Blayney and nearby Dakers oval.
3. The transport of livestock through the shire and the town of Blayney poses a risk to residences, retirement village, schools, pre-school, child care centre, businesses, parks, hospital, veterinary hospital, post office, tourist related businesses, Blayney farmers market, local farm businesses and the community centre.
4. The abattoir holding yards and transport manoeuvring areas are only 92m from the main western railway line. This poses a risk to rail passengers and rail maintenance workers.
5. The emission ventilation stack over the holding yards is only 121m from the main western railway line.
6. The 3rd order watercourse after proposed relocation is only 4-12 metres from the abattoir footprint. This watercourse is a water source for the Belubula river which passes through Carcoar dam 5.5km south of the project site.
7. The concentrated emissions of dust and aerosols pumped into the environment at a release height of 17.8m.
8. The risk of cross contamination with the existing warehouse and distribution freezer complex and hamper packing facility.
9. Pollution emission dispersion modelling is based on Orange airport data and not Blayney abattoir project site.

10. Washing of livestock trucks in open bays with high pressure cleaners will produce significant emissions of contaminated aerosols.
11. The amount of contaminated material and aerosols produced in the livestock trucks can only increase with time travelled. The truck will be full of contaminated feral goat waste by the time they have travelled 400-800 or more kilometres. The risk to health can only be higher with the possibility of abortion increasing with stress and time travelled.
12. The contamination of groundwater vulnerable water sources under the project site.
13. There is nowhere for onsite burial of the goats should there be a disease outbreak and the site quarantined. The project site is mapped as having high groundwater vulnerability.
14. The only heavy vehicle access to the site is through Blayney town and across the flood plain via Newbridge road. The railway bridge and railway underpass to the east prevents alternate access of medium to large transport vehicles.
15. The EIS does not indicate how the goats will be managed at times when there is no access to the project site during flooding. There is no statement about where the goats would be unloaded and the evacuation destination.
The risk to local livestock being infected by feral goats carrying imported ticks and dumped in the area is unacceptable.
16. The risk of cross contamination of the car park from livestock trucks travelling along the adjacent access road.
17. Should the operation be quarantined the results would be catastrophic in terms of availability of the Mid Western Highway (Adelaide street) as the main corridor from Bathurst/Orange to southern NSW and interstate. The Main Western rail line would be similarly affected.
18. The abattoir and feed storage will provide an ideal breeding ground and food source for rats and mice. These rodents will be another vector for spreading Q Fever and other diseases. Blayney Council has stated in a report on the old abattoir site at 31 Gerty street in the 11 May 2015 business papers, that the EPA and Blayney council were constantly showered with complaints about rats and mice on neighbouring properties (p180 business papers).

19. Watercourses traverse the project site. In the report referenced in point 17 above, Blayney Council states that the old abattoir site was traversed by watercourses, which incorporated a wetland intended to deal with some stormwater contaminants on the site and their effect on algae at the Carcoar dam reservoir further downstream. Both the EPA and Blayney Council were inundated with complaints in regard to odour and nutrient control.

Visual Impact of the Proposed Abattoir

In the rural scenic landscape the proposed abattoir building will be imposing. The southern elevation with heights between 13.5m and 16m is equivalent to the height of a 5 storey apartment building. The holding yards section of the abattoir is 12.5m to 14.8m in height. The area of the proposed abattoir building is around 1.23ha.

The existing Sealink cold storage complex with heights ranging from 9.9 - 12.3m and a building area around 2.6ha is already an imposing element in a rural scenic landscape (See Appendix E Photo 1 p30). The addition of another more imposing element can only make a bad situation worse.

The perceived visual amenity of a space or environment is a result of the processing of images by the brain of an observer as they move through or interact with that environment. The more time spent in a particular location and area the greater the number of images that can be processed. The net result depending on exposure time will be the formation of a general memory image that can range from very good, through indifferent, to very bad. The more good images that are processed, the more positive the memory experience is. Conversely the more bad images that are processed the more negative the memory experience. When considering tourism one bad visual experience can negate ten good experiences.

