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Planning Services
Department of Planning and Environment
GPO Box 39 SYDNEY NSW 2001

Attention: Director – Industry Assessments

Objection to the proposed Rushes Creek Poultry Production Farm State Significant Development 7704

I wish to lodge a formal objection to this development proposal; there are many concerns I have with this proposed development.

I am writing this submission to you, to ask you to stop this development. Firstly may I introduce myself my name is Stephen Boman. I along with my brother own and operate the property “Sugarloaf”, 1926 Rushes Creek Road, Manilla. Our family has owned and farmed this property for over 125 years (4 generations). Our property adjoins the proposed development site on its southern boundary. Our home will be the closest receptor (receptor 25) to the proposed development, being only 1,025 metres from farm 4 of the proposal. Farm 4 is proposed to be built along our boundary and will only be 100 to 125 metres from it. Farm 3 is proposed to be built very close our boundary. Our day to day life will be very significantly affected should this development proposal be allowed.

It is obvious that the proponents (Pro Ten) of this development are acutely aware that our property is going to be severely affected by it, should it proceed. In February of 2016 they offered to pay us a lump sum of \$300,000 to vacate our home on the understanding that we entered into an agreement that we did not reside in our own house (we would still own the land and the house but not have the right to occupy our family home). This offer was simply an attempt by the proponent to shut us up so that we would not make any complaints about the proposed development.

The fact that the proponent through their real estate representative was prepared to offer us a lump sum to vacate our home has certainly rung alarm bells for us. This confirms that we are going to be very severely impacted if this development is allowed to proceed. There is no other conclusion that can be made from this offer. It certainly seems very apparent that we will be adversely impacted and will suffer major inconvenience should this development be

Objection to SSD 7704

allowed. We will be given absolutely no consideration by the proponent should the proposed development get planning approval and be allowed to proceed.

The objections that I have regarding, the proposed large scale poultry development at Rushes Creek are as follows

- Inadequate Separation Distance
- Insufficient Boundary Setback
- Does not comply with Tamworth Regional Council LEP
- Odour
- Dust
- Noise
- Visual Impact
- Traffic
- Lights
- Property Devaluation
- Land use conflict
- Biosecurity Risk
- Proximity to Keepit Dam
- Surface water contamination
- Ground water contamination
- Environmental concerns
- Lack of consultation
- Is development needed
- Health Impacts
- Offer to Purchase
- Compensation
- Conclusion

Inadequate Separation Distance

My home is located only 1,025 metres from Farm 4 of the proposed development. The requirements of the NSW Department of Primary Industries (DPI) and the NSW Office of Environment and Heritage (OEH) have not been met. The proposed development does not have an adequate separation distance from my residence and therefore cannot be permitted to proceed.

The NSW framework for assessing odour (Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW, NSW DEC 2006) provides a three-tiered assessment system for identifying potential odour impacts and recommended separation distances. Entry level (known as 'Level 1') assessment is as simple, low-cost means of rapidly identifying the likely odour risk and the required separation distance for a particular farming proposal.

Objection to SSD 7704

The proposal significantly fails the Level 1 odour impact assessment and therefore should not be allowed to proceed. Poultry industry research (Separation Distances for Broiler Farms, RIRDC 2010[10/073]) has confirmed that Level 1 odour formula for meat chickens provides the best surety that the separation distance will be sufficient to avoid unacceptable odour impacts..

Separation distance formulas can rapidly estimate separation requirements. **Best Practice Management for Meat Chicken Production in NSW, Manual 1, Appendix 3** (NSW Department of Primary Industries [www.dpi.nsw.gov.au]), provides the equations (formulas) and examples for calculating the recommended number of meat chicken sheds and the recommended separation distances. This provides a Level 1 odour impact assessment for Meat Chicken (broiler) farms.

The NSW OEH website (www.environment.nsw.gov.au/air/odour.htm) provides a **Meat Chicken (Broiler) Level 1 Odour Assessment Calculator** that allows meat chicken growers, their consultants, or council planners to readily check the recommended separation distances, using basic site information.

Using the Meat Chicken (Broiler) Farm level 1 Odour Assessment Calculator and applying the equations (formulas) for a Level 1 odour assessment, confirms that the proposed development **significantly fails the Level 1 assessment** when applied to my property. This is clearly demonstrated by the following.

Equation 1.1: Allowable number of meat chicken sheds for a given separation distance

$$N = (D / S)^{1.4}$$

- N = the number of standard meat chicken sheds (one standard shed is equivalent to 22,000 broiler chickens). Note: The proponent intends to build sheds that will house 56,500 broiler chickens.
- D = the separation distance in metres between the closest points of the meat chicken sheds and the nearest receptor. In this case my home which will only be **1,025 metres** from farm 4.
- S is the composite site factor = S1 x S2 x S3 x S4 x S5

Site Data:

Shed factor S1: 690 (controlled fan ventilation with barriers)

Receptor factor S2: 0.30 (single rural residence)

Terrain factor S3: 1 (near level to flat topography)

Vegetation factor S4: 1 (open cropping country with no trees)

Wind frequency factor S5: 1 (normal wind conditions)

$$S = 690 \times 0.3 \times 1 \times 1 \times 1 = \mathbf{207}$$

The number of sheds permitted at a separation distance of 1,025 meters from my home is;

Objection to SSD 7704

$(1,025/207)^{1.4} = 9.4$ standard sheds, which is equivalent to 3.7 of the sheds that are proposed by the proponent in the development. $(9.4 \times 22,000) / 56,500 = 3.66$

Therefore **the allowable number of meat chicken sheds that will house 56,500 birds at a separation distance of 1,025 metres from my home is 3.7**. So the 16 sheds proposed by the proponent in farm 4 are not permissible under the guidelines set down by the NSW DPI and the NSW OEH.

Equation 1.2: Separation distance for a given number of meat chicken sheds

$$D = (N)^{0.71} \times S$$

- N = the number of standard meat chicken sheds (one standard shed is equivalent to 22,000 broiler chickens). Note: The proponent intends to build sheds that will house 56,500 broiler chickens.
- D = the separation distance in metres between the closest points of the meat chicken sheds and the nearest receptor.
- S is the composite site factor = S1 x S2 x S3 x S4 x S5

1: Farm 4 of the proposed development. There is proposed to be 16 meat chicken sheds containing 56,500 birds in each shed.

Site Data:

Shed factor S1: 690 (controlled fan ventilation with barriers)

Receptor factor S2: 0.30 (single rural residence)

Terrain factor S3: 1 (near level to flat topography)

Vegetation factor S4: 1 (open cropping country with no trees)

Wind frequency factor S5: 1 (normal wind conditions)

$$S = 690 \times 0.3 \times 1 \times 1 \times 1 = 207$$

The number of standard sheds is

$$(16 \times 56,500) / 22,000 = 904,000 / 22,000 = 41.09 \text{ standard sheds.}$$

For a farm comprising 16 sheds of the size proposed in the development, the minimum separation distance from my residence should be:

$$(41.09)^{0.71} \times 690 \times 0.3 \times 1 \times 1 \times 1 = \mathbf{2,895 \text{ metres}}$$

Almost three (3) times the distance proposed by the proponent!!

Therefore **the separation distance required for a 16 shed broiler poultry farm that will house 904,000 birds is 2,895 metres from my home**. So the 16 sheds proposed by the proponent are not permissible under the guidelines set down by the NSW DPI and the NSW OEH.

2: The proposed development viewed as one farm. There is proposed to be 54 meat chicken sheds containing 56,500 birds in each shed.

Objection to SSD 7704

Site Data:

Shed factor S1: 690 (controlled fan ventilation with barriers)

Receptor factor S2: 0.30 (single rural residence)

Terrain factor S3: 1 (near level to flat topography)

Vegetation factor S4: 1 (open cropping country with no trees)

Wind frequency factor S5: 1 (normal wind conditions)

$$S = 690 \times 0.3 \times 1 \times 1 \times 1 = 207$$

The number of standard sheds is

$$(54 \times 56,500) / 22,000 = 3,051,000 / 22,000 = 138.68 \text{ standard sheds.}$$

If the proposed development is viewed as one farm, then the minimum separation distance from my residence should be:

$$(138.68)^{0.71} \times 690 \times 0.3 \times 1 \times 1 \times 1 = \mathbf{6,868 \text{ metres}}$$

Almost seven (7) times the distance proposed by the proponent!!

Therefore **the separation distance required for a 54 shed broiler poultry farm that will house 3,051,000 birds is 6,868 metres from my home.** So the 54 sheds proposed by the proponent are not permissible under the guidelines set down by the NSW DPI and the NSW OEH.

As has been clearly demonstrated in the above calculations, **the separation distance of the proposed development fails the Level 1 odour impact assessment significantly** and should not be permitted proceed.

- The number of sheds permitted that will house 56,500 broiler chickens at a separation distance of 1,025 metres from my residence is **3.7**.
- The required minimum separation distance from my residence is **2,895 metres** for a 16 shed broiler farm that will house 904,000 meat chickens.
- The required minimum separation distance from my residence is **6,868 metres** for a 54 shed broiler farm that will house 3,051,000 meat chickens.

It is pointed out that **the NSW Department of Primary Industries (DPI) and the NSW Office of Environment and Heritage (OEH) state that the total number of sheds in a development proposal be viewed as one farm when calculating separation distances.**

Therefore the required minimum separation distance for the 54 shed broiler farm (as proposed by the proponent) is **6,868 metres** from my residence.

It should also be noted that a Level 1 assessment would also fail significantly for a number of the other receptors in the vicinity of the proposed development (e.g. The Ski Gardens). In fact a Level 1 assessment would fail for the majority of the receptors in the area if the development is viewed as one farm (which it should be).

Insufficient Boundary Setback.

The proposed development will see 1 farm (farm 4) built within 125 metres of our boundary and a second farm (farm 3) built within a very close proximity to our boundary. One of these farms (farm 3) will also be located within 125 metres of the boundary of our neighbour's

Objection to SSD 7704

property “Nirvana” (2090 Rushes Creek Road, Rushes Creek). In addition to that there will be a third farm (farm 1) built within a very close proximity of “Nirvana’s” boundary.

The proponent of this development has purchased 1200Ha of land. That’s 12 square kilometres, yet 2 of the 4 farms proposed are to be built, will be within 100 to 125m of the boundaries of the 2 adjoining properties on the southern side of the proposed development site (why??). Given the size of the proposed development, surely the local LEP would require a much greater setback (buffer zone) than just 100 to 125 metres from the adjoining properties. This is also the view that has been expressed by two current Councillors from, Tamworth Regional Council that I have spoken too regarding this proposed development. It should be noted that farm 4 will occupy an area of approximately 20Ha, that’s a massive shed complex.

The proposed setback does not comply with the Department Of Primary Industries guidelines, as set out in Best Practice Management for Meat Chicken Production in NSW, Manual 1. Best Practice Management recommends that developments maximise boundary setbacks where ever practical by locating sheds and facilities near the centre of the farm.

The proposed setback also does not comply with the recommendations of the NSW Environment Protection Authority and the NSW Office of Environment and Heritage, with both recommending that new developments be located near the centre of farms to maximise buffer zones.

The proposed setback does not comply with the Tamworth Regional Development Strategy, which advises that the most effective mechanism to avoid the impacts of a poultry farm development is to have an adequate buffer around the sheds.

