

Statement of Environmental Effects

Avenues 33 Farm Expansion

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This document has been prepared for:

Bartter Enterprises


Contact: Sean Backhaus
Regional Livestock Manager
Bartter Enterprises Pty Ltd
PO Box 21, Pendle Hill NSW 2145
www.baiada.com.au

This document has been prepared by:



Contact: Nicole Boulton
PSA Consulting (Australia) Pty Ltd
PO Box 10824, Adelaide Street, Brisbane QLD 4000
Telephone +61 7 3220 0288
nicole@psaconsult.com.au
www.psaconsult.com.au

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LIST OF ACRONYMS

ABARES	Australian Bureau of Agricultural and Resource Economics and Sciences
ACHA	Aboriginal Cultural Heritage Assessment
AHIP	Aboriginal Heritage Impact Permit
BOS	Biodiversity Offsets Scheme
DA	Development Assessment
DAWE	Department of Agriculture, Water and the Environment
DCP	Development Control Plan
DPI	Department of Primary Industries
EES	Environment, Energy and Science
EPA	Environmental Protection Authority

EP&A Act	Environmental Planning and Assessment Act 1979
ESA	Egg Standards of Australia
FFA	Flora and Fauna Assessment
FTE	Full time equivalent
GLALC	Griffith Local Aboriginal Land Council
ha	hectare
LEP	Local Environmental Plan
m	Metre
ML	megalitre
MNES	Matter of National Environmental Significance
OEH	Office of Environment and Heritage
OIA	Odour Impact Assessment
PCT	Plant Community Type
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
TBDC	Threatened Biodiversity Data Collection
WAL	Water Access Licence

1 INTRODUCTION

PSA Consulting has been engaged by Bartter Enterprises Pty Limited to prepare this Statement of Environmental Effects (SEE) to accompany a Development Application seeking Development Consent for the proposed upgrade of operations at Avenues Breeder Rearing Farm 33 (Farm 33) located on land at Donald Ross Drive, Darlington Point.

Farm 33 currently contains six breeder rearing sheds (6) sheds housing a total population of 75,900 birds. This application seeks consent to demolish the existing six sheds and to construct a new, modern breeder rearing farm to the south of the existing farm. The new farm will consist of ten (10) new sheds containing a total of 156,500 (15,650 birds per shed). As such, the proposed development will increase the total number of birds on the site by 80,600 birds.

Farm 33 is located on land at 808 Donald Ross Drive, Darlington Point and is formally described as Lot 94 on DP750908. The site has a total area of 256.74 hectares and includes four existing breeder rearing farms also owned and operated by the applicant. These farms, while being co-located on the property, operate on separate production cycles and run independently of each other.

This SEE provides details of the subject site and its surrounds in Section 2 and describes the proposed development in Section 3. An outline of the environmental planning controls relevant to the proposal is detailed in Section 5. Sections 4 and 6 assesses the potential environmental effects of the development in accordance with the relevant matters of consideration under Section 79C (1) of the Environmental Planning and Assessment Act 1979 (EP&A Act). Conclusions are provided in Section 7.

1.1 SITE DETAILS

Address	808 Donald Ross Drive, Darlington Point NSW
Property Description	Lot 94 on DP750908
Registered Owner	Sandhurst Trustees Pty Limited
Applicant	Bartter Enterprises Pty Limited
Local Authority	Murrumbidgee Shire Council
Total Site Area	262.237 hectares
Existing Use	Poultry Breeder Rearing Farm
Proposed Use	Poultry Breeder Rearing Farm
Current Zoning	RU1 Primary Production

1.2 SITE OWNER AND OPERATOR

Bartter Enterprises Pty Limited is part of the Baiada Group of Companies (Baiada) which includes the Steggles business. Baiada is a privately owned Australian company providing premium quality poultry products throughout Australia and has an employee base of more than 6,000 people.

The Baiada business is a fully integrated poultry operation encompassing broiler and breeder farms, hatcheries, processing plants, feed milling, and protein recovery. Baiada's products include the sale of live poultry (including breeding stock), poultry feed, fertile eggs, day old chickens, primary processed chicken (raw), processed chicken products and pet food.

1.3 POULTRY CONTEXT

Research undertaken by the Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) indicates that total chicken meat consumption in Australia has increased by an average of 5% per annum over the 10 years to 2022-23, representing 45% of the total meat consumption.

The ABARES commodities report shows that chicken continues to be the most consumed meat in Australia. As shown in **Figure 1**, consumption of chicken meat per person has increased by over 65% between 2000 (~30kg per person) and 2018 (~50kg per person), driven by the product's versatility, convenience and a lower price point compared to beef, lamb and pork. Per capita poultry consumption is expected to continue growing to reach around 51.5kg by 2022-23. The growth of

chicken meat production in Australia in response to this demand is shown **Figure 2** which shows the historical trend and projected increase in the consumption of chicken meat in Australia beyond 2020.

As a result of the ongoing and predicted growth in demand for poultry meat products in Australia, significant expansion of the industry is required. The proposed construction and increase in the breeding and rearing operations at the site is a direct consequence of this increase in demand for poultry products throughout Australia and will provide additional birds within Griffith and allow further expansion of all facets of the Company's regional operations to ensure supply meets demand.

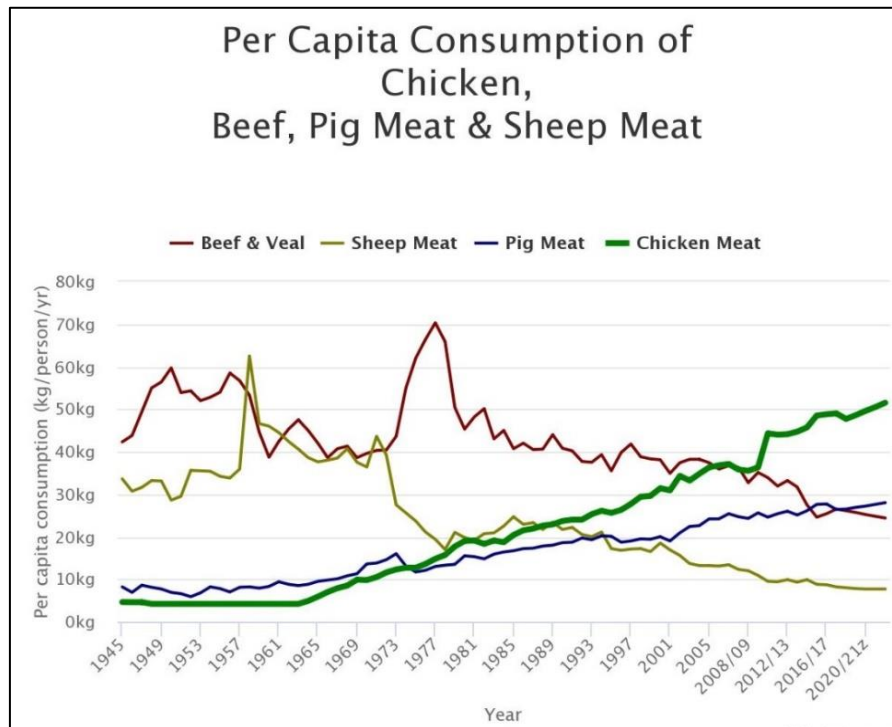


Figure 1: Consumption of various meats in Australia (ABARES, 2018)

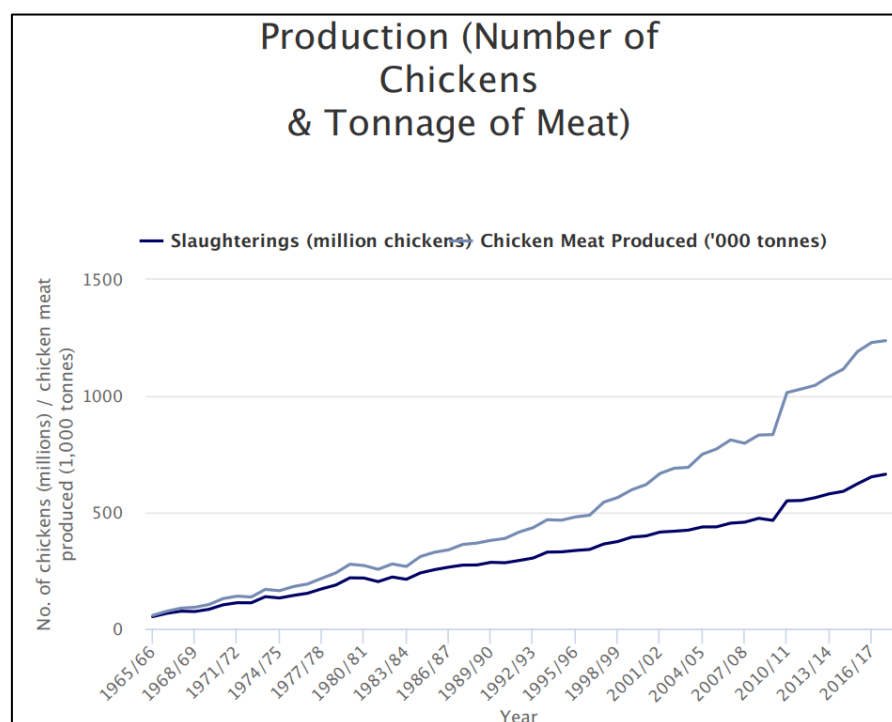


Figure 2: Chicken Meat Production in Australia (ABARES, 2018)

1.4 RIVERINA REGIONAL CONTEXT

In response to the projected demand for poultry products in the Australian marketplace, there is a need to increase production, bird numbers and processing capacity. Without the increase in poultry production within the region, it is highly likely that there will be a significant shortfall in supply of poultry products in the Australian market in the coming years.

The Riverina is an ideal location for expansion and the increase in production capacity. This is due to the existing accumulation of high value poultry assets within a suitable transportation distance as well as the geographic, infrastructure and commercial attributes in the region which have created a poultry meat cluster.