The visual amenity cannot be assessed from handful of photographs provided in the EIS. Moving as little as 1m from the camera observation point or changing the field of capture can present a significantly different image. Note a wide angle lens will make objects look further away than the real image through the eye of the observer.

The view image for location V2 has not been included in the EIS. This would have shown the visual impact of the existing project site development on the rural scenic landscape when approaching Blayney town from the north. (See Appendix E Photo 2 p30) This picture

shows that the existing development is clearly a visual blight in an otherwise clean rural landscape.

Athol Gardens function centre is on a knoll and within a rural landscape (Plate 15 A6 EIS P113). The homestead, buildings and gardens are heritage listed. The major structural elements of the garden cannot be changed or redesigned to screen out the proposed development. The guests can access all of the garden so even if changes were allowable very little could be achieved, considering the elevation and myriad of possible views from the gardens.

Metziya has a very poor record for implementing landscape plans. Most of the existing landscape plantings consist of trees that are either dead, have dieback or show weak growth. Even with good plantings the climate and site location is not conducive to the growth rate required to screen the development from surrounding sensitive locations. It is unlikely Athol will receive any benefit from the proposed landscaping. Even if the trees were planted adjacent to the building walls it will take many decades for the 13.5m – 16.5m building to be screened.

Deficient Staff Car Parking

The EIS states 160 car parking spaces will be provided. EIS Fig 3.1 p23 and Fig6.14 p130 detail the provision of only 88 car spaces. Where will the other 72 car spaces be located? The logical solution is to expand the proposed car parking to the south and adjust the heavy vehicle access road to run around the car park as proposed. With a near doubling of the car park area, the proposed 3m high earth bund and evergreen pine tree planting will have to be located to the south. This will do nothing for the visual amenity from Athol gardens. They will see more of the carpark and the 16m high abattoir building and the Sealink warehouse beyond.

Traffic Issues

There is false, misleading and deficient information in the EIS. The EIS is very repetitive so the EIS references below are only representative of the following issues.

- The annual cumulative heavy vehicle and tradesman vehicle traffic movements represent the movements 50 weeks x 5 days a week. For example 12 livestock truck movements a day is 3000 movements a year (Appendix F page 18)

- The EIS states the abattoir will operate 7 days a week. The annual cumulative traffic movements for 50 weeks x 7 days a week is 40% more than the figures shown. For example 12 livestock truck movements a day is 4,200 movements a year.
- The heavy vehicle annual sub-total for five days is not listed and for five days a week is 14,500. The heavy vehicle sub-total for annual movements trips for seven days a week is 20,300. This represents a 40% greater impact to the roads in Blayney.
- Staff car parking is for 160 spaces. Assuming at change of shift 75 workers in and 75 workers out 300 staff traffic movements will be generated each day plus up to 20 for the remaining 10 spaces giving a total of 300-320 movements a day. The EIS only allows for 200.
- The figures in the estimated traffic volumes (EIS Appx. F page 18) for abattoir staff are based on a car pooling rate of 1.5 which equals 200 movements a day (EIS page 102). The car pooling rate while possible in the Sydney metropolitan area is totally unrealistic for a regional area where there is adequate on-site parking at the work place and there is two shifts of workers. The workers could live in Blayney – Blayney villages, Cowra, Orange, Bathurst or anywhere in between further limiting the likelihood of car pooling.
- The Adelaide street speed zone is stated to be 60 km/hr (Appx.F p6) when it is in fact 50km/h. This may affect the results for the traffic intersection waiting times generated by the computer software.
- The study has data collected for peak times 6.30-8.30am and 3.45 to 5.15pm. Adelaide street has more traffic during the day, through traffic, transport deliveries to Blayney businesses, local urban and rural traffic for business, shopping or use of the post office. There was no data collected for traffic volumes between 8.30am and 3.45pm.
- It is not uncommon to see heavy vehicles from the existing Sealink development, after waiting for one minute or more, force their way into the traffic flow on Adelaide street causing other vehicles to stop.
- There are no sealed parking areas for heavy vehicles to stand for any length of time (EIS Appx. F page 16). It only states adequate parking will be provided but does not identify where. Livestock transport vehicles cannot park on unsealed areas because of dust and health issues.