Does not comply with Tamworth Regional Council LEP

The proposed development site is Zoned RU1 Primary Production under the current Tamworth LEP (2010). As I understand the LEP, this allows for a minimum subdivision area of 400Ha for land in this zoning, so how can 4 farms be built on 1200Ha.

Two farms (3 & 4) are to be built on the property “Happy Hills”, Rushes Creek Road, and a third farm is to be built on another property “Kyora”, Ski Gardens Road. Both of these properties are much smaller than the minimum subdivision area for land in this zoning. “Happy Hills” has an area of 303Ha, surely 2 farms would not be permitted on a 303Ha parcel of land under the Tamworth LEP. “Kyora” has an area of 198Ha, it does not have a dwelling entitlement under the current Tamworth LEP.

There is already 3 dwellings on the proposed development site so how can an additional 8 (2 per farm) dwellings be built on the proposed farm. Under the current Tamworth Regional Council LEP, 1 dwelling entitlement is allowed for a 400ha parcel of land Zoned RU1 Primary Production. Therefore 11 dwellings on the proposed development site would not be permitted under the current Tamworth Regional Council LEP.

The proponent has stated that he intends to subdivide the development site in order to create four new lots that will enclose the four poultry production units (PPU) and associated farm manager’s houses. See figure 17 in the EIS. The proposed lots for each PPU are well below the minimum permissible area for land in this zoning. This subdivision does not comply with the Tamworth Regional Council LEP.

Objection to SSD 7704

The councils LEP would most certainly have requirements as to the setbacks (buffer zones) from adjoining properties, for new developments. To only have a 100 to 125 metre setback from my boundary, for a development that occupies 20Ha, would not and should not be permitted by the planning requirements of the Tamworth LEP.

The Tamworth Regional Development Strategy, which forms part of Tamworth's LEP advises that the most effective mechanism to avoid the impacts of a poultry farm development is to have an adequate buffer around the sheds. The Development strategy also advises that poultry farms need to be located on large properties.

The site that this development is proposed to be built on adjoins the foreshores of Keepit Dam. Tamworth Regional Council has identified Keepit Dam as a potential future source of potable water to meet the future water requirements for the city of Tamworth. It seems highly unlikely that the planning department of Tamworth Regional Council would support this development given the threat it poses to the water quality of the dam.

Currently the proponent is operating a timber shredding machine on the proposed development site. Surely this is an industrial operation and should not be permitted to operate on rural land. The operation of this machine is not permissible under the Tamworth Regional Council LEP.

Odour:

A major concern to us as the adjoining land owners is the potential of odour being generated by the proposed poultry development. It is well known and documented that the main reason for complaints about poultry farms is in relation to the odour they produce and emit. Every year the Environmental Protection Authority (EPA) receives a large number of complaints about poultry farms in relation to odour issues. The proponent has stated in their 2017 and 2018 annual reports that they continue to receive complaints about the odour produced at their farms.

Our home is the closest residence to the proposed development. Our house is just 1,025 metres from farm 4. This farm (major shed complex!) is to be located 1,025m to the North West of our house. Farm 3 of the proposed development is to be located 900 metres to the North West of farm 4 (1,950 metres from our home), farm 1 of the proposed development is to be located just over 1 kilometre to the North West of farm 3 (3,100 metres from our home) and farm 2 is to be located less than 3 kilometres (2,800 metres) to the North of our house. The prevailing winds in this area are from the North West (I should know, my family has lived here for 4 generations), therefore our home will be in the direct path of any odour emitted from all of the farms in the proposed development.

The close proximity of the proposed development to our home will result in very significant adverse odour impacts at our home. The poultry industry itself openly admits that it is simply unworkable to expect a chicken farming operation to operate with no offensive odours.

The prevailing winds in our area will direct odours produced by this development straight at the back of our house. **We will be impacted by the odours when;**

- **We are having a cup of tea and relaxing on our back verandah.** We sit on our verandah in the winter to catch a bit of warmth from the sun and in the summer we sit on the verandah to catch any cooling breezes.

Objection to SSD 7704

- **We are cooking.** We do our cooking on our back verandah, in both summer and winter. We have a BBQ set up on our verandah where we do all our cooking.
- **We leave our back doors and windows open** to let the house cool down in the summer months. We have no air conditioning in our house which therefore means it is a necessity for us to have our doors and windows open in the hot summer months. With our doors and windows open the odours produced by this development will drift into our house making it very unpleasant. This will mean that when we are inside watching television and when we go to bed we will be impacted by the odours that this development produces and emits.
- **We have visitors or guests.** Everybody that visits us will be impacted by the odours produced by this development.
- **We are working in our house yard.**
- **We are working in and around our sheds.**
- **We are doing our day to day activities.**
- **We are working on our farm.**

This development is massive; it proposes 54 sheds each housing 56,500 broilers, which is equivalent to 139 standard sized broiler sheds (a standard broiler shed is defined by the NSW DPI as a shed housing 22,000 birds). **The development proposes 4 farms; the cumulative odour impacts of these 4 farms cannot be ignored.** Odours will be emitted from this development every day of the year, day in and day out.

In addition to the daily odours emitted, it is generally accepted that **odour levels will be more pronounced when the farms are cleaned out.** The EIS prepared by the proponent states that the cleaning phase is 10 days per production cycle and each farm (shed complex) will have 5.6 production cycles per year. So this means there will be 56 days of heightened and more pronounced odour emissions, per year, per farm, which equals 224 days per year for the total development. This is 61% of the year! So this means there will be 224 days of the year when the farms are being cleaned out which will result in elevated levels of odour being emitted from the proposed development that have the potential to impact our home and farm as well as the homes of all the other nearby residents in the area.

It is anticipated that the odours produced and emitted by this proposed development will be all year round and at the highest levels at dusk and dawn. The odours will be even more overbearing during shed cleaning and when it is raining. How can this development possibly be allowed in such close proximity to my home?

In addition to the odour impacts to our residence, we will also be impacted by any odours when carrying out our day to day activities on our farm. With farm 4 of the proposed poultry development located right on our boundary (100m to 125m from it), comprising 16 sheds how will we not miss any smells and odours generated from the proposed development, when we are doing our day to day activities around our own property? It should be pointed out that farm 4 will have the majority of its sheds along our boundary. The eastern end of each shed will have 20 extraction fans facing our boundary. The extraction fans of these sheds will expel odour and dust directly onto our farm and towards our home.

The proponent of this development would have been required to do odour modelling for this development as it significantly fails the level 1 odour assessment. It should be noted that **the guidelines produced by the NSW Department of Primary Industries and the NSW Office of Environment and Heritage recommend, “if a proposal exceeds the Level 1 odour assessment significantly then the proponent should consider relocating the**

proposed development to an alternative site rather than proceeding to level 2 or 3 assessments.” This is also the view of the NSW EPA which states; “if the level of odour impact is likely to exceed the assessment criteria, consideration should be given to selecting another site, or changing or not proceeding with the project.”

There is still considerable debate in the scientific community about appropriate odour criteria as determined by odour dispersion modelling. There are a number of different modelling packages that can be applied for odour assessments, with each producing differing results.

As of 1 January 2014, EPA Victoria has replaced the air dispersion model AUSPLUME with the more advanced and current US EPA approved air dispersion model AERMOD. Prior to this, AUSPLUME had been adopted as the default regulatory model for all Australian jurisdictions. Initial performance testing by EPA Victoria has found that the use of AERMOD can result in predicted odour levels significantly different from those predicted by AUSPLUME. EPA Victoria has found that the replacement of AUSPLUME with the more advanced AERMOD model will generally result in the better prediction of air quality impacts.

There are other changes to Victoria’s air quality framework, one of which is the requirement for assessment against five (rather than one) years of meteorological data, with compliance to be shown for all five years. This is important for potential chicken farm developments, as an individual sensitive receptor may lie in an area of medium risk for one year, but in high risk if assessed on a different year.

Following AERMOD’s implementation into Victorian regulation, it is possible that other Australian state regulatory bodies will consider the merits of adopting alternative models in their own air quality modelling guidelines. The AERMOD model is supported by the United States Environmental Protection Agency (USEPA).

The adoption of AERMOD as the air dispersion model in an Environment Risk Assessment for proposed meat chicken farms has shown that increased separation distances are required and increased land (site) areas are required. The increased land area would provide a greater buffer zone between proposed developments and other adjoining properties.

All results produced in level 2 and level 3 odour modelling must remain a little speculative because of the range of variables that are used to develop these models. Data input selection and generation is very subjective and can possibly lead to ambiguous outputs (conclusions). It is difficult to access accuracy in a fictitious study without some kind of measurement to compare against. In contrast, separation distance formulas can rapidly estimate separation requirements using minimal inputs, which may then be openly presented for review.

A level 2 odour assessment is a design tool and can only predict (forecast) the likely odour impacts. A level 2 odour assessment uses worst case input data to predict likely odour impacts for a proposed development. Given how significantly the level 1 assessment failed, there is no way that a level 2 assessment could show a pass for the proposed development, regardless of how much manipulation of the data there is.

A level 3 odour assessment is a design tool, which can only predict (guess) the likely odour impacts of a proposed development. A level 3 odour assessment is required to use site specific input data. **There has been limited data gathering at the proposed site.** An

Objection to SSD 7704

automatic weather station was installed on the proposed development site in July 2017. Best management practice (NSW DPI) recommends that; **“an automatic weather station is installed and maintained on farms where there is an increase in validated complaints. This will help complaint investigation.”**

The proponent states in his EIS “A weather station will be installed within the development site to collect on-going and up to date weather monitoring data, which will assist in investigating and responding to any air quality complaints.” **It would appear that the proponents are expecting complaints if this development proposal goes ahead.** It could also be concluded from this statement that no meteorological data was used from the weather station installed on the development site in the odour modelling for the proposed development, which therefore means the meteorological data used in the odour modelling is not site specific.

Most modelling requires a minimum of one year of meteorological data (Victoria requires five). This has not been carried out on the proposed site so there is no way the proponent can validate any assumptions made. Most of NSW (including this area) is currently experiencing one of the worst droughts on record. In this area we experienced one of the driest winters and spring seasons on record in 2017. This area also experienced a much hotter and drier 2017/18 summer than normal with the area now experiencing severe drought conditions. So the data collected from the weather station installed in July of 2017 on the proposed farm site would not be a true indication of the typical weather for the area. To base their modelling on historical weather data collected at other sites in the region, cannot be considered as accurate either as no allowance for climate change and the potential for more extreme weather events has been taken into account.

The proponent of this development advises preliminary odour modelling for this development has been undertaken. This odour modelling was undertaken on another property owned by Pro Ten which is some distance from the proposed development site. The farm that the odour modelling was undertaken at, is only a fraction of the size of the proposed development. No allowance has been made for the cumulative impacts the 4 proposed farms will have in determining a level 3 odour assessment for the subject site.

I have serious doubts in regard to the proponents odour modelling.

1. It is not site specific. The preliminary odour modelling was undertaken on another property (ProTen's Bective broiler farm) which is some distance from the proposed development site.
2. The odour modelling was based on sampling that was carried out over 3 days (days 27, 28 & 41) of one production cycle in 2011, with only 10 samples being collected. How can this possibly be a credible source of information in determining the potential odour impacts to our home, for the life of this development?
3. There are no detailed records of meteorological data (weather records) for the subject site. So there is no way that any definitive conclusions can be made in any odour modelling, as to the wind direction and duration for the proposed farm site.
4. The odour modelling was based on the assumption that the prevailing winds at the proposed development site are from the both the northeast and east with some winds from the west. This is incorrect the prevailing winds in this area are from the Northwest and North.