Examples of attributes that make the Riverina ideal for the poultry farming include:

- Proximity to locally grown grain, including wheat and canola;
- Proximity to the existing Baiada Hatchery, Feedmill, Processing Plant and Rendering Plant (within Griffith);
- An ideal climate in terms of temperature and humidity for poultry production;
- Access to high quality water sources;
- Good separation from other poultry operations (for biosecurity purposes);
- Good separation from sensitive receptors and major residential areas; and
- Access to a nearby population source from which to employ local people.

The Riverina is a key poultry growing and processing centre for Baiada and includes the following components:

- Poultry Processing Plant;
- Feed Mill;
- Rearing Farms;
- Breeder Farms;
- Broiler Farms;
- Poultry Hatchery;
- Protein Recovery Rendering Plant; and
- Grain Farms.

At present, the total number of Baiada employees within the region is 1,379 people (including 116 contractors) working at the processing plant, hatchery, broiler farms, breeder farms and feed mill. Additional contractors, growers and other people are also employed as a result of Baiada's operations.

In accordance with existing development approvals, production at the Hanwood Poultry Processing Plant is expected to increase to 2.8 million birds per week within the next 4 years. It is important to note that production timeframes are indicative only as expansion is predicated on the expansion of existing farms, including breeder farms, to meet demand.

This projected growth of Bartter Enterprises' operations within the region will involve the construction of approximately 300 broiler sheds, additional breeder and rearing sheds and farms, expansion to the hatchery, processing plant, rendering plant and feed mill as well as expansion of local supporting industries including transport and logistics and grain production.

The proposed extension to Avenues 33 is a critical component of the expansion of regional operations and, subject to approval, construction is set to commence in 2022.

2 SITE AND SURROUNDS

2.1 SITE LOCATION

Avenues Farm 33 is located on land at Donald Ross Drive, Darlington Point and is described as Lot 94 on DP750908. The site is located approximately 9.5km south east of the intersection of Kidman Way and the Sturt Highway and has a total site area of approximately 262 hectares.

The site has been historically cleared and used for intensive animal industry (poultry breeder farms). The site includes the existing breeder farms, and supporting infrastructure including caretaker's residences, egg packing sheds, spiking sheds, water tanks, dams, and staff amenities. An aerial photo of the existing farm on the site is shown in **Figure 3** below.

The existing Avenues Farm 33 has six breeder sheds with a bird population of 75,900 (which equates to 12,650 birds in each shed).

As outlined above, Avenues 33 is co-located with four other breeder farms which operate on a separate cycles. It is important to note that there is no change proposed to the other farms on the site as part of this Development Application.



Figure 3: Subject site and other nearby poultry farms (NSW Imagery, 2021)

As shown in **Figure 4**, the proposed farm is located a minimum of 618m from the other Avenues Farm and 1.27km from the nearest rural dwelling, not associated with Baiada's operations. These separation distances are shown in **Figure 4**.



Figure 4: Separation distances between existing Avenues Farms and closest sensitive receptor (Nearmap, 2021)

More broadly, the site is located approximately 13km south-south-east of Darlington Point. The site is located in a predominately rural area characterised by a range of intensive animal industries (being Baiada's Breeding and Rearing Operations), cropping and grazing. An aerial photo showing the site and surrounds is provided in **Figure 5**.



Figure 5: Subject Site and Surrounds (Nearmap, 2021)

2.2 EXISTING OPERATION

The existing Avenues Farm 33 is a Breeder Rearing Farm, raising birds from day old chicks up to 20 weeks of age, before transfer to an offsite production (layer) farm. Farm 33 currently consists of the following components:

- Six sheds tunnel ventilated (135m x 14m) each containing a maximum of 14,600 birds (75,900 birds in total).
- 2 Manager Residences.
- A staff amenities building.
- Associated infrastructure and services including, water tanks, gas tanks, feed silos etc.

A site plan showing the existing and proposed development on site is included in **Appendix 1**.

2.3 HOURS OF OPERATION

Existing operations occur 24 hours a day, 7 days a week, with most activity undertaken Monday – Friday between 6am – 6pm. It is important to note that some activities such as collection of live birds at the end of a laying cycle, placement of new birds and other activities can occur outside of these hours in accordance with animal welfare and operational considerations.

2.4 SITE ACCESS

Access to Farm 33 is located off Ringwood Road, which links to Donald Ross Drive, Darlington Point. All traffic will utilise the existing driveway to access Farm 33. Donald Ross Drive runs parallel to Kidman Way, and is connected to Kidman Way via both the Sturt Highway to the North and Ringwood Road to the South.

Both Ringwood Road and Donald Ross Drive are bitumen sealed 'local' roads under the responsibility of Murrumbidgee Shire Council. Both roads are designated B-Double Routes.

Current operations of Farm 33 require an average of 4 Heavy Vehicle Trips per day (2 incoming / 2 outgoing trucks). The largest vehicles accessing the site are B-Doubles. Staff vehicles trips are typically around 6 per day (3 incoming / 3 outgoing cars).

2.5 INFRASTRUCTURE AND SERVICES

Electricity, raw water and telecommunications infrastructure are available to the site and the surrounding locality. There are no local reticulated water or sewer network connections to the site, with the existing amenities, and caretaker's residence being serviced by bore water, and individual septic systems.

2.6 STAFF NUMBERS

The existing operations on site require three (3) full time staff with additional staff required on site to assist with the start and finish of breeding cycles including:

- 10 additional staff on site approximately 30 days per annum to assist with collection and clean out.
- Five (5) additional staff on site approximately 30 days per annum to assist with shed set up, placement and vaccination of birds.

3 PROPOSED DEVELOPMENT

3.1 DEVELOPMENT OVERVIEW

As outlined above, this Development Application is seeking Development Consent for the proposed upgrade of operations at Avenues Breeder Rearing Farm 33 (Farm 33) located on land at Donald Ross Drive, Darlington Point. Specifically, this application is seeking approval to demolish the existing Farm 33 (6 Sheds / 75,900 Birds) and to construct a new, modern breeder rearing farm immediately to the south.

The new farm will consist of ten (10) new sheds containing a total of 156,500 (15,650 birds per shed). As such, the proposed development will increase the total number of birds on the site by 80,600 birds.

3.2 PROPOSED BREEDER REARING SHEDS

As shown in **Figure 6**, the proposed sheds will be constructed in two (2) rows of five (5) sheds with an east west orientation. The proposed sheds will be 139m long and 14.5m wide with a maximum roof height of 4.72m.

The sheds will be constructed on a sealed, impervious concrete base, with 400mm high rat walls to prevent the ingress or egress of water. The sheds are constructed with a zincalume roof and insulated sandwich panel walls finished in surfmist (white) colour which is consistent with the nearby farms.

The design of the poultry sheds produces a climate controlled environment and will be fitted with purpose-built infrastructure associated with poultry production including fans, heaters, water and feed lines and lighting. Tunnel Ventilation (extraction) fans will be located along the outer ends of the sheds with cooling (intake) pads and intake fans located at the centre. Detailed shed plans are provided in **Figure 6** and **Appendix 1**, with elevations and visualisations provided below in **Figure 7**.



Figure 6: Proposed site plan (Baiaida, 2021)

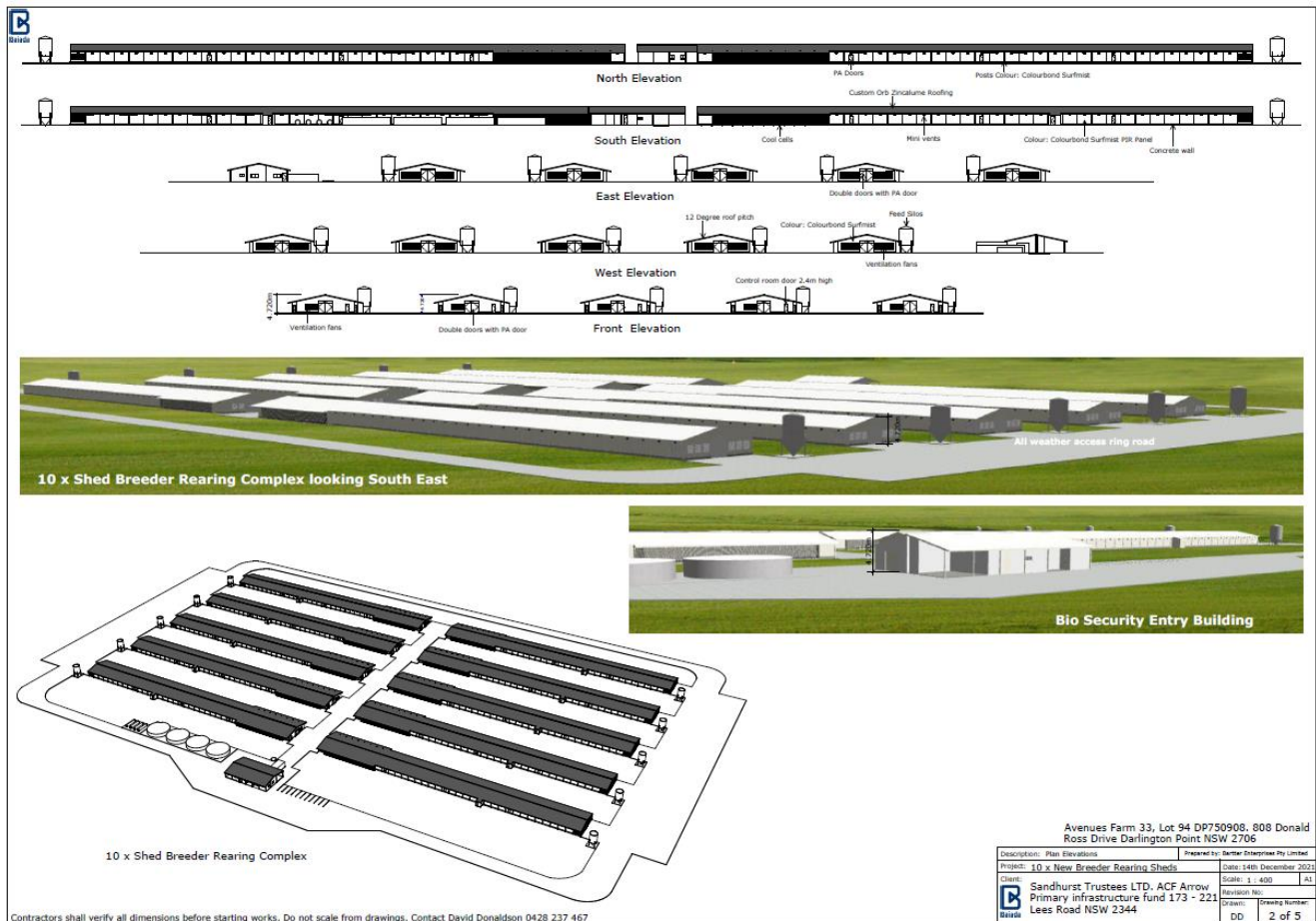


Figure 7: Proposed elevations (Baiada, 2021)

3.3 STAFF NUMBERS

As per the current arrangements, the new farm will be operated by 4 full time employees supported by teams of contractors to assist with the start and finish of breeding cycles.