- The start/finish times per shift for the abattoir operations are not shown in the EIS. If there is a shift change around 3pm then additional traffic data may be required to assess the effect of incoming staff vehicles working the second shift.
- The businesses on Adelaide street rely on customers parking in Adelaide street. It is unreasonable to negatively impact on existing businesses surrounding the Burns and Adelaide streets intersection by removing or reducing their customer parking to comply with BAR/BAL.

Community Consultation

We attended the community consultation meeting held by Mr Ray Hornery from HAC and Ms Nicole Armit from SLR Consulting on the 18 September 2014 at the Blayney Community Centre.

There was a lack of information and the presenters were unable to answer the important questions such as the impact of the development on high groundwater vulnerability mapped over the project site.

The standard answer to the difficult questions was to read the EIS when it is exhibited and make a submission.

At the meeting the proposed abattoir was outlined as follows:

- Small stock abattoir for feral goats and only to supply export markets.
- Benefits of feral goats being removed from the environment.
- The abattoir would operate 5 days a week 6am-11pm.
- No livestock deliveries between 11pm and 6am.
- No stock deliveries over the weekend
- Feral goats would be sourced from NSW and QLD.

The EIS now outlines a significantly different proposal to that presented at the only community meeting. The abattoir will operate 24 hours a day, seven days per week. However, activities during the hours of 11 pm – 6 am will **generally** be limited to stock delivery and operation of the wastewater treatment plant.

Conclusion

- The EIS is materially deficient and has false, incorrect, misleading and conflicting information.
- The development is not compatible with the context and setting of the locality for the reasons outlined in our submission.
- There are natural and physical constraints that make the site unsuitable for the proposed abattoir development.
- The proposed abattoir is contrary to BLEP 2012, Blayney Settlement Strategy and the Community Strategic Plan. These have been endorsed by the community and adopted by Blayney Council.
- The health of the community of Blayney Shire and all the communities that are along the transport routes of the livestock trucks cannot be put at risk.
- The appropriate location for a feral goat abattoir is near the source of the feral goats.



3. Town of Blayney

Blayney Settlement Strategy (Final)