5. The odour modelling was carried out by consultants engaged by the proponent to give him the results he wanted. A bit like marking your own homework. Independent odour modelling would produce different conclusions.

Odour emission rates are unknown at new farms (the proposed farm) because the sheds are not yet built and the emission rates for new sheds being built (proposed to built) are likely to differ from existing sheds at other locations. The absence of broiler sheds at the proposed farm site mean that model predictions cannot be verified. **Odour impact assessment is a site specific design tool, which can only predict the likely odour impacts. Once the farming facility is operational, unforeseen odour impacts may be experienced.**

The proponent of the development claims that any odour produced by the development will not have any impact on the surrounding receptors. The proponent also claims that we will not notice any odours. This seems highly unlikely especially as the EPA receives so many complaints every year in relation to odour emitted by poultry farms.

The prevailing winds in this area are North Westerly's which means any odours produced by this development will more often than not be blown in a South Easterly direction directly toward our home and farm. With the prevailing North Westerly winds in this area and the cumulative effects of the 4 farms, **our house and farm will be the most severely impacted by the odours that will be emitted by the proposed development.** The natural southeast-northwest ridgeline running through the centre of the development site will direct odour carrying wind towards our home and farm, from farms 1, 3 and 4 of the proposed development.

The odour modelling in the proponents EIS talks about K factors and Predicted 99th Percentile Odour Concentration (OU), this modelling only relates to the nearest receptors. Our home (receptor 25) will be the closest receptor to the proposed development yet only have the 2nd highest Predicted 99th Percentile Odour Concentration (receptor 24 is predicted to be 4.2). This modelling doesn't seem right to us. Surely the EPA would not agree with these predictions.

The predicted odour concentrations seem to be grossly understated given the size and scale of the proposed development, it would appear that the potential cumulative odour impacts of the 4 farms within the proposed development have not been taken into account in the odour modelling. The EIS prepared by the proponent states that our home (receptor 25) will experience the greatest cumulative amount of particulate matter (dust) concentration of any of the receptors. It would therefore seem logical to assume that our home will also be impacted by the highest levels of odour.

In the Preliminary Environmental Assessment (June 2016) the odour modelling claimed that our home (receptor 25) would have a Predicted 99th Percentile Odour Concentration of 4.2. It also claimed that receptor 24 would have a Predicted 99th Percentile Odour Concentration of 5.1. The final EIS for the proposed development now claims that the Predicted 99th Percentile Odour Concentrations will be less than originally estimated (doesn't seem right). Farm 2 which is the closest farm to the majority of the receptors is now proposed to be larger than originally planned, so how can the predicted odour concentration be less?

Objection to SSD 7704

What we also want to know is; what will the K factor and the ground level odour concentrations be at or near our boundary with the proposed development. There will be no way that odour concentrations will meet the assessment criterion in close proximity to our boundary. It must be remembered that we still have to do our normal farming activities around our farm, which can frequently involve working close to our boundary.

There are no instrument based methods that can measure an odour response in the same way as the human nose. Based on the literature available, the level at which an odour is perceived to be offensive and annoying can range from 2 OU to 10 OU. Different individuals have a range of sensitivities to odour. This proposed development has the potential to produce offensive and annoying odours every day of the year. If this development be allowed to proceed, there is no way that we will not be affected by the odours generated by it and **our quality of life will be adversely impacted. Scientific studies have shown that Air Pollution produced by odour and dust can have serious health impacts such as heart attacks and increased rates of asthma.**

The odours generated by the proposed development have the potential to be drawn to the basin occupied by Keepit Dam and in all probability will linger there for some time, especially when there is no breeze to blow the smell away. On cold winter nights and when there are cooler conditions, temperature inversions and katabatic drifts will draw odours to the basin occupied by the Dam. This will also occur on cold winter mornings when there is a fog over the dam. When this happens, I certainly wouldn't like to be camping on the foreshores of the dam or fishing at the Ski Gardens. Imagine 4 farms (54 sheds) emitting a pungent aroma in the early hours of the morning.

It is noted that the proponent has reduced the number of poultry sheds from 64 that was originally proposed in the Preliminary Environmental Assessment to the now proposed 54. The stated reason for this was so that the development would reach the expectations of the EPA in relation to odour emissions and the impacts they would have. This is a significant reduction (15%) in the number of proposed sheds. **The EPA must have serious concerns about the proposed development** for this to happen. The proponent is still trying to maximise the number of sheds he can construct on the development site. It is therefore safe to conclude that this development will have significant adverse odour impacts on us and all the adjoining residents of the proposed development.

Dust:

During the construction of this development a significant amount of soil and earth will have to be moved to create the level sites for the proposed farms. This will result in a lot of dust being generated and as our farm is only 125 metres from farm 4 of the proposed development and in very close proximity to farm 3 of the proposed development, our property will be significantly affected by the dust generated during the construction of the proposed farms.

The dust produced by all these vehicle movements has the potential to adversely impact our farms biosecurity. The disturbed soil has the potential to increase the recruitment of weed species and the increase in vehicle movements across the site will spread seeds of undesirable plant species.

If approval is given for the proposed development and it is constructed. An internal road network will be constructed with a one way circulation road (ring road) constructed around

the perimeter of each farm. These roads will be unsealed all weather roads. There will be a large number of vehicles using these roads and a lot of dust will be generated. The proponent states in their EIS that there will be 26,000 vehicle movements to and from the development each year, that amount of vehicle movements will certainly generate a lot of dust. The prevailing winds in the area will result in a lot of this dust being blown across our farm.

Given the very close proximity of farms 3 & 4 to our boundary, our property is going to be severely impacted by the dust generated from all these vehicle movements. The dust produced by all these vehicle movements will adversely impact our farms biosecurity. As there will only be a very small separation distance from my boundary to the proposed farms, there is no way that my property will not be impacted by the dust emitted by this development. It should also be noted that the proposed road around farm 4 of the proposed development will travel along our property boundary for some distance.

When the sheds are cleaned out (5.6 times per annum per farm) there will be increased vehicle movements resulting in an even larger amount of dust and odour generated which will significantly impact our property.

The dust and odour created by the proposed development will have a significant detrimental effect on the air quality at our home and around our property. Some of the dust produced by this development will settle on the roof of our house which will then end up in our rain water tanks this **will contaminate our drinking water.**

With the prevailing North Westerly winds in this area and the cumulative effects of the 4 farms, **our house and farm will be the most severely impacted by the dust that will be generated by the proposed development.** The natural southeast-northwest ridgeline running through the centre of the development site will direct odour and dust carrying wind towards our home and farm, from farms 1, 3 and 4 of the proposed development.

The proponent states that they have carried out modelling to predict the likely particulate matter (dust) concentrations at the receptors. I have serious doubts in regard to the proponents modelling.

1. It is not site specific. The modelling is based on predictions only with no data gathered from the proposed development site.
2. The modelling was based on predictions for 3 batch staging scenarios to represent day 1, day 14 and day 28 bird placements of one production cycle in 2005. How can this possibly be a credible source of information in determining the potential dust and odour impacts to our home, for the life of this development?
3. There are no detailed records of meteorological data (weather records) for the subject site. So there is no way that any definitive conclusions can be made in any modelling, as to the wind direction and duration for the proposed farm site.
4. The modelling was based on the assumption that the prevailing winds at the proposed development site are from both the northeast and east with some winds from the west. This is incorrect the prevailing winds in this area are from the North West and North.
5. The modelling was carried out by consultants engaged by the proponent to give him the results he wanted. A bit like marking your own homework. Independent modelling would produce different conclusions.

Objection to SSD 7704

The amount of dust and particulate matter that will be generated is unknown at new farms (the proposed farm) because the sheds and roads are not yet built. The proponents modelling **can only predict the likely dust and odour impacts. Once the farming facility is operational, unforeseen dust and particulate matter impacts may be experienced.**

The EIS prepared by the proponent states that our home (receptor 25) will experience the greatest amount of particulate matter (dust) concentration of any of the receptors (when development emissions are combined cumulatively with background concentrations). The level of particulate matter concentration at our home is predicted by the proponent to be well above the assessment criterion. This confirms that our **house and farm will be the most severely impacted by the dust that will be generated by the proposed development.**

Noise:

During the construction of this development a significant amount of noise will be generated. The noise emitted from the heavy machinery involved in the site preparation will have a major impact upon our farm and home. All the construction activities and the large volume construction traffic will produce a significant amount of noise that will impact our farm and home.

A timber shredding machine has been operating on the development site near the northern end of where farm 2 of the proposed development will be. This machine is shredding logs to make sawdust which is being used as bedding at the other properties operated by ProTen in the Tamworth region. This machine is very loud and is generating a significant amount of noise. We can distinctly hear the noise of this machine from our house. This certainly does not bode well for the future noise that will be generated by the proposed development. If this is any indication of the noise levels that will occur during the construction and operation of this farm we are certainly going to be very significantly affected by the noise this development will produce.

There are already trucks coming and going to the development site. A lot of timber trucks have been delivering logs to the site so that they can be shredded into sawdust. This sawdust has then been trucked out of the site by tippers. There has already been a noticeable increase in the level of traffic noise as a result of these truck movements. I hate to think what the traffic noise will be like if this development gets approved.

If approval is given for the proposed development and it is constructed. The day to day operation of this farm will generate a lot of noise. This noise will be nonstop as this development is a 24 hour a day, 7 day a week, 365 day of the year operation. The size and scale of this proposed development would indicate that it will generate a large amount of noise. Noise will be generated by the large volume of truck traffic in and around the farms and the large number of movements to and from the site. Machinery such as forklifts and tractors working constantly around and in the farms will also produce a large amount of noise. Noise will be produced by augers when refilling the feed silos. Other noise will come from the continuous operation of blowers and the fans in the sheds as well as staff coming and going from the site at the start and finish of their working days.

With all the vehicle movements (especially trucks) to from the site, day in and day out a lot of road noise will be generated. A lot of noise will be generated by the trucks and heavy vehicles when they are slowing down **using their exhaust brakes** to turn into the poultry farm off Rushes Creek Road. But worst of all will be the noise generated by the heavy

vehicles as they re entre Rushes Creek Road and drive away at night and in the early mornings. All these vehicles that come out onto Rushes Creek Road will be **accelerating and picking up speed past the front of our home making a lot of noise. This noise will be more pronounced and annoying in the dead of night and the early hours of the morning. Our home is only 165 metres from Rushes Creek Road** so there is no way known that we will not distinctly hear and be impacted by noise generated by all these vehicles coming and going to the proposed development. In the summer when we have our windows open the noise of all the traffic driving along Rushes Creek Road at all hours of the night will be intolerable. **All this road noise will disrupt our sleep and we will suffer from a significant amount of Sleep Disturbance.**

Currently there is not a lot of traffic which travels past our home at night or in the early hours of the morning. If this development is approved there will be a very large volume of traffic going past our home at all hours of the night making a significant amount of noise. The night time traffic that this development will produce will certainly be very noticeable and will affect our sleep which will result in us having a significant amount of sleep disturbance.