As per the current operation, the contractors are required to cover periods of clean-out, set up and placement and vaccination of new day old chicks. Daily access to the shed is required to check on operations and collect mortalities. On a typical day, staff will spend less than 2 hours within any individual shed.

The clean out phase of the entire farm (all 10 sheds) will typically occur over 4 week period at the end of the 20 week rearing cycle. Clean out includes removal of litter, sweeping and cleaning of sheds, leaving sheds empty (for bio-security), bringing in clean bedding and setting up feed and water infrastructure prior to new birds being introduced. For bio-security reasons, all sheds must be emptied, cleaned, set up for the new birds as a group, with the next stage not commencing until cleaning of all sheds are completed.

The result is that for a majority of the time any individual shed will be empty with no staff access required. During the clean out and set up phase, an individual shed will have staff inside on 8 days, spread over the 4 week clean out period. It is important to note that during the clean out phase (up until the clean equipment and bedding is placed), the doors of the sheds remain open and access is not restricted.

4 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 TRAFFIC AND TRANSPORT

Farm 33 currently generates an average of 4 Heavy Vehicle Trips per day (2 incoming / 2 outgoing trucks). The proposed development will result in a small increase in average daily trips to 6 (3 incoming / 3 outgoing). The additional heavy vehicle movements comprise of semi-trailer / B-double movements associated with the transfer of birds to and from the site, and the delivery of bedding, litter and feed. It is noted that the small increase in trips is in part attributed to the greater use of B-Doubles compared to the current operation.

Average staff vehicles trips will also increase from 6 to 8 per day (4 incoming / 4 outgoing cars), reflective of the additional full time staff.

Due to the small increase in daily traffic generation, and the use of the existing driveway / access point, the proposed development will result in negligible change to the current traffic environment.

All access to the site will occur via Donald Ross Drive and the Sturt Highway. Access to Farm 33 on the site is via a separate access driveway off Donald Ross Drive. The surrounding road network is considered adequate to cater for the expected vehicle types and volumes associated with the proposed development.

4.2 WATER USE

Water supply for the existing operation is provided by existing bore water supply used and extracted under the following Water Access License 11763. WAL11763 provides 241ML supply from the Lower Murrumbidgee Deep Groundwater Source for domestic consumption and stock watering purposes.

There is currently spare capacity under WAL11763 and will adequately meet the water demands of the upgraded farm. No changes or new conditions to the existing water access licences are proposed or required as part of this DA.

4.3 WASTE MANAGEMENT

4.3.1 General Waste and Recycling

Day to day general waste (e.g. packaging, used personal bio-security and protection equipment etc) will be placed into enclosed skip bins and removed from the farm by a licensed contractor on a regular / as needed basis. This type of waste will be transported to and disposed of at a local landfill. No waste material will be disposed of on-site.

Provision of collection bins for recycling material such as plastic, paper, cardboard, and waste metal will also be provided and removed from the farm by a licensed contractor on a regular basis.

4.3.2 Spent Litter

As per current operations floor litter and poultry manure (spent litter) is removed from the sheds at the end of the rearing cycle and taken off site on covered trucks to farms in the surrounding area. The spent litter is commonly used by farmers within the region as an organic fertiliser, soil additives and rehabilitation agent for agricultural lands. The collected material will be taken from the site by an approved contractor and sold directly to regional farmers or provided to a commercial composter for creation of value added products (such as palletised fertiliser or compost).

4.3.3 Mortalities

Bird mortalities will be collected daily and stored in on site bins until they are collected (daily) and taken off site. These mortalities will be taken to the Baiada protein recovery (rendering) plant at Hanwood which creates a range of protein based products.

In the event of a mass mortality event, the proponents will contact the supplier and the Department of Primary Industries (DPI) and follow all directions made. It is likely that the preferred method for disposal will be collection of the mortalities in covered trucks, and transport to the Hanwood rendering plant. The rendering plant has the capability to process all mortalities from the farm within a 24 hour period.

4.3.4 Waste Water

No liquid wastes are generated from the day to day operations at the farm. Effluent from the staff amenities and manager residences will be treated and disposed of via a standard on-site septic system. It is proposed that the waste to be treated and irrigated on-site. Signage will be erected advising that the water is reclaimed effluent and not suitable for drinking. A separate application to install and operate the septic system will be submitted to Council in accordance with the provisions of Section 68 of the *Local Government Act 1993*, prior to the commencement of operations.

4.3.5 Construction Waste

Waste generated during demolition and construction may contain materials such as steel, metals, plastics, paper, cardboard, glass and food waste. The waste and recyclable materials will be separated and stored in secure receptacles to mitigate against waste becoming airborne or accessible to other animals.

Wastes will be disposed of to a licensed facility via a waste contractor on an as need basis. Similarly, recyclable building materials will be removed by a contractor and taken to a licensed recycling centre as required. Construction waste management arrangements will be documented in Construction Management Plan and can be conditioned accordingly.

4.4 STORMWATER MANAGEMENT

Stormwater runoff from the sheds and other impervious areas will be directed to swales running between and away from the shed. Stormwater detention basins will be provided (where required) to ensure there is no nuisance associated with post development flows.

With respect to water quality, the proposed poultry sheds are constructed on an elevated pad and concrete slab and surrounded by a waterproof blockwork at the base of the insulated panel wall. As such internal shed areas are entirely separated from interaction with stormwater or roof water. Any stormwater runoff from the site is therefore expected to be of high quality, similar to the quality of water runoff from the surrounding area, and as such not capable of generating issues of water contamination in waterways or water dependent ecosystems.

Given the controlled environment in which the proposed poultry development will operate, along with the approval development conditions it will need to comply with, the proposed farm will pose a minimal risk with respect to stormwater quality.

4.5 ODOUR IMPACT ASSESSMENT

4.5.1 Methodology

An Odour OIA has been prepared by Astute Environmental Consulting to assess the potential impact of the development in terms of odour. The assessment has been prepared in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (2005)* and is included as **Appendix 2**.

The scope of work for the odour impact assessment included:

- Obtaining information about the proposed sheds;
- Analysing regional weather data to select a representative year;
- Modelling meteorology for the area using TAPM/CALMET;
- Estimating odour emissions for the poultry farms in line with industry standard methods;
- Predicting odour dispersion using CALPUFF; and
- Preparing a report.

The odour criteria used in New South Wales are detailed in the Approved Methods. For a complex mixture of odorants (i.e. odour measured as odour units), the criterion is selected based on the population density in an area. This is based on the concept that as population density increases, the number of people who may be sensitive to an odour increases. The impact assessment criteria for varying populations is shown in Figure 8 below.

Population of affected Community	Impact assessment criterion for complex mixtures of odorous air pollutants (ou)
Urban ($\geq \sim 2000$) and/or schools and hospitals	2.0
~ 500	3.0
~ 125	4.0
~ 30	5.0
~ 10	6.0
Single rural residence ($\leq \sim 2$)	7.0

Figure 8: Odour Impact Assessment Criteria

As outlined in the Odour Impact Assessment, as the site is existing, and the change involves the demolition of the existing sheds, and the addition of new sheds, the relevant benchmark is the relative change in predicted odour impacts. For information purposes, a $C_{99\ 1\text{sec}} = 5\ \text{ou}$ contour has been used.

The K factor is a scaling factor which is used to reflect the performance of a farm. For the proposed farm, Astute have used a K factor of 0.8, based on test data collected at various farms over time. Astute also note that breeder farms typically have lower emissions, and less offensive odour than meat chicken farms with the same sized sheds.

4.5.2 Odour Impact Assessment Results

Modelling of the proposed development identified the cumulative site odour impact (odour footprint) at the NSW EPA Impact Assessment Criteria (IAC) of 5ou is shown in Figure 9. The predicted ground level 99th percentile 1 second concentrations are predicted to comply with the odour criterion at all receptors for the proposed farm (with the exception of SR2). The highest predicted concentration is 5.5 ou ($K=0.8$) at sensitive receptor 2 (SR2), which is a change of 0.6 in odour concentration for SR2.

The proposed change, which sees the removal of six sheds, and construction of 10 sheds, leading to an increase in bird numbers of approximately 80,000 birds or 7% of existing total bird numbers.

Considering that there are multiple sources in the area, the difference between the existing and proposed operations is expected in that the number of birds changes and the location of the emission points (sheds) changes. Moving sheds towards a receptor typically increase concentrations at that receptor, and moving the sheds away from a receptor typically decreases concentrations. The exception to this is when there are multiple other sources, in that case, small changes at one source site typically don't significantly change predicted results at receptors.

The model results shown above indicate that, as expected, increasing the number of sheds would see a small rise in total emissions, and subsequently a change in predicted concentrations. The highest increase in odour was at SR2 to the north of the farms with a predicted increase of 0.6 ou.

When considering the relative change in odour the intensity of the odour must be considered. Intensity refers to the perceived odour strength, as opposed to concentration which is measured using dynamic olfactometry. In simple terms, if odour concentration rises from, as an example 50 to 100 ou, a human nose would not perceive doubling of the intensity (strength) of the odour, but that there was a change.