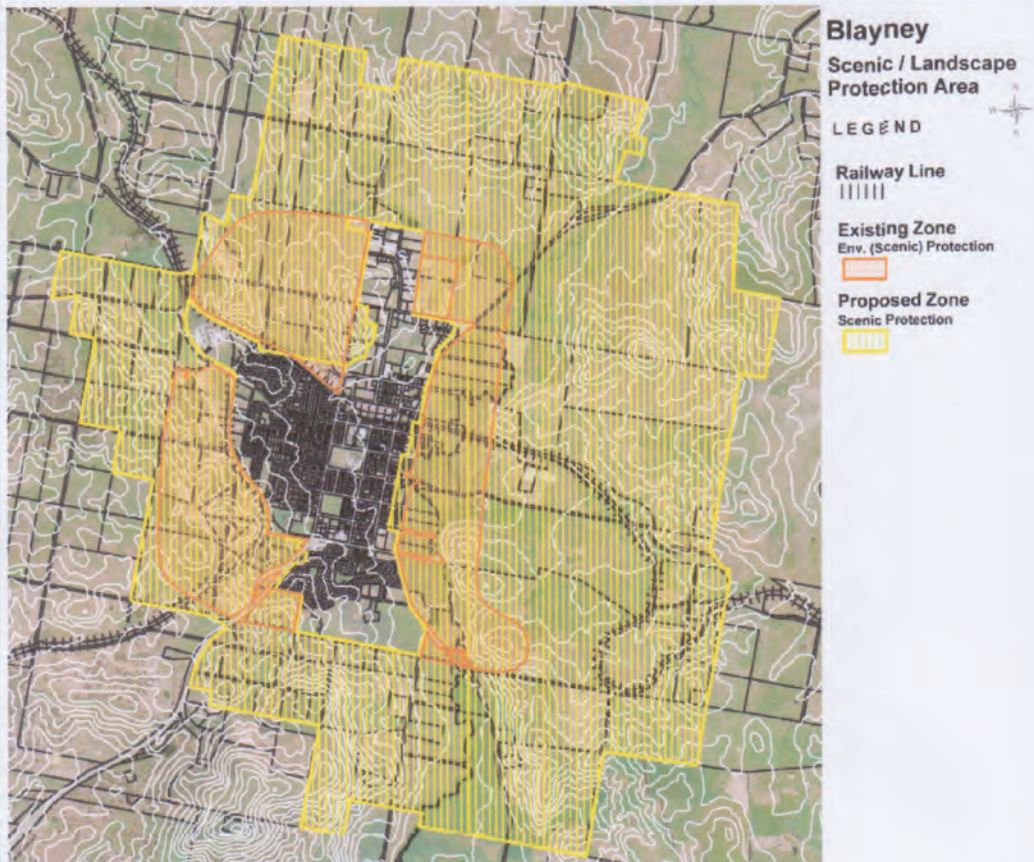


Figure 22: Comparison of the existing (orange) and proposed (yellow) scenic protection areas.

Issues & Strategies

Scenic Protection Area: There may need to be a review of the Scenic Protection Area that surrounds Blayney to ensure that it protects the 'visual catchment' of Blayney. This may require an extension of the scenic protection area out to the ridgelines of the hills surrounding the town to ensure that development within this area is sensitive to the visual impacts on Blayney. The scenic protection area should not impact on most agricultural land uses but may control development of larger format agricultural and industrial buildings and prevent new development/dwellings on ridgelines around the Town of Blayney.

3.15. Summary of Land Uses in the Village Zone

The Village Zone of Blayney (excluding existing industrial areas) has approximately 1,566 lots with the following break down of land uses (as at August 2009) (Figure 23):

- **Open Space & Recreation:** 31 Lots (2.0% of all Lots) – including parks / sportsgrounds;
- **Community Land Uses:** 33 Lots (2.1% of all Lots) – including schools, community facilities, health services, religious buildings etc;
- **Business Land Uses:** 117 Lots (7.5% of all Lots) – including retail and commercial development where it is the dominant use of the land;
- **Residential Land Uses:** 1,163 Lots (74.4% of all Lots) – lots with a dominant residential land use, i.e. dwelling(s); and
- **Vacant Land:** 220 Lots (14.1% of all Lots) – lots with no significant business or dwelling buildings (vacant lots may have minor or ancillary buildings).

A more detailed description of each of the land uses is provided in the sections below.





3. Town of Blayney

Blayney Settlement Strategy (Final)



3.14. Scenic Protection Area

The aim of a Scenic Protection Area is to limit development in areas of environmental or scenic value. In Blayney Shire this is only used around the Town of Blayney and Village of Carcoar with the intent that development of highly visible land on the upper reaches of hills may conflict with the landscape or heritage qualities or backdrop of that settlement.

Figure 21 shows the relationship between the existing Zone 7(a) (Environment Protection-Scenic) and the contours / visual catchment of Blayney. It can be seen that the existing scenic protection zone has not been previously created based on the physical shape of the valley in which the town sits (i.e. following the ridgelines surrounding the town) but is more indicative in providing a 'buffer' to the town.

One outcome would be the creation of a new 'Scenic Protection Zone' (or its equivalent under the Standard LEP Template) that is more closely related to the 'true' visual catchment of the Town of Blayney. Figure 22 shows the relationship between the existing scenic protection zone (Zone 7(a) Environment Protection) and the contours / visual catchment of Blayney. This involves an extension of the scenic protection zone out to the ridgelines of the hills to ensure that development within this area is sensitive to the visual impacts on Blayney.