The noise of trucks and other vehicles driving and manoeuvring around the proposed poultry farm will also generate a lot of noise. Trucks starting off and moving around the farm will create a lot of noise at night, especially when they are loading the birds. **Noise travels very well out here especially on a clear night and a on a cold crisp winter morning.** Being the owner of the adjoining property one thing is for certain we will be significantly impacted by the noise generated by the proposed development. We will distinctly hear the traffic noise as it passes the front of our home at all hours of the day. In the summer months when we have our windows open the noise of trucks driving along the road and around the farm at night will result in us having an even greater amount of **sleep disturbance.**

Given the small separation distance that this development has to our home there is no way known that our property will not be severely impacted by an unreasonable amount noise which will be emitted from this development should it go ahead. **Even the poultry industry themselves admit that it is simply unworkable to expect a chicken farming operation to operate with nil noise at a property boundary or in close proximity to it.** The EPA advises that prolonged exposure to loud noise can result in increased heart rate, anxiety, hearing loss and other health effects.

The proponent states that a consultant (Global Acoustics) was engaged to undertake an assessment of noise emissions and the potential impacts associated with the development. They have carried out modelling to predict the impacts of the noise which will be emitted by this development. I have serious doubts in regard to the modelling produced by the consultant for the proponent.

1. The modelling is based on predictions only.
2. Model predictions cannot be verified.
3. It is not site specific. There has been no data gathered from the proposed development site. There is no noise monitoring site in the vicinity of the proposed development.
4. The modelling was based on measurements taken at ProTen's Bective Poultry Production Farm. This farm is only a fraction of the size of the proposed farm and would not produce anywhere near the amount of noise that the proposed development

will. How can this possibly be a credible source of information in determining the potential noise impacts to our home, for the life of this development?

5. The consultant incorrectly advises “that the increase in traffic would likely cause an insignificant increase in road traffic noise levels and is unlikely to be noticed.” **This statement is false.** There is no way known that an additional 26,000 vehicles per year on the road, which are mostly heavy vehicles (17,000), will not significantly increase the level of road noise and will not be noticed.
6. The modelling was carried out by consultants engaged by the proponent to give him the results he wanted. A bit like marking your own homework. Independent modelling would produce different conclusions.

Noise emission rates are unknown at new farms (the proposed farm) because the sheds are not yet built and the farm is not operational. Noise emission rates for new farms are likely to differ from existing farms at other locations. **Noise emission assessment is a design tool, which can only predict the likely noise impacts. Once the farming facility is operational, unforeseen noise impacts may be experienced.**

Visual Impact:

Our house is only 1025m away from where farm 4 of the proposed development will be. This farm will have 16 massive sheds with 4.7 metre high roofs and 24 silos which will be 8 to 10m high, plus workshops and storage sheds. These sheds and silos will be clearly visible from our home. Currently from our back veranda we enjoy a rural outlook with uninterrupted views to the North West to Mount Dowe, which is part of the Mount Kaputar National Park. If this development is approved our views to the North West from our house will be sheds and silos.

The visual amenity we currently enjoy will be lost forever! The visual amenity of a rural property overlooking grazing and cropping land that we currently have will be significantly affected and gone forever. If the development goes ahead the view we will have will be of a large factory farm comprising a huge number of sheds. The intrinsic value that we have for our home and the local area will be lost forever if this development is allowed to proceed.

Not only will we see the sheds and silos of farm 4 from our house, but we will see them from most places on our farm as we do our day to day farming activities. We will also be able to clearly see Farm 3 from several locations around our farm. We will also be able to clearly see farm 2 from the northern end of our farm. It is also very likely that we will be able to see Farm 1 from our farm. All of these farms will be very dominate structures that will be clearly visible from a large distance, let alone at a distance of 100 to 125 metres from our boundary (farm 4).

All of the farms in the proposed development will be visible from Rushes Creek Road. Farm 2 will be very visible from the road as it is the largest and closest to the road. The proponent claims that “the natural southeast-northwest trending ridgeline running through the centre of the development site will shield Farms 1 and 3 and likely Farm 4 from view of Rushes Creek Road”. This may be so for traffic heading south along Rushes Creek Road but certainly will not be the case for traffic heading north along Rushes Creek Road towards Manilla. All of these farms will have a very significant impact on the rural character and the visual amenity of the local area.

Objection to SSD 7704

In addition to the massive farms, the proponent intends to build a new power line from Manilla to the development site to service it. This power line will have a major visual impact on the local area. The natural value and the rural character of the local area will be changed forever by this development.

The proponent advises that farm 4 has been moved to the north to lessen its visibility from our home. It has been moved just 100m north from its originally planned location. To suggest that this will make any difference to that farm's visual impact on our home and our farm is just nonsense (each shed is longer than that). It must be remembered that this farm is a massive complex of sheds. The poultry sheds themselves (farm 4) will occupy an area in excess of 4.6 hectares. The total area that farm 4 will occupy will be approximately 20 hectares, that's a very large lot of buildings that will be clearly visible from our home. At our boundary we will be dwarfed by this development.

Farm 4 of this proposed development will have the majority of its sheds built only 100 to 125 metres from our boundary. This proposed farm is now going to be 1,025 metres from our house instead of the originally planned 950 metres. This will not change farm 4's visual impact on our home. The visual impact on our farm remains exactly the same as it was. No one would be gullible enough to believe that this very minor amendment in location will make any difference to farm 4's visual impact on our home and farm. Surely there is no way that the Department of Planning and Environment would agree that this very minor amendment to the location of farm 4 will make any difference to its visual impact.

Traffic:

This proposed development if approved will generate a significant amount of traffic. In the EIS there is a table (Table 10, page 69) which shows the estimated traffic volumes that the proposed development will generate. **The estimated traffic volumes appear to be grossly understated.** The development application lodged by Baiada for the property "Strathfield" on the Namoi River Road had an estimated traffic volume of over 35,000 vehicles per annum for a development that will house a smaller number of broilers than is proposed in this development! The proponent has stated in his EIS that in the event of not being able to source enough water from the Namoi River due to a low flow or drought (which we are experiencing now!) they would truck in water. This will result in even more truck movements so therefore, **the estimated traffic volume that will be produced by this development has been understated by the proponent.**

There has already been an increase in the traffic along our road now coming and going to the development site. A lot of timber trucks have been delivering logs to the site so that they can be shredded into sawdust. This sawdust has then been trucked out of the site by tippers. All of these truck movements have not been mentioned in the proponent's development proposal.

Table 10 (page 69) states that the anticipated traffic volumes will be over 26,000 vehicle movements per annum, with almost 17,000 of these being heavy vehicles. Over 40% (almost 7,000) of heavy vehicle movements will be at night. Most of the heavy vehicle movements (6,452) at night will be semi trailers and B double semis that will be removing birds. All of these heavy vehicle movements at night will certainly generate a significant amount of noise as they drive past the front of our home in the dead of the night.

Over 14,250 close to 85% of the heavy vehicle movements will be semi-trailers or b-double semis. All of these heavy vehicle movements are certainly going to put a large strain on the local road network. Rushes Creek Road is not up to good enough standard to carry all these

additional trucks, Tamworth Regional Council is constantly sending its road patching truck along Rushes Creek Road now patching up potholes. Also the road is not wide enough in places. Rushes Creek Road would barely be 6 metres wide in places which certainly doesn't leave much room for two three metre wide B-double semis to pass. If this development is approved a lot more trucks will be using this narrow road and it will only be a matter of time before there is a serious truck accident on this road. At present there is not a lot of traffic on Rushes Creek Road late at night or in the early hours of the morning. The chances of a serious truck accident on this road at night will be even greater given the large volume of trucks that will be generated by this development.

Practically all of the traffic generated by this development will be going past our home and farm. The increased traffic to be generated by this proposed development will impact our farming operation. Our property is on both sides of the Rushes Creek Road and as such we often move livestock and machinery across the road. It's bad enough now moving livestock across the road as people will not slow down and give the right of way to the stock crossing the road (as they are required to by law). What's going to happen when all this extra traffic is generated, most delivery drivers and transport operators will be in too much of a hurry to meet their delivery schedules and will not be prepared to slow down and give our stock the right of way.

The large volume of traffic coming and going from this development has the potential to adversely impact on our farm's biosecurity. All these vehicles coming and going have the potential to carry with them pests and diseases that could be detrimental to our farm. There is the potential for weeds, insect pests and diseases being spread by all the vehicles as they pass our property day in and day out.

In addition to road traffic there will be a large amount of traffic that drives around the farm. Such as farm workers and farm machinery like forklifts and tractors. All of the heavy vehicle movements at night will generate a lot of noise as they drive and are manoeuvring around the farm, especially when they are loading birds.

Lights:

As the proposed development is a 24 hour a day 7 days a week operation, the sheds will be lit at night. From our house we will be able to see the glow of these lights every night for the rest of the life of the proposed poultry farm. When the birds reach their desired slaughter weight they will be removed at night, this will result in a lot of **light being generated during this process which will impact on home.**

In addition to the shed lights there will be vehicle head lights that are shone towards our house as vehicles drive around the farm at night. Each farm is to have a one way ring road built around it, so every vehicle that drives around the farm at night will at some stage shine its lights at our home.. All of these vehicle movements will result in **a significant amount of vehicle headlight intrusion on our home.** The amount of headlight intrusion will be substantially increased during the bird removal phase of the production cycle.

From the information supplied in the EIS it is estimated that Farm 4 will have in excess of 2,000 vehicle movements at night every year. Every one of these vehicles will potentially shine their headlights directly at our home at some stage when they are driving around the sheds.

Objection to SSD 7704

When we are doing our day to day farming activities around our farm we will be significantly impacted by the glint and glare produced by this development. We will be impacted by the glare from all the buildings and the glint from vehicle windscreens.

Property Devaluation:

Should this proposed development be allowed to proceed the value of our property will be greatly reduced. A development of this magnitude right on our boundary is going to make our property very hard to sell if not impossible.

With such a large scale poultry farm proposed right on top of us, it's hard to imagine how we will be able to find anyone who is even interested in purchasing our property. One real estate agent has stated clearly to me that "nobody wants to buy a property alongside a poultry farm".

Our property has future sub division potential (currently we have 2 dwelling entitlements). It is close to Keepit Dam and is in easy commuting distance to both Tamworth and Gunnedah. It has a long dual frontage to the Rushes Creek Road and road frontage to the Bidford access road and there is also 2 power lines running across our farm. There are numerous potential home sites on our property that enjoy a rural outlook and have views of Lake Keepit. The aesthetics and appeal (value) of these potential home sites will be lost forever if this development goes ahead.

Tamworth is currently experiencing strong growth and there is strong demand for all classes of real estate. There is currently very strong demand for small rural holdings in our area and the future subdivision potential of our farm cannot be dismissed.

If this development proposal goes ahead, it will in all probability result in Tamworth Regional Council, being unwilling to amend its LEP to allow us to subdivide our property. This will cause a significant reduction in our properties potential market value. If council was to approve a subdivision of our property it is very unlikely that we could sell the blocks given they will be in such close proximity to the proposed development.