The OIA documents an odour intensity chart which is produced by an odour laboratory for a meat chicken farm. This research found that an odour may increase by 1 ou, the intensity would not increase at the same rate, which in reality would result in an imperceptible change.

It is therefore concluded that the predicted changes to odour at the nearest sensitive receptors in Table 5-1 of the OIA (including the change at SR2) would be imperceptible.

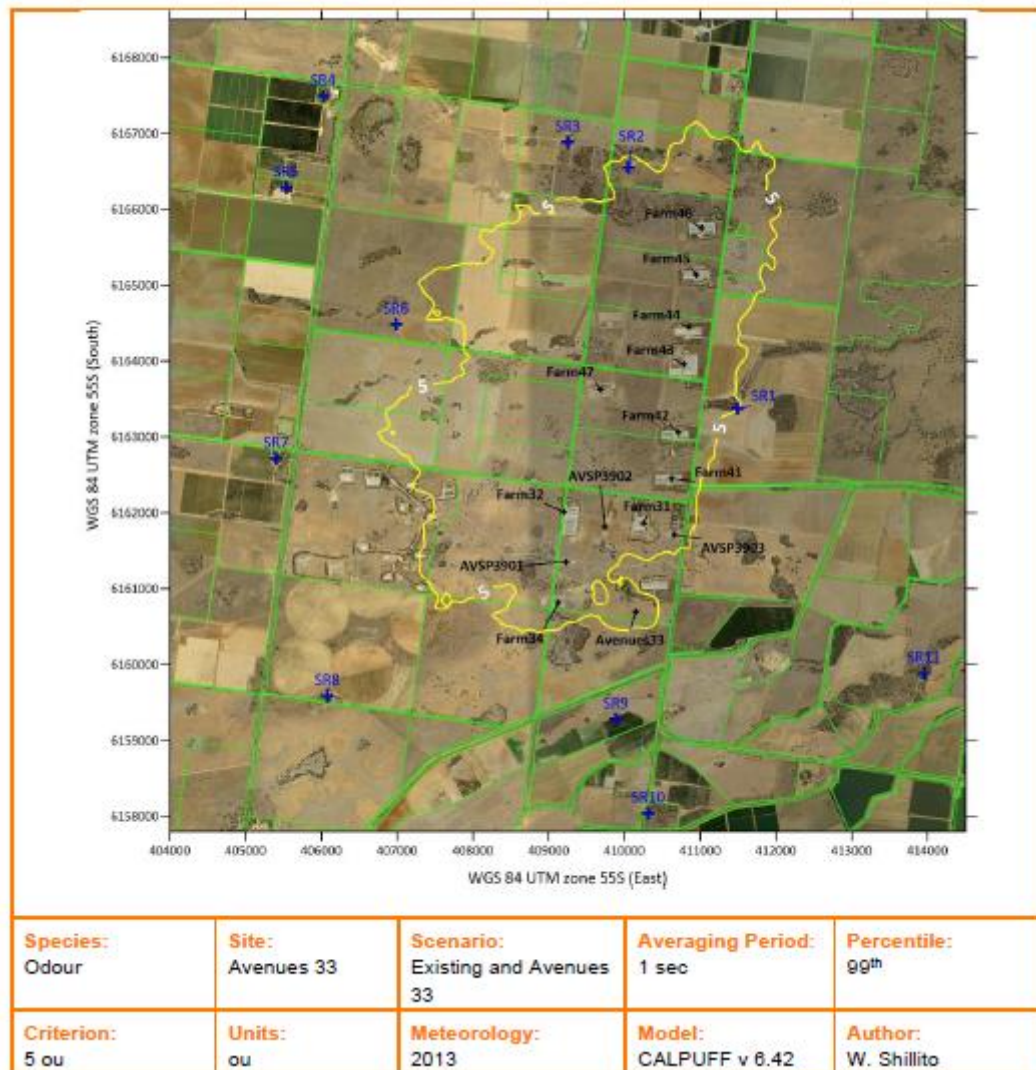


Figure 9: Predicted 1 second 99th percentile Odour Concentrations K = 0.8 (Astute Environmental Consulting, 2021)

4.5.3 Management and Mitigation Measures

The modelling indicates that the modification would lead to an imperceptible change in odour compared to what is already occurring in the area. Therefore, the site is unlikely to have impact on the amenity and character of the locality. Based on our assessment Astute Environmental recommend the development be approved and operated in line with current industry best practice.

4.6 NOISE MANAGEMENT

The current activities on site operate 24 hours per day with the majority of activities occurring throughout the day (6am to 6pm). The potential additional noise sources associated with the new development are limited to noise emissions associated with:

- Construction machinery;
- Additional mechanical ventilation system – shed ventilation fans;
- Small increase in vehicle movements to and from the site;
- Forklift movements at clean out; and
- Truck noise.

Due to only minor increases in potential noise emission sources as a result of the proposed development and considering that the nearest sensitive receptor is located 1.27km from the nearest shed, the proposed development is not expected

to generate significant change to the current acoustic environment or create unacceptable noise impacts at any sensitive receptors.

4.7 ECOLOGICAL ASSESSMENT

In accordance with Section 5.8(4) of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act), the Consent Authority is required to give detailed consideration to the impact a development may have on native vegetation, threatened species, populations or communities. A Flora and Fauna Assessment (FFA) has been undertaken by Cumberland Ecology. A copy of the report is included in **Appendix 3**.

The objectives of this FFA are to:

- Describe the vegetation communities of the study area;
- Describe fauna habitats and fauna usage of the study area;
- Identify any threatened species, populations or ecological communities (as listed under the BC Act and/or EPBC Act) existing within the study area;
- Assess the likelihood of occurrence of threatened species, populations or communities (as listed under the BC Act and/or EPBC Act) within the study area;
- Assess the potential impact of the project on threatened species, populations or communities (as listed under the BC Act and/or EPBC Act), including the completion of Tests of Significance according to Section 7.3 of the BC Act; and
- Where relevant, recommend mitigation measures to reduce the impacts of the Project on biodiversity values.

4.7.1 Methodology

A number of databases and sources were utilised to inform preparation of the FFA, including:

- Environment, Energy and Science (EES) BioNet Atlas.
- EES Threatened Biodiversity Data Collection (TBDC).
- EES BioNet Vegetation Classification database.
- Commonwealth Department of Agriculture, Water and the Environment (DAWE) Species Profile and Threat Database.
- DAWE Protected Matters Search Tool.
- This State Vegetation Type Map– Riverina Region v1.2 (OEH 2016).

Vegetation surveys were conducted on 20-21 October 2021 to revise and update the vegetation mapping – these involved random meander searches, soil inspections, and handheld GPS plant community boundary markings. A vegetation integrity assessment was undertaken, with nine BAM plots established within the subject site.

4.7.2 Native Vegetation

Note that the development site footprint comprises the 7.56 ha of land directly impacted by the project and is referred to within this report as the subject land. All temporary/ancillary construction facilities and infrastructure will be contained within the operations footprint. Therefore, for the purposes of this assessment, the subject land comprises both the construction footprint and the operational footprint of the project.

The native vegetation extent was determined to cover approximately 0.06ha of the subject land. This native vegetation is comprised of Plant Community Type (PCT) 75 – Yellow Box – White Cypress Pine – Grassy Woodland – Scattered Tree Form. The remainder of the subject land is classified as Category 1 pastureland and does not require further assessment.

The 'study area' is defined as the area surveyed for this assessment. It is 47.37 ha and is represented by the existing Avenues 33 farm and access road. The purpose of including and surveying the study area was to determine surrounding biodiversity values to inform the project in terms of avoiding and minimising the potential impacts.

Table 1: Plant community types within the study area (Cumberland Ecology, 2021)

NAME	SUBJECT LAND (HA)	STUDY AREA (HA)
PCT 16: Black Box – Grassy Open Woodland Wetland – Scattered Tree Form	0.00	0.27
PCT 75: Yellow Box – White Cypress Pine – Grassy Woodland – Derived Native Grassland Form	0.00	0.08
PCT 75: Yellow Box – White Cypress Pine – Grassy Woodland – Regrowth Form	0.00	0.17
PCT 75: Yellow Box – White Cypress Pine – Grassy Woodland – Scattered Tree Form	0.06	1.35
Planted Native Trees	0.00	5.88
Cultivated Land	7.49	33.92
Cleared Land	0.00	5.69
TOTAL	7.56	47.37

Figure 10 shows the difference between subject land (red) and the study area (yellow dash).

