

Blayney Shire Council
Comments and Recommended Conditions of Consent SSD 6594

Clarifications

1. Council seeks confirmation regarding the definition of the proposed Small Stock Abattoir in accordance with Blayney Local Environmental Plan (BLEP) 2012.

The EIS does not specifically clarify how the Small Stock Abattoir is defined in relation to BLEP 2012. A general statement regarding uses permissible within the IN1 zone is contained on page 52 of the EIS however no specific assessment is provided indicating the Small Stock Abattoir falls within the definition of a *“livestock processing industry”*.

As per the BLEP 2012 a livestock processing industry is defined as;

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, knackereries, tanneries, woolscours and rendering plants.

Note. Livestock processing industries are a type of ***rural industry***—see the definition of that term in this Dictionary.

Attention is drawn to the statement *“derived principally from surrounding districts”* within the definition and Council seeks clarification that the proposed development still falls within the definition considering most stock will be transported from Western NSW and South East Queensland.

2. Will all previous Development Consents issued by Blayney Shire Council for the existing Sealink site now be considered redundant and therefore superseded by any forthcoming Project Approval?
3. On page 13 of the EIS zone IN2 General Industrial is referenced. It may have meant to be IN1 General Industrial.
4. The concept drawings on page 27 of the EIS show that the unloading dock as not being fully enclosed. Council requires confirmation that the unloading dock will be fully enclosed including automated roller door.
5. On page 62 of the EIS under the heading *“Surrounding Industrial Sources of Airborne Pollutants”* a number of premises are listed as being within 2km of the Project Site, however it is noted the following appear to be incorrectly stated as existing industries within 2km of the Project Site;
 - a. Australian Native Landscapes - Approximately 8.5 kilometres away
 - b. Nestle Purina – Approximately 2.2 kilometres away
6. Council would like to confirm that the “yard pens” shown on page 27 of the EIS will be constructed of a concrete floor?
7. Council would like to confirm that the yards area underneath the raised yards are bunded to ensure that when these areas are cleaned that all materials are directed to the onsite waste water system and cannot leave the building.
8. Council would also like to confirm that all external hard stand areas will be graded and drained to the onsite waste water system.
9. Is there an onsite canteen proposed for the site in order to provide food options for workers?

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Traffic

Intersection Adelaide (Mid-Western Highway) and Burns Streets

Council notes the commentary provided by Intersect Traffic in regard to the above mentioned intersection. It should be noted that Adelaide (Mid-Western Hwy) Street is a State Road under the control of NSW Roads and Maritime Services (RMS).

The assessment identified the intersection does not comply with the BAR/BAL requirements, and is therefore deficient. The proponent states that that RMS/Council upgrade the intersection to a BAR/BAL, by way of modified parking arrangements with associated changes to line markings.

Council advises that the proposed changes would also require the upgrading of the pavement structure to the same standard as the existing carriageway pavement. In 2008 RMS undertook the rehabilitation of the carriageway pavement to a deep lift Asphaltic Concrete (AC) pavement to cater for increased traffic loadings. This work did not extend beyond the carriageway delineation (fog line) and therefore excluded the existing parking area. The existing off carriageway parking area pavement structure is considered sub-standard for highway traffic loadings.

Recommendation 1

Council commends to Department of Planning and Environment the response provided by RMS, and that the developer be required to undertake pavement reconstruction works to the affected area of Adelaide (Mid-Western Hwy) Street and also for the full width of Burns Street for 50m from the existing holding line to provide a strengthened pavement to cater for B-Double movements at the intersection, without impacting upon the life of the pavement as a result of the increased traffic loadings. The developer should also be required to undertake all associated delineation (linemarking and signage) modifications associated with the intersection upgrade in accordance with current Austroads Guide to Road Design and RMS Standards.

The Blayney Shire Community should not be financially disadvantaged by the impacts of the proposed development, and it is therefore requested that the above mentioned upgrade works be undertaken at full cost to the developer.

Burns Street / Newbridge Road

Council notes the commentary provided by Intersect Traffic in regard the proposed transport route from the State Road network to the development access point. The proposed access point being located approximately 1.2km East of the intersection with the Mid-Western highway. Intersect Traffic, vehicle counts and network capacity assessment indicate the network is capable of servicing the proposed development, however it is noted this does not take into consideration the associated traffic loading impact on the narrow road surface and under strength pavement structure.

Council is unaware of any pavement sampling or grading having taken place to assess the adequacy of the existing pavement, as part of the development proposal. Council considers the road pavement to be under strength, and at high risk of failure from increased traffic loadings associated with the development, due to the location traversing the floodplain.