Land Use Conflict

The amenity of the local area will be severely impacted by this development. The appeal to us of living in this location is that we have few neighbours and it is a relatively quiet rural area. We know all our neighbours and work with them and help them out if they are in need. The area we live in is a traditional agricultural production area comprising cropping and livestock grazing enterprises. **A very large factory farm like the one proposed is totally incompatible with the adjoining farming properties.** The rural character of our local area will be destroyed if this development is allowed. The peace and quiet that we currently have and enjoy will be lost forever if this development is allowed.

It is our right to farm without risk. **We all have the right to farm but with that comes a responsibility not to impact on other people's lives.** Should this development proceed it will have a significant impact on our lives and the lives of the other nearby residents in the area. A large multinational operation like the one proposed will not care about their neighbours.

The thought of a large scale poultry development being built practically right on top of us does not appeal at all and is very concerning. It must be remembered that this proposed

Objection to SSD 7704

development is enormous; each farm within the proposed development will occupy a considerable area of land. The proposed development is totally incompatible with the existing properties and farms in the immediate vicinity of it.

The appeal of living in our own home and living in the local area will be destroyed if this development proposal is approved. The current visual amenity of a rural property overlooking grazing and cropping land will be lost forever, instead the view we will have will be of a large factory farm comprising a huge number of sheds.

Existing residents and rural producers all have a right to live in and enjoy the rural environment. If this proposed development goes ahead the rural environment we and our neighbours currently live in and enjoy, will be destroyed. Our day to day life and the day to day life of our neighbours will be significantly affected if this development is allowed.

The proposed development is totally incompatible with the recreational activities that occur on and around the foreshores of Keepit Dam. There is no way that a large factory farm like the one proposed by the proponent could be considered as compatible with recreational activities that occur on the adjoining lake Keepit area. Lake Keepit is a popular sport and recreation destination offering attractions for water sports, gliding and other activities. Some of the recreation activities that occur on or around the foreshores of Keepit Dam are as follows; fishing, camping, water skiing, sailing and bush walking.

It is well known and documented that the poultry industry causes land use conflicts. The impacts of odour, dust and noise are the main forms of conflict. Other forms of conflict relate to traffic and visual impacts. **Every year the Environmental Protection Authority (EPA) receives a large number of complaints about poultry farms in relation to odour issues.** Every year the EPA also receives complaints about poultry farms, in relation to dust and noise.

The Department of Primary Industries advises that **land use conflict arising from odour from the poultry industry is a significant issue** that has the potential to inflame community tensions.

Biosecurity Risk

As of 1 October 2017 changes have been made to strengthen the Livestock Production Assurance (LPA) program. There are new biosecurity requirements that producers need implement to be recognised as LPA accredited. Livestock farmers are now required to have a Farm Biosecurity Plan and implement best practice biosecurity practices on our farms and complete the LPA learning module to ensure we are meeting requirements.

Biosecurity is important because it protects our economy, environment and community from pests, diseases, weeds and contaminants. Not only is biosecurity vital for industry, it allows us to enjoy our unique natural landscapes and environments that are the envy of many.

The proposed development does not comply with NSW Department of Primary Industries (Best Practice Management for Meat Chicken Production in NSW) biosecurity guidelines.

The proposed development will adversely affect our farms biosecurity as well as that of the other adjoining properties in the area. With all the vehicle movements to and from the

Objection to SSD 7704

proposed development on a daily basis there is a very high risk of the spread of diseases and pests. All the vehicles coming and going from the proposed farm have potential to carry with them and spread diseases, insect pests and invasive weeds.

It is anticipated that there will be a considerable amount of feather drop as the birds are transported past our farm on their way to slaughter. This will have a major impact on our farms biosecurity? Any feathers that come off the birds as they pass our property have the potential to contaminate our farm. Any crops that we grow in the future will be contaminated by feathers especially in our paddocks close to the road.

Should there be a pollution incident or a contamination issue at the proposed development our farms biosecurity will be affected. Any breach of the proposed poultry farms biosecurity has the potential to severely impact our farms biosecurity. The risks can impact our market access both domestically and internationally, our ability to supply safe food and our social amenity. Should our farms biosecurity be adversely impacted by this development our farms LPA accreditation will potentially be lost, meaning we will not be able to sell our livestock.

Will the proponent undertake effective feral animal, wildlife and weed control programs. If weeds, feral animals and invasive (plant and animal) species are left uncontrolled and allowed to proliferate, there will be a major detrimental effect on our farms biosecurity and all the other adjoining properties in the area.

It is commonly believed that poultry farms attract feral pigs. They are attracted to the effluent in the sediment and detention dams, by feed spills and dead birds. If this occurs the biosecurity of the whole area could be severely impacted. Currently there is only a small population of feral pigs in this area. If the proposed development is allowed to proceed the feral pig population in our area will greatly increase.

Proximity to Keepit Dam

It should be a major concern to everybody how close the proposed development is to Keepit Dam. The proposed development site adjoins the foreshores of the dam! Farm 1 of the proposed development will be less than 800m from the full surface level of the dam. All of the 4 farms (54 sheds) are to be within 3km of the dam. **It seems highly unlikely that the Environmental Protection Authority (EPA) would deem that the proposed development is appropriate in the planned location.** The proposed development is in the wrong place and a better site should have been sought. The proponent of the development has not done enough due diligence in site selection.

Surely there is no way that a development of this size could be allowed. Not only does farm 1 have an inadequate separation distance from the full surface level of Keepit Dam the whole development proposal has insufficient separation distance. The proposed development has the potential to have a **significant detrimental effect on the water quality of Keepit Dam.** There is no way that the Environmental Protection Authority would approve this development proposal.

In terms of biosecurity, Best Practice Management for Meat Chicken Production in NSW (Department of Primary Industries 2012) recommends that new farms should be

located at least 3,000 meters away from waterways and wetlands, to minimise the potential of waterfowl contracting from or carrying to the meat chickens, avian diseases. Surely with the number of waterfowl that inhabit Keepit Dam, it would be considered to be a wetland. Given the large number of waterfowl that inhabit Keepit Dam, how can this development even be considered, as all the sheds are proposed to be built within 3,000m (3km) of the dam?

The development site drains directly into Keepit Dam. In a flood or an extreme rainfall event contaminants would be washed straight into the dam. Should there be a contamination issue or a pollution incident at the proposed development site, there will be no stopping it from entering the waters of the dam.

What are the potential environmental ramifications of this development? There's the potential for the contamination of Keepit Dam which poses a threat to both the water fowl and fish that inhabit the dam not to mention the health risks to the recreational users of the dam.

The detention basins proposed by the proponent to be built at each farm would not be capable of stopping all the storm water from entering the waters of Keepit Dam in an extreme rainfall event. This would result in the contamination of the dam.

The Preliminary Environmental assessment stated that each farm would have 2 sediment dams (detention basins) designed for a 1 in 20 year rainfall event, which seemed grossly inadequate. Especially as the recently completed stage, of the Keepit Dam safety upgrade has the dam designed to with stand a 1 in 5,000 year flood event. Tamworth Regional Council also expressed concern regarding the adequacy of detention basins designed for only a 1 in 20 year flood event. The final EIS now has each farm having one detention basin designed for 200mm rainfall event over a 72 hour period (a 1 in 100 year rainfall event). This still seems inadequate (we are currently experiencing a 1 in 100 year drought), the proponent and his consultants have absolutely no idea how the water runs of this country in an extreme rainfall event. If any of the detention basins fail or be overtopped in an extreme rainfall event, any contaminants held within them will end up in the waters of Keepit Dam.

The City of Tamworth and the Tamworth region is experiencing strong growth at present. The Council has expressed its desire to grow the city's population to 100,000 people by the year 2050. As part of this long term strategy it needs to consider where it will secure and source enough water for the city's growing population. One option is to build a pipe line from Keepit Dam to Tamworth. Should the proposed development be allowed to proceed there will be a significant detrimental effect on the water quality of Keepit Dam. If the council wishes to source water from Keepit Dam to insure its future growth, it seems highly unlikely that it would support the proposed development given the potential threat it poses to the dam's water quality.

Given the concerns that State Water, the Department of Primary Industries, the Office of Environment and Heritage, the Environmental Protection Authority and environmentalist would have (should have) with the proposed location of the proposed development. It seems incomprehensible that the NSW Department of Planning and Environment would even consider giving this development proposal approval.

Surface Water Contamination:

This development (if approved) will result in a huge amount of earthworks being undertaken on the site. There will be 4 sites levelled for the construction of the 4 farms. There will also

Objection to SSD 7704

be several kilometres of internal roads constructed. The proponent states that the disturbance footprint of this development is approximately 88ha. That's a massive amount of earth and soil to be moved. This substantial amount of earth and soil disturbance is going to result in the natural drainage lines of the property being altered and changed forever. Three of the farms (farms 2, 3 & 4) are proposed to be built across existing farm waterways; surely this isn't permissible in any development. There is no way that the NSW Soil Conservation Service would consider that it is appropriate to build major farms across existing waterways.

It would seem that the proponent of this development has/had no idea where the natural drainage lines of the proposed development site are. I talked with an employee of SLR consulting at the property boundary in early 2017 and he was uncertain as to where the water flowed and in which direction the contours drained the water from subject property. He also expressed the opinion that he did not think that the farms should be allowed to be built across existing farm waterways.

Farm 3 of the proposed development was moved to the North from its originally planned site after the proponent of the development realised that it significantly encroached onto a major farm waterway that flows out of the south western corner of the site. However farm 3 will still encroach onto a minor waterway which drains water to the south.

With all the soil and earth that is to be moved what is going to happen in extreme rainfall events. There will be significant disturbance of the ground layer, particularly during construction that could lead to an increase in erosion. The existing farm drainage lines and waterways will be totally altered what impacts this will have, is unclear. Any change in drainage lines has the potential to impact the properties downstream of the proposed development.

The positioning of the poultry production units (farms) across existing waterways and drainage lines will significantly impact the effectiveness and capacity of the existing farm drainage lines. Any alteration in the drainage lines could lead to unforeseen flooding and out of bank flows during heavy storm events, which could result in an increase in erosion resulting in sediment issues downstream of the proposed development.

Farm 4 of the proposed development will be built along my boundary over a major farm waterway. The proponent intends to divert any runoff water around farm 4. To do this the proponent will need to have a major drainage channel constructed around either end of the shed complex to drain the runoff water. This will result in a significant disturbance of the ground layer that could lead to an increase in erosion.

The proponent will also need to place a large amount of fill across the existing waterway to build farm 4 on this site. The site will need to be levelled and filled to build his sheds this will effectively dam the runoff water that would normally flow down that waterway. There is the potential that part of my property will be inundated by storm and flood waters when the runoff water cannot get away quick enough in the altered drainage channel that is proposed for farm 4. The proponent and his consultants have absolutely no idea how much water runs off this country in an extreme rainfall event.

What potential contamination will the adjoining properties to the proposed development experience as a result of water running off the sheds and road networks during flooding and extreme rainfall events? There is no way that each of the proposed farms detention dams will capture all the runoff from the sheds and road network during an extreme rainfall event. It is doubtful that the soils in the local area will have the ability to hold and absorb the extra

nutrients and contaminants produced by the development. Should the soils be unable to absorb the extra nutrients and contaminants produced by the development this will result in greater contamination of the surface water.

Another major concern the local population has with development is where will the proponent get the water needed for this development? Presently the Namoi River is barely flowing due to the ongoing drought we are currently experiencing. There is such a low flow in the river at present between Manilla and Keepit Dam that you could walk across it in several places without even getting your feet wet!