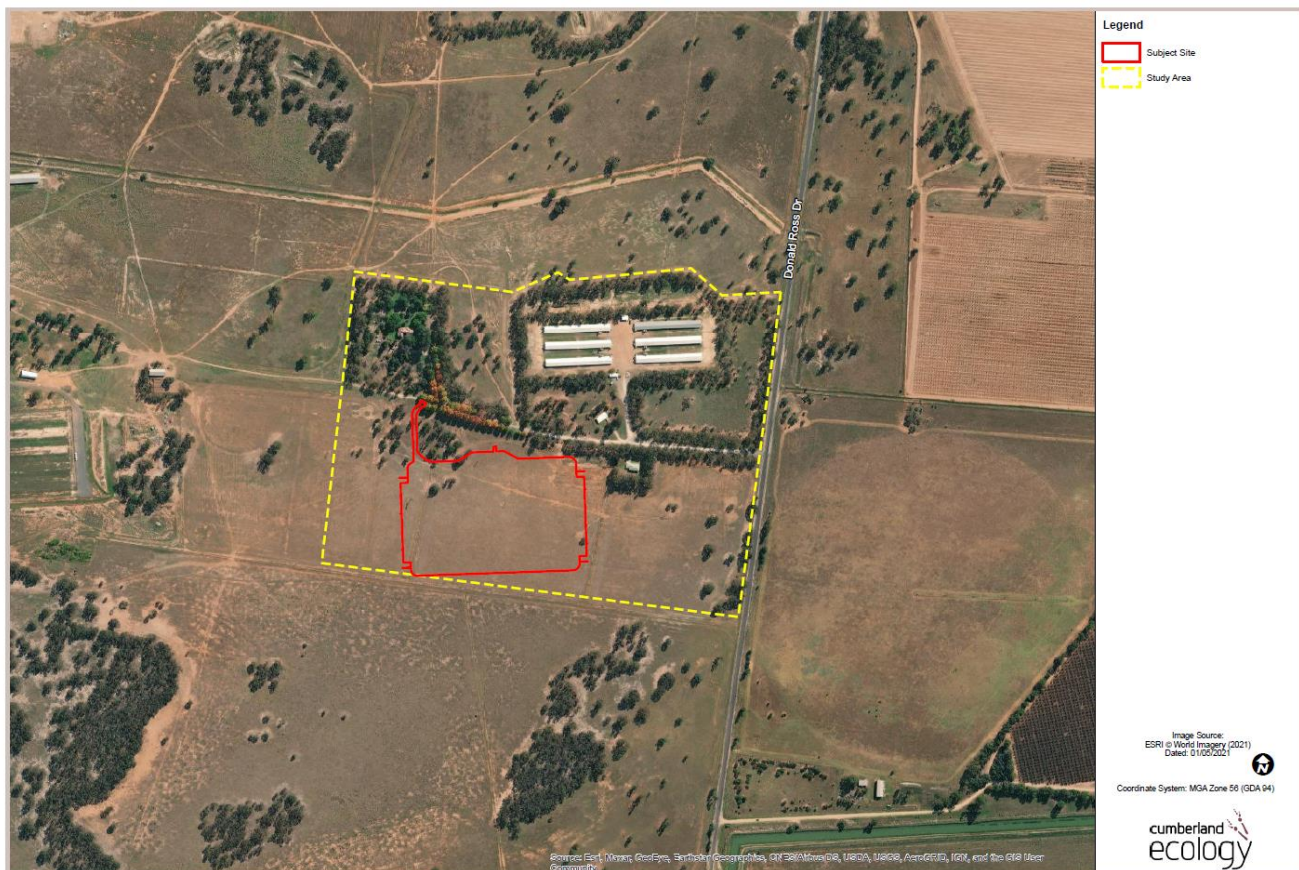


Figure 10: Ecological Subject Site and Study Area (Cumberland Ecology, 2021)



Figure 11: Vegetation Communities (Cumberland Ecology, 2021)

4.7.3 Threatened Species

No threatened flora species were recorded within the subject land or study area. No threatened fauna species were recorded in the subject land or study area. Further the minor amount of clearing proposed as part of this development is not expected to have a significant impact on any threatened fauna species.

4.7.4 Impact Assessment

4.7.4.1 Environmental Protection and Biodiversity Conservation Act 1999

Based on the known ecological values of the subject site, it is unlikely that the proposed development would result in a significant impacts to any Matter of National Environmental Significance (MNES). As such, a referral is not considered to be necessary for the proposed development.

4.7.4.2 Biodiversity Act Requirements

To determine the type of assessment required for a proposed development under Part 4 (Local Development) of the EP&A Act, it is necessary to determine whether the proposed development triggers the Biodiversity Offsets Scheme (BOS). The subject site comprises Lot 94 DP750908, which has a minimum lot size of 200 ha. Based on the areas of clearing thresholds outlined within the Biodiversity Conservation Regulation. The development is proposed to clear 0.06ha of native vegetation, therefore it does not trigger entry into the BOS. As the BOS is not triggered, a Biodiversity Development Assessment Report (BDAR) is not required. Flora and Fauna Assessment is appropriate to assess the potential impacts of the development.

4.7.4.3 Direct Impacts

The Scattered Trees community consists of isolated trees that are characteristic of the original Box Gum Woodland community, however there is no native understorey or shrub layer present, and they occur over cultivated land that is dominated by agricultural species. Approximately 0.06 ha of this community will be removed by the proposed Project. The trees to be removed are not considered to be important for the conservation of this community as they are not part of an occurrence of Box Gum Woodland that is viable in the long term, and it is expected that they would eventually senesce without replacement, due to the high degree of surrounding disturbance. Furthermore, the trees to be removed are on the edge of the area mapped as Scattered Trees, and the Project will therefore not fragment or isolate existing

areas of Box Gum Woodland. The trees to be removed occur in a highly agricultural, disturbed setting and these isolated trees are unlikely to provide significant habitat for flora and fauna species.

In addition to the clearance of a small area of scattered trees within the subject site that may provide blossom periodically, one stick nest will be removed by the proposed Project. No other known habitat features will be removed. The loss of these habitat features is unlikely to significantly impact on the flora and fauna of the study area as they represent only a small number of such features that occur within in a modified and degraded habitat. Larger areas of similar vegetation will remain in the study area, providing equal and higher value habitat.

4.7.4.4 Indirect Impacts

Indirect impacts associated with the project include:

- Reduced viability of adjacent habitat due to edge effects;
- Construction and operational impacts (dust, noise, light, erosion).

These potential indirect impacts are address in detail in the FFA which concludes that due to the existing modified nature of the vegetation both within and adjacent to the subject land, the indirect impacts of the project are not considered to be significant.

4.7.4.5 Mitigation Measures

A variety of mitigation measures are proposed to minimise the risk and potential negative impacts of the development on biodiversity have been identified by Cumberland Ecology and will be adopted for the project. These measures are summarised below.

- **Weed management:** Appropriate weed control activities will be undertaken in accordance with the Central West Regional Strategic Weed Management Plan 2017 – 2022 (2017).
- **Delineation of clearing limits:** Clearing limits marked either by high visibility tape, metal/wooden pickets, fencing or an equivalent boundary marker. Disturbance, including stockpiling, restricted to clearing limits.
- **Tree protection measures:** Inductions to communication tree protection measures. Installation of fences around trees within 10 metres of the development footprint. Access to treed areas restricted during construction.
- **Pre-clearance survey:** Pre-clearance surveys will be conducted in all areas of vegetation that are required to be cleared. Pre-clearing surveys will be undertaken within one week of clearing. Habitat features will be marked during the pre-clearing survey.
- **Erosion, sedimentation and pollution control:** Construction activities will be undertaken in accordance with "The Blue Book" (Landcom 2004).

4.8 CULTURAL IMPACT ASSESSMENT

Niche Environment and Heritage was engaged to conduct an Aboriginal Objects Due Diligence Assessment in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* for the proposed development. A copy of the assessment is provided in **Appendix 4**.

The proposal lies within the Murrumbidgee Local Government Area and within the boundary of the Griffith Local Aboriginal Land Council (GLALC). The aim of the assessment was to determine whether Aboriginal objects and/or places are present and/or are likely to occur within or in close proximity to the development, and, if present, whether they may be harmed by the proposed works.

The assessment found that it is unlikely any Aboriginal objects have survived within the development area due to intensive ground disturbances associated with de-vegetation and extensive agricultural use in the past and present. No Aboriginal heritage constraints were identified for the proposed development – therefore, no further investigation or impact assessment is required.

Niche Environment and Heritage determined that the proposed development may therefore proceed with caution without a further Aboriginal Cultural Heritage Assessment (ACHA) or Aboriginal Heritage Impact Permit (AHIP). It is recommended that:

- Should earthworks be undertaken outside the footprint assessed in the assessment, further impact assessment should be undertaken prior to work in those areas.

- In the event that previously unknown Aboriginal object(s) and/or sites are discovered during the proposed activity, work must stop, and an appropriately qualified archaeologist be contacted to assess the nature, extent and significance of the identified sites.
- In the unlikely event that human remains are discovered, all activities must stop, the affected area must be cordoned-off and NSW Police and the Heritage NSW Environment Line must be contacted.

5 PLANNING ASSESSMENT

5.1 DESIGNATED DEVELOPMENT (NOT REQUIRED)

Under Schedule 3, Item 21 of the *Environment Planning and Assessment Regulation 2000*, Livestock Intensive Industries are identified as Designated Development (Requiring an EIS) if the following criteria are met.

(4) Poultry farms for the commercial production of birds (such as domestic fowls, turkeys, ducks, geese, game birds and emus), whether as meat birds, layers for egg production or breeders and whether as free range or shedded birds—

(a) that accommodate more than 250,000 birds, or

(b) that are located—

(i) within 100 metres of a natural waterbody or wetland, or

(ii) within a drinking water catchment, or

(iii) within 500 metres of another poultry farm, or

(iv) within 500 metres of a residential zone or 150 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, odour, dust, lights, traffic or waste.

With respect to the above criteria, the proposed rearing farm:

- has a maximum capacity of 156,500 birds.
- is not within 100m of natural waterbody or wetland.
- is not within a drinking water catchment.
- is not within 500m of another poultry farm (noting that the existing Farm 33 will be demolished as part of this application).
- is not within 500m of a residential zone.
- is not within 150m of a dwelling not associated with the development (nearest receptor is 1.27km) away.

With consideration of above factors, the proposed poultry rearing farm does not constitute designated development.

5.2 INTEGRATED AUTHORITIES (NOT REQUIRED)

There are no triggers for integrated development under Clause 4.46 of *Environment Planning and Assessment Act 1979* applicable to this development application.

Under Schedule 1, Item 22 of the *Protection of Environmental Operations Act 1997*, Livestock Intensive Industries (Bird Accommodation) is identified as a Scheduled Premise (requiring referral to the EPA as an Integrated Authority and an Environmental Protection License) if they accommodate more than 250,000 birds. As the proposed development will accommodate a maximum of 156,500 birds on the site, the proposal is not considered to classify as a Scheduled Premise and will therefore not require referral to the EPA.

5.3 CONCURRENCE AND REFERRALS

This DA does not trigger a requirement for concurrence or referral under any other Environmental Planning Instrument.

5.4 STATEMENT ENVIRONMENTAL PLANNING INSTRUMENTS

An assessment of the proposed development has been undertaken against the relevant State Environmental Planning Policies (SEPPs).