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Recommendation 2

Council recommends the developer be required to realign the Newbridge Road between Ch:320 and Ch:650, to provide a safe vertical and horizontal alignment in accordance with the Austroads Guide to Road Design, RMS Standards and the WBC Alliance Guidelines for Engineering Works.

The Blayney Shire Community should not be financially disadvantaged by the impacts of the proposed development, and it is therefore requested that the above mentioned upgrade works be undertaken at full cost to the developer.

Access into the development

Council notes the commentary provided by Intersect Traffic in regard the proposed site access off Newbridge Road into the development site. The proposed access point being located approximately 220m West of the existing Sealink access point. Council supports and recommends the construction of a BAR/BAL intersection at the new site access point, in accordance with Austroads Guide to Road Design, RMS Standards and the WBC Alliance Guidelines for Engineering Works.

Recommendation 3

Council requests that the widened shoulders in the intersection be designed with a suitable pavement in accordance with Austroads Pavement Design Guide, RMS Standards and the WBC Alliance Guidelines for Engineering Works.

The Blayney Shire Community should not be financially disadvantaged by the impacts of the proposed development, and it is therefore requested that the above mentioned upgrade works be undertaken at full cost to the developer.

Transport

Council notes the proposed development is to be supplied by goats sourced from New South Wales and Queensland.

Council is concerned about the potential risks to the community and vehicular traffic resulting from the uncontrolled discharge of wastewater from transport vehicles delivering animals to site.

The uncontrolled discharge of waste may provide for the biological transfer of pathogens including *Coxellia Burnetti*, the causative agent of Q-Fever, into the community when transporting livestock through built up communities, including Millthorpe and Blayney.

The uncontrolled discharge of waste onto the road surface has the potential to cause vehicles to skid and lose control under the right conditions, presenting a risk to road safety.

In accordance with Chain of Responsibility legislation, all parties in the road transport supply chain have specific obligations under the law to prevent a breach and requires every responsible person in the supply chain to take positive steps to prevent mass, load restraint, dimension, and fatigue and speed offences.

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Council requests that the developer be required to ensure that the preparation of livestock at the loading point is undertaken in an appropriate manner and records maintained to ensure Chain of Responsibility compliance. All transport vehicles should be equipped with on board waste capture facilities to reduce the risk of effluent discharge onto the roadway.

Recommendation 4

Council requests that if the proposed development is approved a Transportation Safety Management Procedure (TSMP) is developed and required as a condition of Development Consent. Requiring this as a condition will ensure onus is upon those with the benefit of the Development Consent to ensure that the TSMP is adhered to through chain of responsibility.

The TSMP should cover amongst other matters;

- Procedures and requirements for resting of animals to allow them to “empty out” to reduce urination and defecation during transport.
- That only transport vehicles equipped with on board waste capture facilities are engaged for livestock transportation,
- That all transport vehicles must empty their on board waste capture facilities into the sites waste water system prior to wash down (note a dump point/s should be located in the unloading bay for this to happen),
- That all transport vehicles must be fully washed down prior to leaving site,
- That loaded transport vehicles are not to park, wait or rest within any road or street within any populated area,
- Appropriate times for delivery of stock,
- That most transport movements will intend not to transport through the townships of Millthorpe and Blayney between the times of; 8am to 9:30am and 2:30pm to 4.00pm.

Council would like confirmation that the lights from livestock vehicles when delivering in darkness will not be seen and/or impact on residents of Blayney as they attempt to manoeuvre into the unloading dock.

Recommendation 5

Council requests that screening is put in place to prevent light impacts from trucks manoeuvring to reverse into the unloading dock during darkness.

Hours of Operation

Council notes that the EIS details *“the abattoir will operate 24 hours a day, seven days per week. However activities during the hours of 11pm to 6am will generally be limited to stock delivery and operation of the wastewater treatment plant”*.

Recommendation 6

Council requests that the department’s standard condition B43 - Hours of Operation is included as a condition of development consent, with the following specifications;

- Not allowing slaughtering to take place on; Saturday, Sunday and Public holidays.
- No deliveries of livestock between 5pm Friday and 9pm on a Sunday.

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This is considered appropriate for animal welfare in particular that livestock are not housed within the storage yards of the abattoir over the weekend for an extended period of time.

Council would like to ensure that livestock trucks are not impacting upon the public amenity of Millthorpe and Blayney over the weekends as both towns contain a significant number; heritage items, cafes, shops, churches, businesses and markets in which high volumes of people patronise and significantly contribute to the business and tourism economy of the region.

Council believes it would be in the public interest to minimise livestock transportation through these precincts over the weekends as it is in the public's interest to ensure these industries continue to prosper.

Q Fever

Council acknowledges that goats are not the only source of contracting Q Fever, however it still remains of concern to the community and to Council.