Ground Water Contamination

It is an unknown what effect this proposed poultry farm will have on the ground water. It is understood that they will not be using any ground water in the development, but what are they potentially going to introduce to the ground water? Each farm will have a detention dam to capture the runoff from the sheds and their surrounds. The run off collected in these dams will either be evaporated or absorbed into the ground. The unanswered question is what contaminants will wash off the farm buildings and surrounding road network and be absorbed into the local groundwater system. It would certainly be naive to think that there would be nothing.

Any contaminants that are captured in any of the farm detention dams will leach into the groundwater system. This will have a major detrimental impact on water quality of the groundwater in the local area.

The developer claims that the groundwater in the area flows away from the southeast-northwest trending ridgeline in the centre of development site towards the Namoi River in the north, west and northwest. I should also point out that if the groundwater flows away from the southeast-northwest trending ridgeline in the centre of the development site that would also mean that the groundwater would flow to the southwest of the site towards Plain Gully. Any pollutants that infiltrate the groundwater from farms 3 and 4 of this development will flow that way.

Any groundwater flowing to the south or southwest of farms 3 and 4 will be flowing towards my property. Which means the water quality of my groundwater could potentially be impacted by this development.

On our property we have 3 ground water sources that are less than 15m deep. There are two wells and one bore all within 1km of farms 3 & 4. The depth to the water in the wells is normally around 8 to 10 metres. Last time we pulled the pipe up in our bottom bore (end of December 2017) it was less than 5m to the water (when I was a child the water would run out of the top of this bore in wet times). Given the very close proximity of the proposed development to our ground water supplies, the risk of contamination cannot be dismissed.

Another major concern we have with groundwater is what happens if the proponent starts extracting it? Should the proponent start extracting the groundwater we could potentially lose our groundwater which we rely on for our stock water. Whilst it is acknowledged that the proponent has stated that they will not be using any groundwater. Why has the proponent gone into so much detail in bore baseline assessments (appendix E in the EIS)? If the water requirements of the development cannot be met during times of low flow in the river or during drought conditions (as we are currently experiencing) the proponent may wish to start

extracting ground water. What guarantee do we have that the proponent will not start extracting any groundwater in the future?

Environmental Concerns

Given the proposed developments very close proximity to Keepit Dam surely there must be major concerns as to the potential impact this development may have on the dam. Not only is the water quality and the health of the dam at risk, what are the environmental consequences to the fauna, reptiles, birds and aquatic life that inhabit the area. What antibiotics and growth promotions are used in the chicken meat production process and what effect will they ultimately have on the environment? What happens if there is a contamination issue or a breach of the farms biosecurity? Should this development be allowed to proceed there is the potential that the local ecological communities that inhabit Keepit Dam and its foreshores will be threatened.

Should any of the 4 farms of the proposed development experience a major pollution incident this could ultimately result in the contamination of Keepit Dam. Should a contamination of Keepit Dam or a major breach of the proposed farms biosecurity occur all the users of Keepit will be affected. Keepit Dam is used for flood mitigation, irrigation storage, potable water supply for downstream towns and villages, all forms of recreational activities and power generation. Given the large number of uses that Keepit Dam has any contamination or biosecurity breach by the proponent would be an environmental disaster. How can this development even be considered given the potential risk it poses to the water quality of the dam? What are the potential health risks to the recreational uses of the dam that may arise if there was an emergency disease outbreak at the proposed farm? Any contamination would be a disaster for the wildlife that inhabits the dam and its foreshores.

If there is an extreme rainfall event the detention dams at each of the proposed farms may be unable to hold all the stormwater. If the detention dams fail all the stormwater together with any contaminates held within them will end up in Keepit Dam. What are the potential ramifications to the health of the fish and birdlife that inhabit the dam?

Keepit Dam is home to a very large population of water fowl. The potential of disease being introduced to the wild birds from the poultry farm cannot and should not be dismissed. The proponent of the development is only worried about disease being introduced to the chicken flock not vice versa. Surely disease can be spread both ways. Should there be an emergency disease outbreak such as avian influenza both domestic and wild birds will be at risk.

The proponent in his own environmental impact statement, states; *“There will not be any re-use of stormwater run-off within the poultry sheds for biosecurity reasons. While the captured roof water can be chlorinated, there is still an element of risk associated with introducing disease pathogens from other bird life to the livestock and the possibility of spreading disease.”*

If there is an element of risk that disease from other bird life can be introduced to the broiler flock, surely it stands to reason that there would also be an element of risk of the broiler flock introducing diseases to the bird life that inhabit this area.

Each farm will have large detention dams to capture the runoff from the sheds and their surrounds. These detention dams will no doubt attract waterfowl from Keepit Dam so therefore there will be the potential for the poultry to transmit disease to the waterfowl that inhabit Keepit Dam when they visit these dams. Stock (the meat chickens) can become infected and show no clinical signs of disease, yet can still transfer disease to other birds. The waterfowl and other native birds may be exposed to disease organisms that they have no normal immunity to.

Given the environmental concerns that State Water NSW, the Department of Primary Industries, the Office of Environment and Heritage, the Environmental Protection Authority and environmental groups would have with this proposed development. It seems incomprehensible that the NSW Department of Planning and Environment would even consider giving this development proposal approval.

Lack of consultation

The proponent of this development has not undertaken genuine community consultation regarding this proposed development. This is in breach of the requirements of the NSW Department of Planning and Environment. The Secretary's Environmental Assessment Requirements (SEARs) states in a letter to the proponent; *"I wish to emphasise the importance of effective and genuine community consultation and the need for the proposal to proactively respond to the community's concerns. Accordingly, you must undertake a comprehensive, detailed and genuine community consultation and engagement process during the preparation of the EIS. This process must ensure the community is informed of the development and engaged with issues of concern to it. Sufficient information must be provided to the community to enable a good understanding of the development and any potential impacts."*

There has been no community consultation or engagement by the proponent during the preparation of the EIS. The community has not been fully informed of the development, which therefore means it is not aware of any issues that may concern it. No information has been provided by the proponent to enable a good understanding of the development and any potential impacts it may have. There has been no attempt by the proponent, during the preparation of the EIS, to consult with any of the neighbours regarding the proposed development.

This lack of consultation also does not comply with the guidelines set by the NSW Department of Primary Industries best practice management for meat chicken production in NSW. The proponent did not discuss the proposed development with us before the Development Application was lodged.

Prior to the lodgement of the Development Application for this proposed development the only consultation we formally had regarding this proposed development was a meeting/site inspection on the 15th of December 2016 at Happy Hills. This meeting was an exercise of

bloody mindedness by the proponent. The take home message from the proponent from this meeting was; we have bought this land and we are building a major broiler farm and there is nothing you can do about it because we have all the government instrumentalities on our side. The proponent was very arrogant at this meeting and would not answer our questions or address our concerns regarding the development proposal. The proponent made it clear at this meeting that there would be no compromise.

To give some examples of how the meeting went on the 15th of December 2016, here are some of the questions and answers given at that meeting;

1. My brother asked the question; why are you proposing to build the sheds so close to the southern boundary of the site when you have 1,200 hectares of land? The answer he got was: *it is the best site we have identified*. This I know is nonsense as the proposed shed sites were not physically inspected until after the purchase of the proposed development site had been agreed to. It is obvious that the initial sites selected for the proposed farms were selected via a desk top study. It was not until the purchase of the proposed development site was finalised (February 2017) that the site was fully inspected by the proponent. The proposed site of farm 3 was moved to the North after it was discovered that it encroached onto a major farm waterway.
2. A neighbour asked; what is the possibility of getting hold of some chicken manure? The answer he got was; *do you want to take the lot?* The response from my neighbour was no. The proponent then said to him; *don't waste our time as we have contractors in place that handle that*. Basically the attitude of the proponent was, you're not getting anything and if you want manure pay the contractor for it.
3. Another neighbour asked; so there is no chance of getting small loads of manure then? The response he got was; *well I suppose you want eggs as well*. This attitude just goes to demonstrate the arrogance and the total lack of respect the proponent has to the residents of the area.

The NSW Department of Primary Industries Best Practice Management for Meat Chicken Production in NSW require that proponents of developments undertake community consultation. The DPI recommends that proponents of developments adopt a Good Neighbour Policy, where relations are built on the principles of mutual trust, good neighbourliness and consideration. The clear message we got from the meeting we had, with the proponent of this development on the 15th of December 2016, is that they can't be trusted and they don't care or want to know about their neighbours. The attitude of the proponent at this meeting certainly does not bode well for future neighbourly relations and **breaches the guidelines of Best Management Practice as set down by the NSW DPI.**

Since the meeting of December 2016, there was no further information provided by the proponent, as to what is happening with the proposed development prior to the Development Application being lodged. There was no consultation during the preparation of the final EIS for the development. They made no attempt at all to contact me, to discuss the issues and concerns that I have with the proposed development.

Objection to SSD 7704

This lack of consultation by the proponent has created a very large amount of uncertainty for us. What are they not telling us? What are they trying to hide? There has been absolutely no consideration given by the proponent to us. This certainly doesn't bode well for future neighbourly relations.

The proponent advises (claims) in their EIS that there has been stakeholder consultation. This seems doubtful as the managers of both the Lake Keepit State Park and State Water Resources office at Keepit Dam knew nothing about this development proposal until my brother advised them of it. He has also asked the planning department of Gunnedah Shire Council about this development proposal and they knew absolutely nothing about it! So clearly there has been very little if any stakeholder consultation regarding this proposed development. **This lack of consultation by the proponent breaches the NSW Department of Planning and Environment Requirements.**

In an attempt to find out what was happening with this proposed development, my brother has contacted the planning department of Tamworth Regional Council and the NSW Department of Planning and Environment on a number of occasions over the past two years. This was a waste of time as both organisations would not provide him with any additional information in relation to the proposed development.

Whilst Tamworth Regional Council acknowledged that a development was proposed, they claimed to know nothing about the details of it. This appears strange as Tamworth Regional Council is a major stakeholder and should have been consulted by the proponent during the preparation of the EIS and before the Development Application for the project was lodged.

On each occasion that he contacted The Department of Planning and Environment, he was advised that the proponent was still working on the EIS for the project and they (Department of Planning) were expecting a Development Application to be lodged in the very near future. He was advised by the Department of Planning that **the proponent was having trouble meeting the odour criteria in their odour modelling for the proposed development!** Given that the proponent had so much difficulty in the preparation of the EIS with their odour modelling, would indicate that the development proposal should not be permitted.

My brother again contacted Sally Munk of the NSW Planning and Environment Department on the 2nd of August (2018) and asked what was happening with the development proposal. She advised that they (Dept of Planning) were expecting the final EIS and DA to be lodged by the proponent in the next month to six (6) weeks (by mid September). He advised her that the proponent has made absolutely no contact with me or any of the other adjoining landowners during the preparation of their final EIS for the proposed development. He also advised her that since the initial site meeting that was held on the site on the 15th of December 2016, the proponent has made no attempt to consult with or inform me regarding the development proposal. **This lack of consultation by the proponent breaches the NSW Department of Planning and Environment Requirements.**

In what seemed very odd timing (strange coincidence), the very next day (3rd August 2018) a representative/employee of ProTen left his business card in our mailbox. We contacted him

and asked what he was up to. He said the reason for dropping his business card in our mailbox was to introduce himself as our new next door neighbour. He was very surprised (or made out he was) that we had not been consulted or given any information during the preparation of the final EIS for the proposed development. We have since met him socially as new neighbours and after a few beers and a bit of a chat we have been able to informally find out more (but not much) about the proposed development. However a lot of what he has been telling us is not correct! I'm not sure what his full agenda is but one of the things he was trying to do was talk us out of lodging an objection to this development proposal.