SEPP	APPLICABILITY
SEPP 19—Bushland in Urban Areas	Not Applicable – the development will not impact upon bushland in urban areas.
SEPP 21—Caravan Parks	Not Applicable – the development does not involve a caravan park.
SEPP 33 – Hazardous and Offensive Development	Not Applicable – The proposed development will not involve storage of hazardous beyond the screening values listed in the SEPP.
SEPP 36—Manufactured Home Estates	Not Applicable – the development does not involve manufactured home estates.
SEPP 47—Moore Park Showground	Not Applicable – the development is not located in proximity to the Moore Park Showground.
SEPP 50—Canal Estate Development	Not Applicable – the development does not involve canal estate development.
SEPP 55 - Remediation of Land	Not Applicable - The subject site is currently vacant with previous uses being low-impact agricultural uses (cropping and grazing), which are not expected to have resulted in any significant risk of contamination. The site is also not listed on the NSW EPA contaminated land register. As the proposed development involves the construction of a poultry farm which is not a sensitive land use, further assessment of this SEPP is not required.
SEPP 64—Advertising and Signage	Not Applicable – the development will not require any new advertising or signage.
SEPP 65—Design Quality of Residential Apartment Development	Not Applicable – the development does not involve residential apartment development.
SEPP 70—Affordable Housing (Revised Schemes)	Not Applicable – the development does not involve affordable housing.
SEPP (Aboriginal Land) 2019	Not Applicable – the development does not involve Aboriginal Land
SEPP (Activation Precincts) 2020	Not Applicable – the development does not involve activation precincts.
SEPP (Affordable Rental Housing) 2009	Not Applicable – the development does not involve affordable rental housing.
SEPP (Building Sustainability Index: BASIX) 2004	Not Applicable – the proposed rural workers dwelling provides accommodation for up to 20 workers on a temporary basis and is not a BASIX affected building.
SEPP (Coastal Management) 2018	Not Applicable – the development is not located in the coastal zone.
SEPP (Concurrences and Consents) 2018	Not Applicable – the development does not involve concurrences and consents of this instance.
SEPP (Educational Establishments and Child Care Facilities) 2017	Not Applicable – the development does not involve educational establishments and child care facilities.
SEPP (Exempt and Complying Development Codes) 2008	Not Applicable – the development is not classified as exempt or complying development.
SEPP (Gosford City Centre) 2018	Not Applicable – the development is not located within the Gosford City Centre.

SEPP	APPLICABILITY
SEPP (Housing for Seniors or People with a Disability) 2004	Not Applicable – the development does not involve housing for seniors or people with a disability.
SEPP (Infrastructure) 2007	Not Applicable – the development does not involve delivery of infrastructure and is not located within proximity to major pieces of infrastructure covered by the SEPP.
SEPP (Koala Habitat Protection) 2021	Applicant's Response - The Koala habitat protection SEPP 2021 does not apply in the Murrumbidgee Council Area.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not Applicable – the development is not located in the Kosciuszko National Park.
SEPP (Kurnell Peninsula) 1989	Not Applicable – the development is not located in the Kurnell Peninsula
SEPP (Major Infrastructure Corridors) 2020	Not Applicable – the development does not involve major infrastructure corridors.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not Applicable – the development is not for mining, petroleum production and extractive industries.
SEPP (Penrith Lakes Scheme) 1989	Not Applicable – the development is not located within proximity to the Penrith Lakes.
SEPP (Primary Production and Rural Development) 2019	Applicant's Response – the assessment considerations for intensive livestock agriculture outlined in Schedule 4, Part 3 (4) of the SEPP are replicated within Section 5.18 of the LEP. An assessment against these provisions is provided in Section 5.5.3 of this SEE. As demonstrated, the proposed development has adequately addressed the relevant consideration and shown the proposed development can proceed without any unacceptable environmental impacts.
SEPP (State and Regional Development) 2011	Not Applicable – the development is not located in a State Significant Precinct.
SEPP (State Significant Precincts) 2005	Not Applicable – the development is not located in a State Significant Precinct.
SEPP (Sydney Drinking Water Catchment) 2011	Not Applicable – the development is not located in the Sydney drinking water catchment.
SEPP (Sydney Region Growth Centres) 2006	Not Applicable – the development is not located in a Sydney region growth centre.
SEPP (Three Ports) 2013	Not Applicable – the development is not located in any three ports.
SEPP (Urban Renewal) 2010	Not Applicable – the development is not located in an urban renewal precinct.
SEPP (Vegetation in Non-Rural Areas) 2017	Not Applicable – the development is located in a rural area.
SEPP (Western Sydney Aerotropolis) 2020	Not Applicable – the development is not located within the Western Sydney Aerotropolis area.
SEPP (Western Sydney Employment Area) 2009	Not Applicable – The development is not located in the Western Sydney Employment Area.
SEPP (Western Sydney Parklands) 2009	Not Applicable – The development is not located in the Western Sydney Parklands.

5.5 MURRUMBIDGEE LOCAL ENVIRONMENTAL PLAN 2013

5.5.1 Zoning and Permissibility

The subject site is zoned RU1 Primary Production under the *Murrumbidgee Local Environmental Plan 2013*. The proposed development falls under the LEP definition of “Intensive Livestock Agriculture” meaning:

Intensive livestock agriculture means: the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:

- dairies (restricted),
- feedlots,
- piggeries,
- poultry farms,

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.

Intensive livestock agriculture is identified as Permitted Development with Consent within the Rural RU1 Zone requiring a Development Application to be lodged with Murrumbidgee Shire Council as the Consent Authority.

The objectives of the RU1 zone are as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

The proposed poultry breeder rearing farm is a primary industry use which will support ongoing expansion and diversification of the egg industry in the region. The proposed development involves a new breeder rearing farm which is to replace an existing Avenues 33 Farm, which has a historic presence on the site and operated in a complementary manner with the surrounding RU1 zone.

The proposed rearing farm has a small foot print and will not alienate or fragment important agricultural land and does not preclude rural activities on surrounding land holdings.

As demonstrated in this SEE, the proposed development has been subject to a rigorous environmental assessment which confirms the project can be undertaken in a manner that will not introduce unacceptable impacts on adjoining zones or nearby sensitive receptors. As such, the proposed poultry rearing farm is considered to align with the objectives of the RU1 Rural Zone.

5.5.2 Principal Development Standards

There are no principal development standards identified in Part 4 of the LEP applicable to the development.

5.5.3 Miscellaneous Provisions

Of the miscellaneous provisions identified in Part 5 of the LEP, only Clause 5.18 - Intensive Livestock Agriculture is applicable to the development and is addressed in detail in Table 2 below.

Table 2: Clause 5.18 Assessment

PROVISION	APPLICANT'S RESPONSE
(3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration—	

PROVISION	APPLICANT'S RESPONSE
<i>(a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,</i>	Complies. A detailed SEE has been prepared by PSA Consulting and various technical specialists to provide a thorough assessment against all relevant matters of consideration.
<i>(b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,</i>	Complies. An Odour Impact Assessment has been prepared by Astute Environmental and is included as Appendix 2 . The modelling undertaken for the proposed rearing farm shows compliance with the NSW EPA Odour Impact Assessment Criteria of 5 ou at all but one sensitive receptor. However, it is concluded that the increase at this receptor would be imperceptible and unlikely to impact on the amenity of the residents.
<i>(c) the potential for the pollution of surface water and ground water,</i>	<p>Complies. Stormwater runoff from the sheds and other impervious areas will be directed to swales running between and away from the shed. Stormwater detention basins will be provided at either end of the complex (where required) to ensure there is no nuisance associated with post development flows.</p> <p>With respect to water quality, the proposed poultry sheds are constructed on an elevated pad and concrete slab and surrounded by a waterproof blockwork at the base of the insulated panel wall. As such internal shed areas are entirely separated from interaction with stormwater or roof water. Any stormwater runoff from the site is therefore expected to be of high quality, similar to the quality of water runoff from the surrounding area, and as such not capable of generating issues of water contamination in waterways or water dependent ecosystems.</p> <p>Given the controlled environment in which the proposed poultry development will operate, along with the approval development conditions it will need to comply with, the proposed farm will pose a minimal risk with respect to stormwater quality.</p>
<i>(d) the potential for the degradation of soils,</i>	<p>Complies. The site has a small footprint and is located within an agricultural paddock historically used for cropping and grazing.</p> <p>The site will be constructed and operated in manner to ensure there is minimal impact on the receiving environment and no degradation of surrounding soils.</p>
<i>(f) the suitability of the site in the circumstances,</i>	<p>Complies. The proposed development site has been carefully chosen based on consideration of a number of factors including:</p> <ul style="list-style-type: none"> • The site is free from environmental (significant flora or fauna or threatened ecological communities) and physical constraints (steep gradient, unsuitable geology, flooding and other natural hazards). • The site is appropriately zoned and free from planning constraints which enable a development application to be considered. • The site has suitable road access allowing for the movement of heavy vehicles and staff to and from the site. • The farm is located within a grain growing region to minimise transport costs associated with feed.

PROVISION	APPLICANT'S RESPONSE
	<ul style="list-style-type: none"> • The farm is located in proximity to a population centre which can provide employees and accommodation to support the operation. • The farm will have access to adequate and reliable bore water supply. • The site has suitable separation distances to sensitive receptors (the closest house is 1.27km) to ensure no amenity impacts. • Have suitable separation distances to other poultry farms, intensive livestock operations and other land uses which may introduce a bio-security risk. <p>As demonstrated in this SEE, the subject site exhibits all of these features and is inherently suitable for development of the proposed rearing farm.</p>
<i>(e) the measures proposed to mitigate any potential adverse impacts,</i>	<p>Complies. As demonstrated in this SEE, the proposed development is not expected to generate any unacceptable adverse impacts. Management and mitigation measures with respect to the various considerations have been identified and will adopted by the operator to ensure the farm operates as intended.</p>
<i>(g) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,</i>	<p>Complies. Baiada currently have in place a National Livestock Animal Welfare and Biosecurity Manual (Issue No 1, dated 13 November 2019) which contains a comprehensive biosecurity management program which will be applied to the site. Baiada is committed to achieving high standards of bird welfare and the company understands that bird welfare and economic performance go hand-in-hand. As well as being in the birds' best interest, it makes sound economic sense to ensure that flocks are maintained in an environment in which they are safe, comfortable and free from injury or harm.</p> <p>Baiada operate numerous facilities across the country where the highest level of animal care is demonstrated and maintained.</p> <p>All measures will be taken to best ensure these animals are thermally comfortable, protected from injury and kept healthy. All measures will be taken to best ensure these animals are not subjected to avoidable stress, cruelty or harm.</p> <p>Baiada has an approved Animal Welfare Policy, which states that Baiada will ensure that the treatment of all birds will be ethical and humanely treated throughout all stages of production. This will be achieved through providing animal husbandry, technical and veterinary advice is sought and implemented. Baiada will also use a scientific approach to welfare and comply with all legislation. They will seek to exceed these standards, where possible.</p> <p>The conditions under which poultry are managed during their growing phase, transportation and slaughter are set down in several statutory and industry endorsed codes of practice designed to safeguard their health and welfare. In this regard, Baiada is committed to meet or exceed the standards of care detailed in the following Primary Industries Standing Committee documents:</p> <ul style="list-style-type: none"> • Model Code of Practice for the Welfare of Animals - Land Transport of Poultry (2006); and • Model Code of Practice for the Welfare of Animals - Livestock at Slaughtering Establishments (2002).