Recommendation 7

Council requests that the department's standard condition B13 Disease Management requiring an Emergency Disposal and Bio-security Protocol is placed as a condition of consent. In addition Council specifically requests that the Protocol ensure; a vaccination program of all potential workers (and other potentially exposed workers such as drivers), an education program for potential exposed workers to identify symptoms and most importantly processes requiring reporting of any cases of Q Fever.

Recommendation 8

Council requests NSW Department of Health provide clarification of the potential health impacts of Q-Fever to the community.

Environmental Monitoring

Council would like to ensure the environmental predictions and modelling stated within the EIS are in fact the levels upon commencement of operation.

Recommendation 9

Council requests that the predications within the EIS are ratified immediately upon commencement of operations. In this regard Council feels that the department's standard condition C10 Independent Environmental Audit, could be tightened to require environmental monitoring in particular for noise and odour monitoring take place immediately upon the commencement of operations and at regular future intervals. The results of the monitoring should be made available to the public and displayed upon the proponent's website and made available to the appropriate authorities including Council.

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Waste

Recommendation 10

Council requests that a condition of consent is included ensuring that all waste required to leave the site is transported in fully enclosed containers and/or vehicles to an approved and if required licensed facility.

Structures - External Facade

Council notes on page 144 of the EIS implies that non reflective materials should be used for all new project structures.

Recommendation 11

Council requests a condition of consent requesting that all external cladding of all structures (including all external pipe and duct work) for the proposed development are finished in a natural toned palette similar to the existing Sealink Administration building.

The roofing material should also be a factory pre coloured material such as Colorbond Windspray as a mid-range grey with low reflectivity and capacity to blend into the setting.

Recommendation 12

Council requests that a condition of consent is placed ensuring that all associated materials and products with the development must be stored within the confines of the building. No materials are permitted to be stored on the outside the confines building.

Visual Amenity

Landscaping

The landscaping plan on page 116 of the EIS does not appear to identify landscaping to screen the entire western façade of the proposed abattoir.

Recommendation 13

Council requests that landscaping is incorporated to screen the western façade of the proposed abattoir.

There are several previous Development Consents for the existing Sealink freezer and administration complex which contain various conditions for landscaping. Council in the past has had difficulty in ensuring compliance with landscaping conditions of consent for the existing Sealink facility.

Recommendation 14

Council requests that a Landscape Management Strategy for the entire site is required as a condition of consent within any Project Approval in order to consolidate all landscaping (including previous development consents) for the entire site into one strategy.

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The strategy would be required to be to the satisfaction of Council and DoPE. The strategy does not necessarily need to be submitted and approved prior to works commencing, however the approved strategy would need to be implemented prior to operations commencing. The strategy could cover amongst other matters;

- Detailing exact locations of proposed landscaping for the entire site (including requested landscaping of the western façade of the building),
- Confirming exact tree species to be planted (Landscaping should include a mix of tree and shrub species and grow to a mature height of 12m to 15m),
- Confirmation of the size of landscaping plants to be planted (at least semi mature and not seedlings),
- Confirming when the trees are to be planted,
- Detailing a commitment of regular maintenance schedule proposed to ensure the continued growth of the landscaping in a cold climate to a mature height,
- Details of how and when replacement planting (if required) will take place,
- A requirement to provide an annual audit report of the Landscape Management Strategy for a minimum 5 year period are commencement of operations to Council until the landscaping is established to ensure that the strategy is being complied with.

Lighting

Council notes on page 115 of the EIS details lighting impacts, in particular *“lighting installations will tend to be contained by tree cover for the majority of receptor locations”*. In this regard it is noted landscaping may take some time to establish and therefore contain the lighting.

Recommendation 15

Council requests that the department’s standard condition B47 –External Lighting is included as a condition of development consent; specifically requesting that all external lighting is mounted, screened and directed in such a manner to not create a nuisance, without reliance upon mature landscaping to ensure no nuisance is created.

Livestock Grazing

Recommendation 16

Council requests that it is confirmed within a condition of Development Consent that the premise subject to any Project Approval or any property in the vicinity of the premise are not to be stocked with livestock intended to be processed at the abattoir. This is to ensure that onerous amounts livestock intended to be processed are not stored in or around the abattoir impacting upon the amenity of the area, for livestock wellbeing and protect the natural environment.

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Administrative Conditions

Recommendation 17

That a Construction Certificate is obtained for; the buildings, structures and new access on Newbridge Road in accordance with section 81A(5) of the Environmental Planning and Assessment Act 1979.

Recommendation 18

That approval for all associated drainage works for the development is obtained from Blayney Shire Council prior to works commencing on site in accordance with section 68 of the Local Government Act 1993.