The day before (5th of Sept) the DA and EIS for this proposal was advertised in the Tamworth paper the Proponent for this development hand delivered an invitation to a community information session to be held on the 18th of September 2018. The timing and location of this meeting was obviously a ploy by the proponent to have as few people as possible that could attend. There were several questions and concerns raised at this meeting. However the answers given by the proponent and his consultant did not address the concerns raised.

The take home message from the proponent at this meeting was; we are building a major broiler farm and there is nothing you can do about it because we have the consultant reports that support our development and these reports meet the requirements of all the government instrumentalities. Quite obviously if you are paying consultants mega bucks they are not going to produce a report for you that does not support the outcome you want. Also there is no way that you would put a report in your own EIS which did not support your proposal.

The other take home message from the proponent at this meeting was that he does not care or want to know about the neighbours of this development regardless of who they are or how long they have lived in the area. The proponent doesn't care how much he will affect the day to day life of the existing residents in the area as long as he gets his own way.

It should also be pointed out that not all the immediate neighbours to this proposed development were advised of the community information meetings in relation to this development proposal. In addition to this there is at least one immediate neighbour to this development that did not receive notification from the Department of Planning that a Development Application has been lodged by the proponent!

The timing of the lodgement of the Development Application and the exhibition period of the Environmental Impact Statement for this development has obviously been done to take advantage of the fact that most adjoining landowners are very busy at the moment tending to and feeding livestock in the drought we are currently experiencing. It is obvious that the proponent is hoping that the adjoining owners are too busy at the moment to find the time to lodge any submissions in relation to this development proposal.

Is Development Needed

It is questionable whether another development of this size is needed in the Tamworth region. Baiada currently has development approval for a 70 shed broiler farm on the property known as "Strathfield", Namoi River Road, Manilla. Development of this farm has not yet

Objection to SSD 7704

commenced, so it is questionable if two major poultry farm developments are in fact needed or would even be economically viable in the local area.

Over the years there has been numerous Broiler Farms proposed for the Tamworth area, with several new farms being proposed and receiving development approval yet many of these farms are yet to be constructed. For example, the property “Silverweir”, 448 Appleby Lane, Tamworth. Approval was given in 2010 for the construction of 18 sheds to house 900,000 birds. This development has not commenced as yet. There are many other farms in the Tamworth area that have approval to build additional sheds but have not built them.

There has been a feeding frenzy by the local Planning Authority to allow too many new poultry farms at the expense of the locals. Both local and state Planning Authority’s have been going out of their way to accommodate developers such as the proponent at the expense of the neighbours to these proposed developments. No consideration is given to affected neighbours when these developments are approved. All that is created is a large amount of uncertainty whilst the neighbours wait to see when or even if these poultry farms are actually constructed.

Given the number of development approvals in the Tamworth area, for new broiler farms and additional broiler sheds on existing farms that are yet to proceed to construction, clearly demonstrates that there is no need for another broiler farm development like the one proposed by the proponent. Why would the Department of Planning and Environment give approval for yet another broiler farm in the local area when there has been so many developments approved and yet to proceed to construction.

Why has the proponent of the development continually reduced the number of sheds proposed? Initially the proponent of this development was looking to acquire enough land to build a 80 shed farm, this was then reduced to a 64 shed farm, then it was reduced to a 60 shed farm and now the number of sheds proposed has been reduced to 54. This development proposal has been constantly downsized from the time it was first proposed. This would indicate that the proposed development is not economically viable and the promised benefits the proponent claims this development will bring to the local area will not eventuate.

There are several broiler farms currently on the market in close proximity to the proposed site. This would indicate that there is already an oversupply of broiler farms in the Tamworth area. Some of the broiler farms on the market at present in the Tamworth area include the following;

1. “Moana”, corner of Rushes Creek Road and Oxley Highway, Somerton. This farm has 8 state of the art modern tunnel ventilated chicken sheds with a 450,000 bird capacity. This farm also has Tamworth Regional Council approval for another 4 sheds that would house an additional 225,000 birds.
2. “Kerribree”, Manilla Road, Attunga. This farm has 5 tunnel ventilated sheds, with a total floor area of 12,992m². Four of these sheds are less than 8 years old.
3. 126 Byamee Lane, Tamworth. Five tunnel ventilated fully automatic computer controlled sheds with a 120,000 bird capacity.

Objection to SSD 7704

4. 153 Byamee Lane, Tamworth. Six fully automated sheds with a total floor area of 7,046m².

Surely it would be more prudent for the proponent to buy existing farms that are spread apart. As this would enable greater biosecurity and greater control of potential disease outbreaks as the farms would not be built in one concentrated area. The greater the distance between poultry farms, the less opportunity there is for disease spread.

Currently there are several Baiada farms in the Tamworth area that have ceased production. They are sitting idle with no stock. This further demonstrates that there is already enough sheds in the area and a development like the one proposed cannot be justified. Again, surely it would be more prudent for the proponent to acquire these farms, rather than build a new broiler farm.

It is rumoured that the proponent delayed the lodgement of the Development Application for this development due to the fact that the processor (Baiada), who the proponent grows under contract for was not paying enough. It has been stated on a number of occasions by chicken growers and processors that the major supermarkets are not currently paying enough for the different cuts of chicken meat. Both growers and processors say that you can't make money from \$8 chickens. If the major supermarkets and the processors of meat chickens are not paying enough for the broilers that the proponent is proposing to grow, why is the proponent proposing a new broiler farm?? So is the proposed development needed and will it be economically viable?

On the 29th of March 2018 the poultry provider Red Lea Chickens Pty Limited (who is/was a major competitor with Baiada) was placed into voluntary administration. This resulted in more than 500 workers at the Western Sydney (Blacktown) processing plant and employees at various city retail stores having their jobs terminated. It had been reported in early 2017 by the media that Red Lea Chickens were experiencing financial difficulties.

The collapse of Red Lea Chickens sent a financial shockwave through the farm sector with fears several chicken farms would face closure because they are owed money. Several producers were reportedly owed millions of dollars by the poultry company. NSW Farmers Association said 28 chicken farmers in NSW were owed collectively at least \$4 million as a result of Red Lea failing to honour payments dating back to July 2017. NSW Farmers Association fears that many of these farmers that are owed money will remain out of pocket and will be forced out of business, following the collapse of Red Lea.

The birds that remained on the farms that previously supplied Red Lea, were assigned to other processors including Baiada, Pepe's and Cordina. It is understood that the Department of Primary Industries and the NSW Farmers Association are working with other chicken processors (including Baiada) to ensure that the farmers affected by the collapse of Red Lea Chickens would be assured of a market for their broilers and be able to continue in business.

If Baiada is now being supplied or intends to enter into supply agreements with some of the broiler farms that previously supplied Red Lea, there is no need for the proponent to build

addition broiler sheds to supply Baiada. If the proponent wishes to expand its poultry operations, why doesn't it just take over or acquire the farms that previously supplied Red Lea? Red Lea Chickens has/had one of its largest farms in the Tamworth area, which was facing an uncertain future following the collapse of the poultry provider. The proponent could have taken over or acquired the former Red Lea Tamworth farms, which would save the proponent the expense of building a completely new broiler farm at Rushes Creek.

The former Red Lea farm at Tamworth (244 – 346 Gidley Siding Road) was listed for sale in May 2018 by way of expressions of interest. This farm is in very close proximity to Tamworth and has, 16 sheds set out in 4 farms with their own bio security facilities, amenities block and lunch rooms. The current total floor area of the existing sheds is 17,280m². There is development approval in place for an additional 5 sheds plus approval to extend the size of the existing sheds. The potential total floor area of the sheds is 30,600m² if the sheds are extended and the extra sheds are built. The farm was previously run as a breeder operation but could easily be converted to a broiler growing operation. It is rumoured that Baiada has now purchased this farm. There would be nothing stopping Baiada from selling this property to the proponent.

Health Impacts

Another major concern we have in regard to this proposed development is the potential impacts that a large scale poultry farm will have on our health. **I suffer from asthma.** One of the known asthma triggers I have is dust generated by poultry. With such a large poultry farm right on our boundary it will be near impossible to avoid the dust from the broilers when we are carrying out or day to day farming activities on our own farm. If I have a serious asthmatic reaction to the dust and odour generated from the birds of the proposed farm it could be life threatening, so there is no way that this development should be allowed to proceed. **What other respiratory diseases could develop and reveal themselves if this development is allowed to proceed?**

It is a sure thing that we will be affected by the odours and dust that this development will generate. **The persistent odours will make it very unpleasant and uncomfortable**, when we are doing our daily farming activities around our farm especially on our north western boundary as the sheds of farms 3 and 4 will be in such close proximity to our farm boundary. Not only will it be unpleasant when doing our work around the farm we will also **be severely impacted by odours and dust at our house**. Any dust produced by this development that settles on the roof of our house will end up in our rain water tanks this **has the potential to contaminate our drinking water**. **What other adverse health impacts will we experience** as a result of having to breathe in the air contaminated by the offensive odours and dust that will be produced by this development?

If this development be allowed to proceed, there is no way that we will not be affected by the odours generated by it and **our quality of life will be adversely impacted**. **Scientific studies have shown that Air Pollution produced by odour and dust can have serious health impacts such as heart attacks and increased rates of asthma. This is a major concern to my brother who suffers from asthma!**

The exposure to the endless noise that this development will produce also has the potential to affect our health. Health effects of **sleep disturbance** due to excessive noise exposure can

affect **quality of life** during subsequent waking hours. The EPA advises that prolonged exposure to loud noise can result in increased heart rate, anxiety, hearing loss and other health effects.

Not only is there the potential for our health to be severely affected by this development but the recreational users of Keepit dam and the other nearby residents will be at risk of adverse health impacts. This development has the potential to cause significant discomfort to all the nearby residents and the users of Keepit Dam. Health impacts may not be evident at the start of the development but may develop over time and have a cumulative effect on our health and our neighbour's health. Any potential of health risks as a result of this development cannot and should not be dismissed. There is a potential of diseases being transferred from the birds to humans.

The uncertainty around what impacts this development will have is also taking its toll on us. We are very worried and are feeling very uneasy, as we don't know what is going to happen if this development goes ahead. There are so many potential adverse ramifications that this development may have on us, such as; health impacts, exposure to odour, dust, noise, loss of amenity, devaluation of our farm etc. To say that **we are feeling threatened by this massive development and are very anxious and stressed about the potential of such a large factory farm being allowed to be built basically right on top of us**, is an understatement.

This development proposal is already affecting my health I can't sleep at night due to stress and anxiety this proposal is causing. The large amount of concern and uncertainty that this proposal has caused as is causing is affecting my mental health. As if I need anything else to worry about during the severe drought we are currently experiencing.