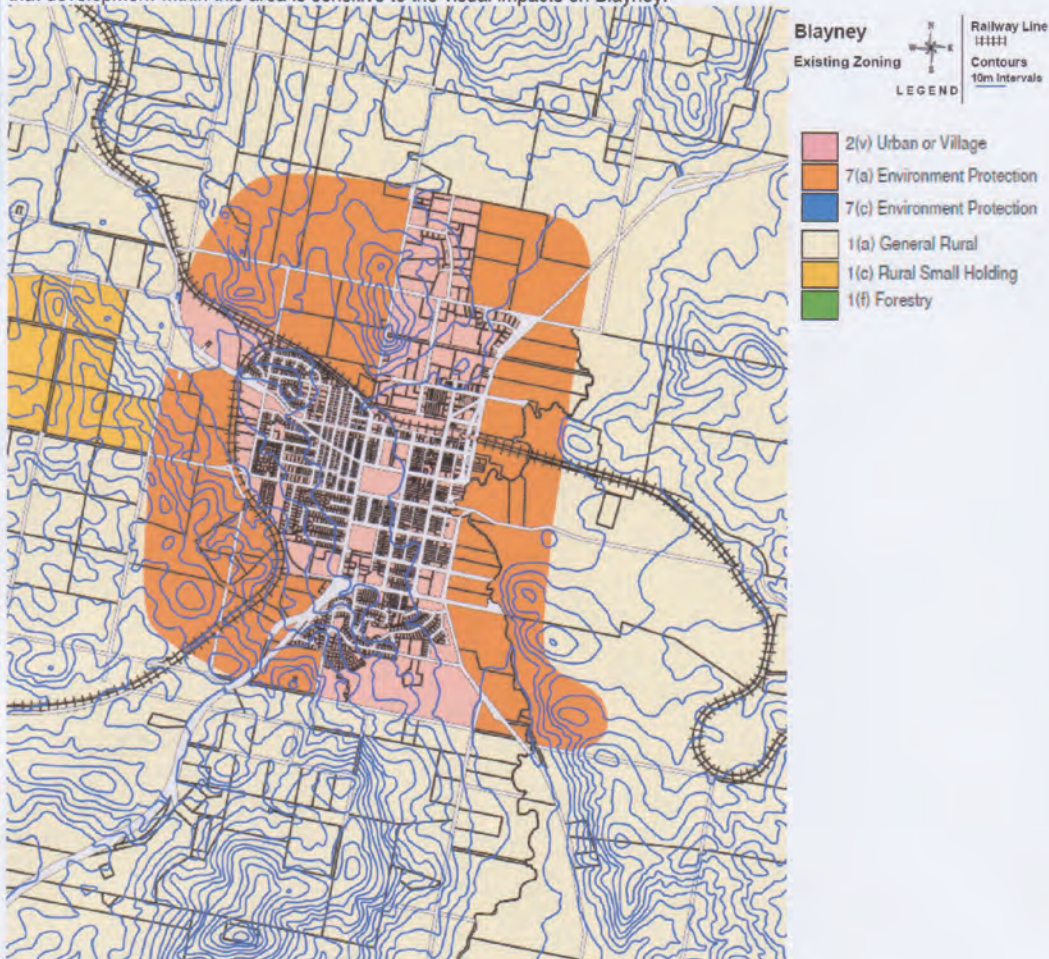


Figure 21: Existing zoning pattern for Blayney including the Scenic Protection Zone (dark orange) (Source: BLEP 1998- Council GIS 2010).



Rezoning of 137 Newbridge Road, Blayney

MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

:

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings 0

(where relevant) :

Gross Floor Area : 18,000.00

No of Jobs Created : 50

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

Have there been No

meetings or

communications with

registered lobbyists? :

If Yes, comment :

Supporting notesInternal Supporting
Notes :

The number of jobs created is an estimate based on (18 employees/ hectare) for a factory (based on RTA – Guide to Traffic generating Developments v2.2 dated Oct 2002). This is an estimate only.