Infrastructure Contributions – Voluntary Planning Agreement

Council will need to ensure that the proposed development adequately contributes for the ongoing impacts of the proposed development.

Council desires to enter into a Voluntary Planning Agreement in accordance with section 93F of the Environmental Planning and Assessment Act 1979 for the proposed development to ensure adequate contributions are made for the proposed development for; Road Maintenance Contributions and Community Grants and Facilities Funding.

Council is proposing the following as annual contributions over two payments, as follows;

Road Maintenance Contributions	\$20,000
<u>Community Grants and Facilities funding</u>	<u>\$20,000</u>
TOTAL CONTRIBUTION (per annum) + CPI	\$40,000

The Community Grants and Facilities funding would be administered by Council's Financial Assistance Committee to assess community projects put forward by local sporting associations, environmental groups, not for profit organisations, Council or other agencies.

Metziya Pty Ltd would be offered a position upon the Financial Assistance Committee to have input into determining which projects are successful in obtaining funding.

Recommendation 19

Council requests a condition of consent requiring the proponent enter into Voluntary Planning Agreement with Blayney Shire Council within 12 months of the date of the approval and prior to the commencement of operations to provide contributions for;

- Roads Maintenance Contribution, and
- General community enhancement to address social amenity and community infrastructure requirements arising from the project.

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Blayney Flood Study, Surface Water and Groundwater

Council notes Section 6.9.2 of the EIS, and Appendix C (Project Risk Register) consider the local surface water issues.

The EIS identifies that no flood liable land is within the development footprint, and Figure 2.1 provides a Flood Planning Area layer, as supplied from the Blayney LEP 2012.

At an extraordinary meeting of Council held 18 May 2015, Council resolved;

1. *That:*
 - a. *The information contained in the report on the Town of Blayney Flood Study 2015 be received.*
 - b. *The draft Town of Blayney Flood Study 2015 be adopted.*
 - c. *The Town of Blayney Flood Study 2015 be made available to the public through Council's website.*
2. *Council approve the next stage of the Floodplain Risk Management process which is to undertake a Floodplain Risk Management Study and to develop a Floodplain Risk Management Plan for the Town of Blayney*

A copy of the Blayney Flood Study is available on council's website www.blayney.nsw.gov.au.

Based upon the initial Flood Planning Area and the information contained within the Blayney Flood Study, Council acknowledges that the development (building) footprint does not sit within the 1% Annual Exceedance Probability (AEP) area, however notes that infrastructure works associated (identified by the proponent and/or within Council's submission) with the development (stormwater, wastewater, road upgrades etc) are located within the 1% AEP Flood Extents as identified within the Blayney Flood Study 2015.

Recommendation 20

That the engineered surface water drainage management strategy to be undertaken on page 129 of the EIS include analysis to confirm that the Finished Floor Level of the Stock Shed Floor (867.000 AHD) will not allow stormwater flooding to penetrate the building, potentially removing waste and faeces into the environment during a stormwater flood event.

Recommendation 21

That the developer ensure that the site shall be managed so that:

- No additional filling shall be placed on the land outside the development area (building footprint and associated infrastructure works) the which may impede the flow of flood waters;
- Any plant or goods stored upon the site shall be stored in a manner which will not allow pollution of the flood waters;
- All actions shall be taken upon the site which will minimise the effect of the property upon the flood waters.

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Recommendation 22

Council requires the developer construct an energy dissipating structure in the Belubula River at a point where the formalised channel will enter the River

Recommendation 23

That standard condition B44- Construction Soil and Water Management is included as a condition of consent.

Council notes Section 6.9.2 of the EIS, and Appendix C (Project Risk Register) consider the local groundwater issues.

Per the EIS and by reference to the Groundwater Vulnerability mapping of the Lachlan Catchment, the development site is identified to be of High Vulnerability to groundwater contamination and Council would like to ensure that the development does not adversely impact ground water.

It is identified on page 132 of the EIS that “*to ensure the project does not impact the surrounding development in an adverse manner, a water quality monitoring program is recommended*”. Council requires the water quality monitoring program is expanded to additionally ensure protection of groundwater.

Recommendation 24

Council requires a water monitoring program of both dams onsite to be undertaken to the satisfaction of the EPA to ensure the development does not adversely impact the ground water vulnerability or surrounding environment.

Planning and Assessment Commission - Public Meeting

An opportunity for those both in favour and against to have their concerns heard should be provided by the Planning and Assessment Commission prior to determination of the proposed application.

Recommendation 25

Council requests the Planning and Assessment Commission conduct a public meeting in Blayney during the assessment period prior to determining the application.