PROVISION	APPLICANT'S RESPONSE
<i>(h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary.</i>	<p>Complies. The farm will be operated in accordance with the Egg Standards of Australia (ESA) for Rearing and Laying Farms.</p> <p>ESA is a voluntary quality assurance program developed through an extensive consultation process with industry and represents a robust, credible and workable QA standard that meets the needs of regulators and retailers.</p> <p>The proposed farm will be certified as Level 3 – Comprehensive, which is an advanced level suited to egg farmers with a fully developed compliance system and record keeping procedures, to meet the requirements of major retail customers. Egg farms certified at this level must be audited against all three levels of compliance criteria.</p> <p>Farms are subject to regular independent audits and inspections in accordance with the above standards and hence are well run, highly managed, and regularly audited operations.</p>

5.5.4 Clause 6.1 Earthworks

Clause 6.1 of the LEP requires earthworks to be undertaken in an appropriate manner, as follows:

(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
- (b) the effect of the development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Due to the flat topography of the site and past clearing and agricultural activities only minimal earthworks are required to create level building pads suitable for construction of the proposed breeder rearing sheds. Preliminary investigations have indicated that the soils available on site are fit for purpose.

Earthwork will be undertaken in accordance with all applicable standards and can be conditioned accordingly. As such, the proposed earthworks are considered to align with the requirements of Clause 7.1 of the LEP.

5.5.5 Clause 6.3 Terrestrial Biodiversity

As shown in Figure 12, the subject site is mapped within Council's Terrestrial Biodiversity Overlay. Clause 6.3 of the LEP requires earthworks to be undertaken in an appropriate manner, as follows:

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—

- (a) whether the development is likely to have—*
 - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
 - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
 - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*

- (iv) any adverse impact on the habitat elements providing connectivity on the land, and
- (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.



Figure 12: Terrestrial Biodiversity Map (E-Spatial NSW, 2021)

In accordance with Section 5.8(4) of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act), the Consent Authority is required to give detailed consideration to the impact a development may have on native vegetation, threatened species, populations or communities. A Flora and Fauna Assessment (FFA) has been undertaken by Cumberland Ecology and is included as **Appendix 3**.

The native vegetation extent was determined to cover approximately 0.06ha of the subject land. This native vegetation is comprised of Plant Community Type (PCT) 75 – Yellow Box – White Cypress Pine – Grassy Woodland – Scattered Tree Form. The remainder of the subject land (7.49ha) is classified as Category 1 pastureland and does not require further assessment.

No threatened flora or fauna species were recorded within the subject land and the minor amount of clearing (0.06ha) proposed as part of this development is not expected to have a significant impact on any threatened fauna species. The FFA concludes that the proposed development will not result in unacceptable ecological impacts.

Regardless of this finding, a variety of mitigation measures are proposed to minimise the risk and potential negative impacts of the development on biodiversity have been identified by Cumberland Ecology and will be adopted for the project.

5.5.6 Clause 6.4 Groundwater Vulnerability

As shown in Figure 12, the subject site is mapped within Council's Groundwater Vulnerability Overlay. Clause 6.4 of the LEP requires development to be undertaken in an appropriate manner, as follows:

- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider the following—*

- (a) the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),
- (b) any adverse impacts the development may have on groundwater dependent ecosystems,
- (c) the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),
- (d) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

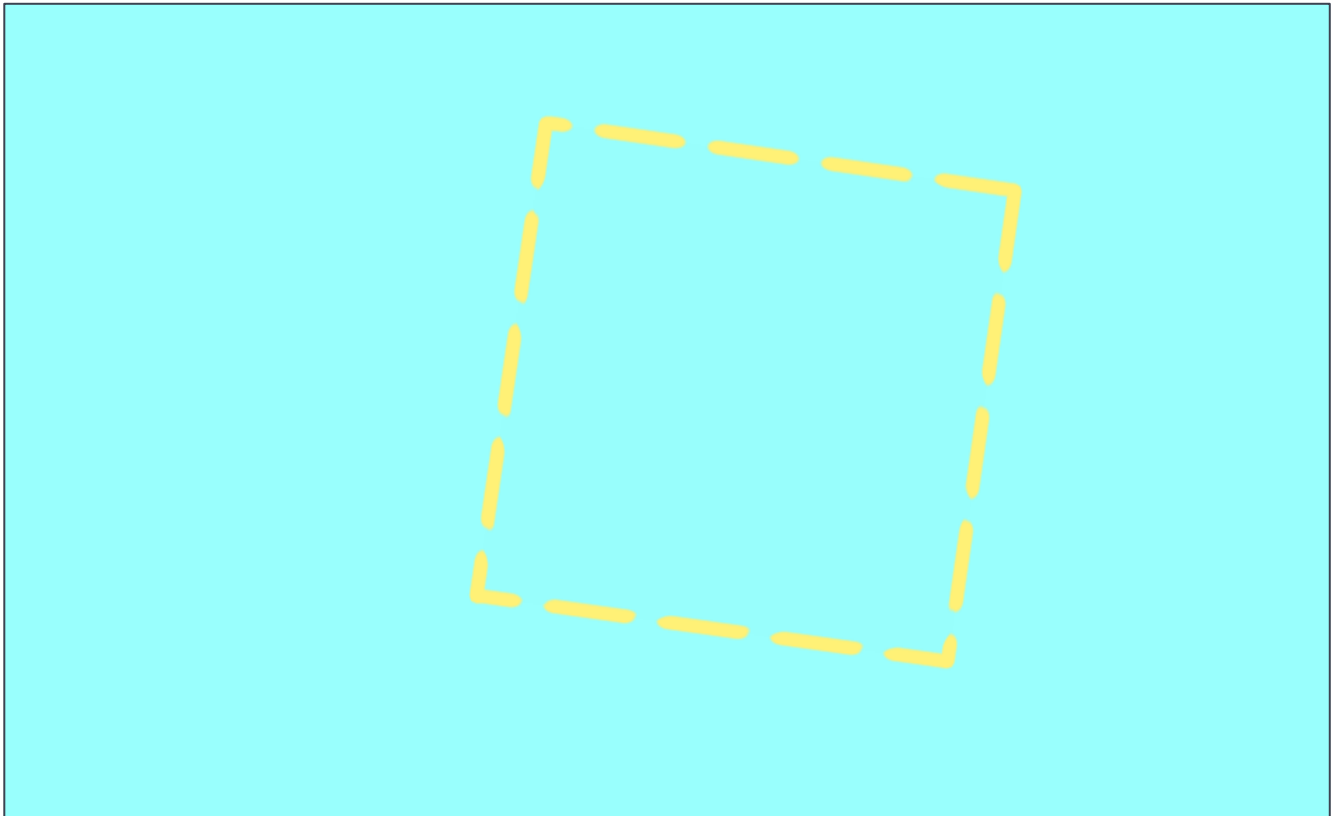


Figure 13: Groundwater Vulnerability Map (ePlanning Spatial NSW, 2021)

Stormwater runoff from the sheds and other impervious areas will be directed to swales running between and away from the shed. With respect to water quality, the proposed poultry sheds are constructed on an elevated pad and concrete slab and surrounded by a waterproof blockwork at the base of the insulated panel wall. As such internal shed areas are entirely separated from interaction with stormwater or roof water. Any stormwater runoff from the site is therefore expected to be of high quality, similar to the quality of water runoff from the surrounding area, and as such not capable of generating issues regarding surface water, groundwater water, or water dependent ecosystems.

Water supply for the existing and proposed operation is provided by two bores, with water being extracted under two of the Applicant's existing Water Licences. As bore water will be extracted and used in accordance with the license conditions, water use is not expected to have an unacceptable impacts on groundwater supply.

With consideration of the above information the proposed development is considered to align with the requirements earthworks are considered to align with the requirements of Clause 6.8.

5.5.7 Clause 6.9 Essential services

Clause 6.9 of the LEP requires development to be provided with a suitable level of urban infrastructure, as follows:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,

- (b) the supply of electricity,
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable vehicular access.