Offer to Purchase part of our holding

It is obvious that the proponents (Pro Ten) of this development are acutely aware that our property is going to be severely affected by it, should it proceed. In February 2016 they through their real estate representatives approached us and offered to buy a vacant 52ha portion of our property adjoining farms 3 & 4, but what they offered was far less than what properties had been selling for in the area. Of course we said NO! Since that time rural property values in our area and the Tamworth region have risen significantly, which clearly demonstrates that the price offered to us was well below the mark.

They also offered to pay us a lump sum of \$300,000 to vacate our home on the understanding that we entered into an agreement that we did not reside in our own house (basically they just wanted us to go away). The amount offered is well below its replacement cost, its insured value is almost double this amount. **How ridiculous is this, we would still own the land and the house but not have the right to occupy our family home.** I should point out that our family has owned and farmed this property for almost 125 years (4 generations) so what an insult this proposal was to us. Our family connection with this property may even be longer, as our great grandfather may have leased or worked on this farm before he had the means and opportunity to purchase it. We have a very strong emotional attachment to our family home and farm.

The fact that the proponent through their real estate representative was prepared to offer us a lump sum to vacate our home has certainly rung alarm bells for us. This confirms that we are going to be very severely impacted if this development is to proceed. There is no other conclusion that can be made from this offer. It certainly

seems very apparent that we will be adversely impacted and will suffer major inconvenience should this development be allowed to proceed.

The offer of \$300,000 in itself was an insult to our intelligence. This amount would in no way replace our home. The agents suggested we could build another home on our property or buy a house in town. What nonsense that was. This offer was simply an attempt by the proponent to shut us up so that we would not make any complaints about the proposed development.

To build a new house the same size as we currently have would cost considerably more than the sum offered, no allowance was made for the cost of getting council planning approval, site preparation (levelling and clearing), construction of access to the site, electricity supply and connection, water supply, establishment of a garden and construction of outbuildings (garage, garden sheds and dog yards) etc. **The inconvenience and expense of quitting our current residence and establishing ourselves elsewhere would not be met by the amount offered.**

As far as buying a house in town is concerned, we consider that suggestion to be offensive, as the idea of living in town does not interest us at all. Anyway there is no way we could buy an equivalently sized 5 bedroom weatherboard home on a 6,000m² block of land in town for the amount offered. It is pointed out that of our current house yard is approximately 6,000m² in size, the amount offered would hardly be enough buy a vacant 6,000m² parcel of land in town.

Why would we want to live in town and commute to our own farm anyway, this whole proposal was and is just rubbish. Such a move would cost us money another lot of council rates to start with, also the cost of fuel to run back and forth to our own property. The day to day running of our farm would be impacted and the cost of managing our own farm would be increased. We have a perfectly good house on our farm that our family has lived in for over a century and as long as we live and work on this farm we intend to reside in it.

We told Pro Tens real estate representatives that part of the property was not for sale and we would not vacate our family home. However if they wanted to buy the entire property at a price that would more than compensate us for our emotional attachment that we have for our family farm, we may be interested in selling. We are still prepared to sell but any price paid needs reflect compensation to us for the special value this property holds to us.

It seems blatantly obvious we will be adversely impacted by this development and will be given absolutely no consideration by the proponent should the proposed development get planning approval and be allowed to proceed.

Compensation

How will we be compensated if this development proposal is approved? We will in no doubt be significantly impacted by this development there is no disputing that. The proponent has confirmed that we will be affected by this development when he offered us a lump sum to vacate our family home. Will the proponent;

1. **Compensate us for the loss of value our property will experience?** It is obvious that our properties value will be adversely affected by this development, local Real Estate agents have stated that “nobody wants to buy a property adjoining a poultry farm”. If this development is approved the value

of our property will be significantly impacted. We should be compensated for any loss in value that occurs as a result of this development.

2. **Compensate us for the disturbance we will experience as result of the development going ahead?** The proponent was prepared to offer us a lump sum, to enter into an agreement not to reside in our own home, so he can pay us some form compensation.
3. **Pay us an annual payment to put up with the numerous adverse impacts thrust upon us as a result of the development?** Whilst ever we continue to reside in our family home we will be adversely impacted by this development and should be compensated.
4. **Supply and deliver to us an unlimited amount of chicken manure (poultry litter) each year without charge?** This is unlikely as the proponent has stated in his EIS that “ProTen prefers not to see the spreading of litter within a 5 Km radius of a poultry shed”.
5. **Provide and pay for a new set of cattle yards on the eastern side of our property?** This would make it safer for our livestock as they would not have to walk across the road and potentially be hit by the large volume of traffic coming and going to the poultry development that is in too much of a hurry to slow down and give them the right of way.
6. **Provide or pay for alternate accommodation each and every time the sheds are cleaned out so we are not exposed to the excessive odour and dust generated during the cleaning process?** A precedent has been set by Baiada in this respect, as this has been done for a landowner who was affected by one of Baiada’s poultry farms.
7. **Pay for our house to be fully air conditioned?** This would provide us with some respite when we are in our home from the endless odours and dust produced by this development.
8. **Pay for our house to be fully insulated?** This would provide us with some respite from the endless noise that this development will produce.
9. **Pay for a water filtration system on our rainwater tanks?** This would hopefully filter out any contaminates that accumulate in our tanks as a result of the dust that this development will produce.
10. **Purchase our property?** There is no way that we will be able to stay here given all the adverse impacts that this development will have on us. This development will be intolerable our day to day lives will be significantly impacted and we won’t be able to live here.

If this proposal is given development approval and gets constructed what happens in the future if it is found that this development has caused or is causing adverse affects on the nearby residents or is causing damage to the environment. Who will be held accountable, will it be the Department of Planning who foolishly approved the development or will it be the proponent. What will happen to those of us affected, will we be told bad luck the development is now constructed and there is nothing you can do about it, as it is now an

existing use. How will we be compensated if it is found in the future that adverse impacts have arisen as result of the development going ahead?

At no stage during the planning for this development has the proponent said how this development will benefit us or the other neighbours. The development is all about the proponent they do want to know about the neighbours and they don't care. Surely in the interests of future neighbourly relationships the proponent could be less disingenuous and offer us some incentives to accept them as new neighbours. In the interests of neighbourly relations the proponent could, but it is highly unlikely that he will;

1. Give us or our neighbours the opportunity to lease the portion of the property that will not be used for the poultry farms. Currently the property is (was) leased to a person from outside the immediate area. We and our neighbours were not even given the opportunity to express an interest in the lease of the property.
2. Allow us and our neighbours the opportunity to acquire chicken manure (litter) from them. This could benefit all parties, as a means for the disposal of the chicken manure for the proponent and by providing fertiliser for us and our neighbours. This will not happen as the proponent has stated in his EIS that "ProTen prefers not to see the spreading of litter within a 5 Km radius of a poultry shed".
3. Offer us employment. The proponent has claimed that they will create jobs, well give us work. It is noted that the proponent in his shareholder newsletter of May 2017 states that ProTen has sponsored a large number of 457 visa holders to join them as staff, so **will there be any employment opportunities for us locals?**
4. Offer us the opportunity to grow feed grain for them. After all the birds will need feed. The proponent claims there will be flow on benefits from this project so will the proponent buy grain from us if we are prepared to grow it? This won't happen as the feathers from the proponent's chooks will contaminate our farm and he will not buy our grain as it would be a biosecurity issue for him.
5. Offer us the opportunity to grow hay or straw that could be used as bedding for the chickens in the sheds. Will the proponent buy hay, straw (stubble) or other crops that could be used as bedding, should we be prepared to grow them? This won't happen as the feathers from the proponent's chooks will contaminate our farm and he will not

Conclusion

This development proposal should be disallowed and not permitted to proceed. It is hard to believe that the NSW Department of Planning and Environment would even consider giving this development proposal approval.

This development does not comply with the guidelines and recommendations of a number of government departments, including but not limited to the following;

- The NSW Department Of Primary Industries
- The NSW Office of Environment and Heritage
- The NSW Environment and Protection Authority
- The NSW Department of Planning and Environment
- Tamworth Regional Council

The location of this proposed development adjoining the foreshores of Keepit Dam should and would be a major concern to a large number of people. The proponent of this development has not done enough due diligence in selecting the site for this proposal. A wide range of people and organisations would be concerned about the location of this development, including but not limited to the following;

- The NSW Department Of Primary Industries
- The NSW Office of Environment and Heritage
- The NSW Environment and Protection Authority
- The NSW Department of Planning and Environment
- Tamworth Regional Council
- The NSW Soil Conservation Service
- State Water NSW
- Crown Lands
- NSW Sport and Recreation
- Gunnedah Shire Council
- Recreational Users of Lake Keepit
- Environmentalists
- Adjoining residents
- Local population

The proponent has presented modelling and predictions prepared by a number of consultants in his Environmental Impact Statement (EIS) which support his development application. Well the proponent is not likely to present anything in his EIS which is not going to support his development application is he?

The modelling presented in the EIS is only a prediction on the likely impacts of the proposed development. We all know how inaccurate the weather forecast can be. At the end of the day modelling is only a forecast of the likely impacts.

All modelling must remain a little speculative because of the range of variables that are used to develop these models. Data input selection and generation is very subjective and can possibly lead to ambiguous outputs (conclusions). It is difficult to access accuracy in a fictitious study without some kind of measurement to compare against. Some of the concerns I have with the modelling presented in the proponents EIS include but are not limited to the following:

Objection to SSD 7704

- Modelling is open to manipulation
- It is not site specific
- Practically no data was gathered at the development site
- Has been based on predictions and assumptions
- Model predictions cannot be verified
- Only modelling supporting the development has been presented
- Modelling can only predict the likely impacts.
- Once the farming facility is operational, unforeseen impacts may be experienced.

This development if approved will have a significant adverse impact on the local community. Adverse impacts will occur as a result of the odours, dust, traffic and noise the development will produce. In addition to this the development will have a significant impact on the visual amenity of the area. The rural character of the area will be lost and the day to day lives of the surrounding residents will be severely impacted.

No concern or consideration has been or is likely to be given to the neighbours and the existing residents of the area who will be directly impacted by this development. The proponent is more concerned about,

- A small area of Box-Gum Woodland that is half dead and is now dying as a result of the current drought. Farm 3 was moved to the north to avoid this area.
- An area of supposedly higher conservation vegetation made up of native grasses. If there was any native grasses on the development site it's all gone now. The lessee that was running his livestock on the property has grazed it to the point where there is barely a blade of grass left. Any higher conservation areas that may have been present on the development site have been destroyed. The layout of the development was supposedly amended to avoid this area.

History tells us that both local and state planning authorities are pro developer. It is common practice that both levels of planning go out of their way to support and assist developers with any development applications they lodge. Developments are commonly given development approval even though the adjoining owners and other nearby residents are significantly affected.

I request that the development application for the Rushes Creek Poultry Production Farm (State Significant Development 7704) be referred to the Independent Planning Commission for determination.

If it is determined by the Minister (or his Delegate) that this development proposal is to be allowed, I would request that one of the conditions of the development consent be that the developer has to purchase our property. We have a strong emotional attachment with our family farm. Our family has a long history with this property our family has lived here for 125 years. However there is no way we can stay here if this development is allowed to be built basically right on top of us. We demand to be adequately compensated for our emotional attachment and the special value this property has for us as a result of our families' long history with this property. The developer should also be responsible for the payment of our legal and selling costs.