External Supporting
Notes :**Adequacy Assessment****Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? Yes

Comment :

The Planning Proposal (PP) is to rezone 137 Newbridge Road, Blayney (Lots 2,3,4,5,6 & 7 DP1161062) from part zones 1(a) General Rural and 7(a) Environmental Protection - Scenic under Blayney Local Environmental Plan 1998 to Standard Instrument zones part IN1 General Industrial, part RU2 Rural Landscape and part SP2 Infrastructure (Rail Infrastructure Facilities) in the draft Blayney LEP 2011 (draft BLEP 2011) to reflect the existing industrial land use on the site and to permit additional industrial development.

This PP is in accordance with the Councils of Blayney, Cabonne and Orange City Sub Regional Rural and Industrial Land Use Strategy (R&I Strategy). The R&I Strategy has been endorsed by the Director General on 30 June 2011.

It is Council's intention to finalise this PP with the draft BLEP 2011 which commenced public exhibition on 6 February 2012.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment :

The explanation of provisions indicate that Council intends to amend the draft BLEP 2011 which is in the Standard Instrument format instead of amending the current Blayney LEP 1998. On 12 October 2011, Blayney Council has a Section 65(2) Certificate to exhibit the draft BLEP 2011, with the public exhibition period commencing on 6 February 2012 and concluding on 30 March 2012.

The subject land is currently shown as Zone RU2 Rural Landscape in the draft BLEP 2011.



Planning

Planning Team Report

Rezoning of 137 Newbridge Road, Blayney

Proposal Title : **Rezoning of 137 Newbridge Road, Blayney**

Proposal Summary : **To rezone land at 137 Newbridge Road, Blayney from Zones part 1(a) General Rural and part 7(a) Environmental Protection - Scenic to Standard Instrument zones part IN1 General Industrial, part RU2 Rural Landscape and part SP2 Infrastructure.**

PP Number : **PP_2012_BLAYN_004_00** Dop File No : **12/01949**

Proposal Details

Date Planning Proposal Received : **24-Jan-2012** LGA covered : **Blayney**

Region : **Western** RPA : **Blayney Shire Council**

State Electorate : **BATHURST** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **137 Newbridge Road**

Suburb : **Blayney** City : Postcode : **2799**

Land Parcel : **Lots 2 - 7 DP 1161062**

DoP Planning Officer Contact Details

Contact Name : **Tessa Parmeter**

Contact Number : **0268412180**

Contact Email : **tessa.parmeter@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Claire Johnstone**

Contact Number : **0263689618**

Contact Email : **cjohnstone@blayney.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A** Release Area Name : **N/A**

Regional / Sub Regional Strategy : **N/A** Consistent with Strategy : **N/A**

Blayney Local Environmental Plan 2012

Current version for 15 August 2014 to date (accessed 16 May 2015 at 21:04)

[Land Use Table](#)

Zone IN1

[<< page >>](#)

Zone IN1 General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Aquaculture; Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Heliports; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Roads; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Mooring pens; Moorings; Places of public worship; Public administration buildings; Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Service stations; Sewage treatment plants; Stock and sale yards; Tourist and visitor accommodation; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies

Blayney Local Environmental Plan 2012

Current version for 15 August 2014 to date (accessed 16 May 2015 at 21:22)

[Land Use Table](#) Zone IN2

[<< page >>](#)

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Agricultural produce industries; Aquaculture; Bee keeping; Depots; Garden centres; Hardware and building supplies; Heliports; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Roads; Rural supplies; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Mooring pens; Moorings; Public administration buildings; Registered clubs; Residential accommodation; Respite day care centres; Rural industries; Sewage treatment plants; Tourist and visitor accommodation; Waste disposal facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities

APPENDIX D

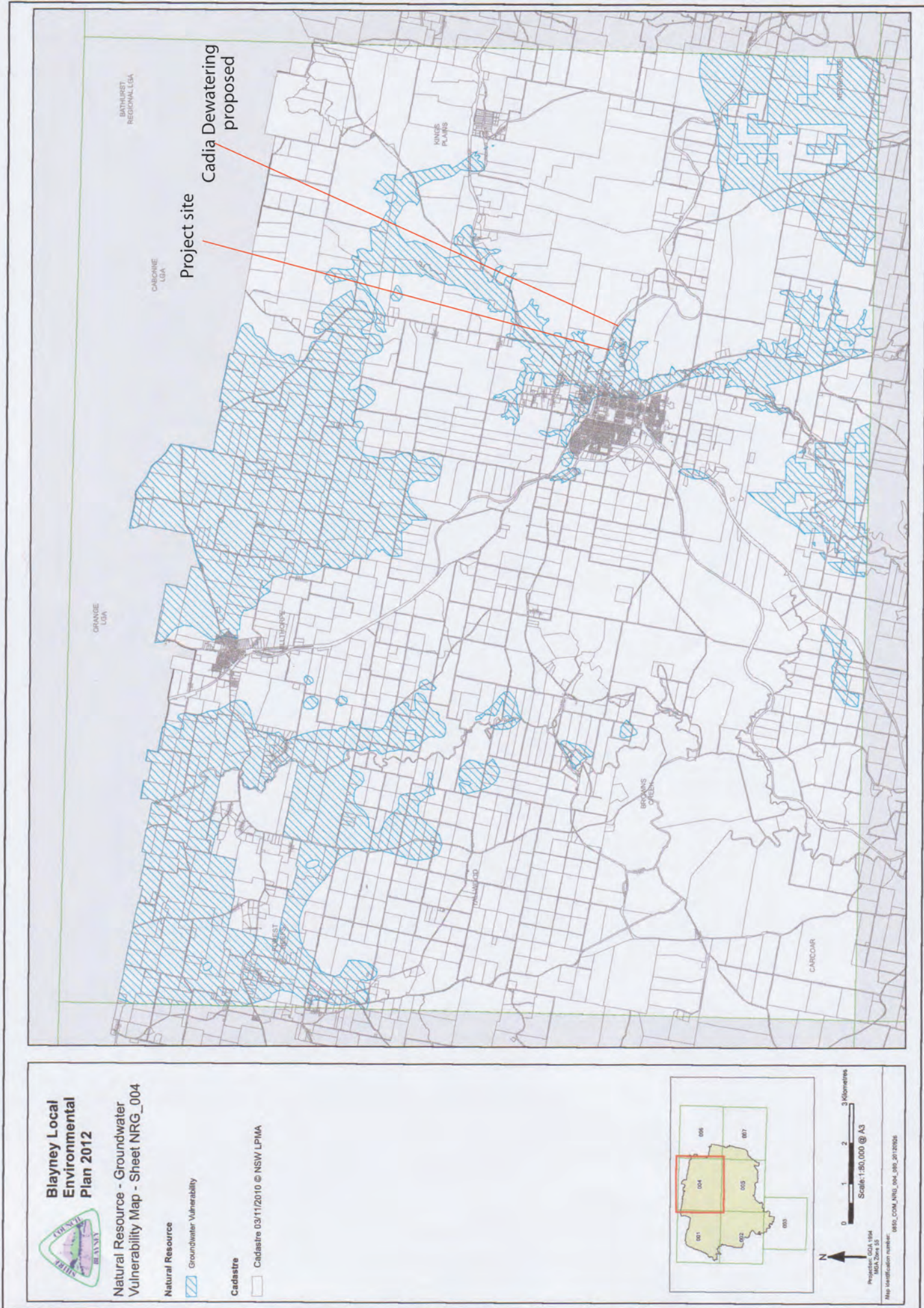




Photo 1 - View from Church Hill lookout - imposing existing development in Rural Landscape



Photo 2 - View from Midwestern Highway - Location V2 - not in EIS