As outlined below, the proposed rearing farm has access to all necessary urban infrastructure and services:

- **Water:** Water supply for the existing and proposed operation is provided by two bores, with water being extracted under two of the Applicant's existing Water Licences. As bore water will be extracted and used in accordance with the license conditions. Water for staff amenities will be provided via 4 x 250,000 tanks which are fed before from the Avenues bore. The water is filtered before use.
- **Wastewater:** No liquid wastes are generated from the day to day operations at the farm. Effluent from the staff amenities and manager residences will be treated and disposed of via a standard on-site septic system. A separate application to install and operate the septic system will be submitted to Council in accordance with the provisions of Section 68 of the *Local Government Act 1993*, prior to the commencement of operations.
- **Power:** Power to the site will be provided via connection to the Essential Energy overhead network which runs along Donald Ross Drive.
- **Stormwater:** Stormwater runoff from the sheds and other impervious areas will be directed to swales running between and away from the shed. With respect to water quality, the proposed poultry sheds are constructed on an elevated pad and concrete slab and surrounded by a waterproof blockwork at the base of the insulated panel wall. As such internal shed areas are entirely separated from interaction with stormwater or roof water. Any stormwater runoff from the site is therefore expected to be of high quality, similar to the quality of water runoff from the surrounding area, and as such not capable of generating issues of water contamination in waterways or water dependent ecosystems.
- **Traffic and Access:** The heavy vehicle trips are estimated to be as follows:

Table 3: Current and proposed vehicle trips (Baiada, 2021)

HEAVY VEHICLE PURPOSE	CURRENT		PROPOSED	
	AVERAGE TRIPS PER DAY	AVERAGE TRIPS PER WEEK	AVERAGE TRIPS PER DAY	AVERAGE TRIPS PER WEEK
Cleanout HV	0.3	2.1	0.4	2.8
Bedding delivery	0.1	0.7	0.1	0.7
Birds in	0.1	0.7	0.1	0.7
Birds out	0.1	0.7	0.1	0.7
Feed	0.1	0.7	0.2	1.4
Gas	0.1	0.7	0.1	0.7
S&C deliveries	0.2	1.4	0.3	2.1
Waste - general	0.2	1.4	0.3	2.1
Waste - eggs and mortalities	1.0	7	1.0	7
TOTAL	2.2	15.4	2.6	18.2

As can be seen from **Table 3**, there is a small increase in heavy vehicle trips per day (18%).

5.6 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed development is not subject to any Draft Environmental Planning Instruments.

5.7 DEVELOPMENT CONTROL PLAN

The Murrumbidgee Council lists the following Development Control Plans as being current:

- Darlington Point & Coleambally Development Control Plan; and
- Jerilderie Development Control Plan.

Whilst the subject site is located at Darlington Point, the DCP refers only to “Village” and does not refer to the Primary Production Zone. As such, it is considered that the DCP does not apply to this development.

5.8 PLANNING AGREEMENTS

The proposed development is not subject to any planning agreements.

5.9 THE REGULATIONS

There are no specific provisions of the regulations which are applicable to the project.

6 EVALUATION

The development proposal is assessed below the relevant matters for consideration pursuant to Section 4.15 of the *Environmental Planning & Assessment Act 1979*.

6.1 LIKELY IMPACTS OF DEVELOPMENT

6.1.1 Bio-Physical Considerations

Based on the assessments undertaken by the relevant technical specialists, it has been demonstrated that the proposed development can be undertaken in a manner consistent with the statutory obligations in relation to:

- Ecological impacts.
- Cultural heritage impact.
- Odour impact.
- Acoustic impact.
- Stormwater management and treatment.
- Waste management.

As such, it is considered that there are no bio-physical considerations which would preclude approval of the proposed development.

6.1.2 Social Considerations

This SEE has considered the impact on the nearby sensitive receptors and has found that the potential impacts within the accepted standards, including for odour, noise and traffic. The proposed development will be in also consist of low scale, rural buildings with a complementary colour scheme, in a remote rural area, that are not expected to be visible from the nearest rural dwellings. Additional tree planting is also proposed between the farm and Donald Ross Drive to reduce visibility to passing traffic. With respect to social impacts, the findings of the detailed technical assessments undertaken in relation to proposed farm demonstrate that construction is unlikely to have significant, negative social impacts.

6.1.3 Economic Considerations

The development will have a positive economic impact in terms of significant construction works and ongoing employment opportunities for local residents.

The proposed development represents an investment of \$5.5 million, a majority of which is associated with construction of the proposed farm. In this regards, it is estimated that the project will create 60 construction jobs to deliver the project, as well as indirect opportunities for local tradespersons to assist with the build (e.g. electricians, plumbers etc).

Once operational, the project will create one additional (1) FTE positions. In addition to the direct employment, the additional farm will create additional opportunities for numerous contractors who support poultry farming including:

- Transport Contractors – transporting day old chicks and reared hens, clean bedding material, poultry feed, gas, manure and litter;
- Live Bird Collection Crews;
- Shed cleaning and set up crews; and
- Local maintenance contractors including electrician and plumbers, etc.

With consideration of these investment and employment opportunities, the project is considered to have a positive economic impact for the region.

6.2 SITE SUITABILITY

The proposed development site has been carefully chosen based on consideration of a number of factors including:

- Be free from environmental (significant flora or fauna or threatened ecological communities) and physical constraints (steep gradient, unsuitable geology, flooding and other natural hazards).

- Be appropriately zoned and free from planning constraints to allow a development application to be considered.
- Have adequate water supply.
- Suitable road access allowing for the movement of heavy vehicles and staff to and from the site.
- Be located within a grain growing region to minimise transport cost associated with feed.
- Have suitable separation distances to other poultry farms, intensive livestock operations and other land uses which may introduce a bio-security risk.
- Located in proximity to a population centre which can provide employees and accommodation to support the operation.
- Have suitable separation distances to surrounding residents to ensure no odour impacts.
- Be available for purchase at a price which makes the operation financially viable.

The subject site exhibits all of these features and is inherently suitable for the proposed rearing farm.

In addition, the subject site is contained within the RU1 zone under the Murrumbidgee LEP 2013 and aligns with the zone objectives. As demonstrated in this SEE, the proposed development will not result in an unacceptable amenity or environmental impacts on the surrounding area. As such, the subject site is considered to be highly suitable of the development.

The purpose of the additional breeder rearing sheds is to meet the growing demand for additional fertile eggs in the region and in turn provide increased supply of broilers. Additionally, the proposed breeder rearing farm will enable further growth of Baiada's broader poultry operations in the greater region.

The development is **Permissible with Consent**, in the RU1 zone under the Murrumbidgee LEP 2013, consistent with the zone objectives, and consistent with the scale and character of surrounding land uses. Accordingly, the site is considered inherently suitable for the development.

6.3 PUBLIC INTEREST

The proposed development is not considered to result in any unacceptable environmental impacts, or amenity impacts in terms of odour, noise, visual impacts or traffic. The proposed development is consistent with the nature of the rural locality and will be operated in accordance with all relevant standards and environmental safeguards. The development will also establish an additional full time position and result in significant re-investment in the site.

The proposal is not expected to result in any adverse environmental impacts on the natural environment or upon surrounding properties in terms of odour, noise, visual impacts, traffic generation, or privacy. The development will provide additional poultry production to support Baiada's broader poultry operations in the greater region. Accordingly, the development is considered to align with the public interest.

6.4 LIKELY IMPACTS OF THE DEVELOPMENTS

6.4.1 Natural Environmental Impacts

Water Quality: The new sheds will be located on new impervious area from which stormwater will be collected by swales between the sheds and directed to the surrounding paddocks before re-joining the natural drainage. Grass filter strips will be maintained within the swales to slow runoff velocities and filtering out sediment and other pollutants. It is important to note that the breeder sheds operate as closed systems with little or no water movement from sheds to ground water or to drainage lines.

By implementing appropriate management strategies, the proposed development will have a low risk of causing environmental harm to surrounding surface waters. In order to appropriately manage stormwater runoff on-site, the vegetation will need to be properly managed. The vegetated areas will be maintained by regular mowing and trimming, and will be regularly inspected for erosion and scour.

During construction, erosion and sediment control will be implemented in accordance with the applicable sections of the NSW Governments "Managing Urban Stormwater: Soils and Construction, Volume 1".

Air Quality / Odour: An Odour Impact Assessment has been prepared by Astute Environmental and is included as **Appendix 2**. The modelling undertaken for the proposed rearing farm shows compliance with the NSW EPA Odour

Impact Assessment Criteria of 5 out of all but one sensitive receptor. However, it is concluded that the increase at this receptor would be imperceptible and unlikely to impact on the amenity of the residents.

Flora and Fauna: A Flora and Fauna Assessment (FFA) has been undertaken by Cumberland Ecology and is included as **Appendix 3**. As part of this assessment, Cumberland ecology has identified that native vegetation extent covered only 0.06ha of the subject land. This native vegetation is comprised of Plant Community Type (PCT) 75 – Yellow Box – White Cypress Pine – Grassy Woodland – Scattered Tree Form. The remainder of the subject land (7.49ha) is classified as Category 1 pastureland and does not require further assessment.

No threatened flora or fauna species were recorded within the subject land and the minor amount of clearing (0.06ha) proposed as part of this development is not expected to have a significant impact on any threatened fauna species. The FFA concludes that the proposed development will not result in unacceptable ecological impacts.

Regardless of this finding, a variety of mitigation measures are proposed to minimise the risk and potential negative impacts of the development on biodiversity have been identified by Cumberland Ecology and will be adopted for the project.

6.4.2 Built Environmental Impacts

Waste Management: Manure is removed from the sheds at the end of the breeding cycle and taken off site on covered trucks to farms in the surrounding area. Bird mortalities are collected and removed off site on a daily basis.

All other solid wastes produced by operations on the site will be stored in impermeable and covered waste containers and regularly removed from site to an approved waste disposal facility (i.e. Coleambally Refuse Tip) or taken for recycling where appropriate.

All staff amenity buildings are each connected to a septic system to appropriately treat sewage generated within these uses.

Noise and Privacy: The additional breeder rearing sheds are to be located over 1.27km away from the closest rural residence. Due to the large distance between the proposed sheds and the nearest sensitive receptor, no significant impacts on the relevant sensitive receptors from the development are expected.

Traffic, Access and Parking: The expected increase in traffic generated by the increase in capacity of the breeder rearing farm is not expected to result in notable increases in traffic movements or adversely impact the surrounding road network.

Visual Amenity: The new farm will be visible from Donald Ross Drive, however the view will be of the ends of the sheds, rather than the longer north/south elevation. Additional landscaping will be introduced to help screen the sheds from the public vantage points. As such, the proposal is not anticipated to impact on visual amenity. Regardless, high quality construction materials with complementary colours to the existing breeder rearing farm sheds have been adopted.

6.4.3 Social and Economic Impacts

Economic Impacts: The proposed new relocated Avenues Breeder Rearing Farm 33 involves the direct investment of \$5.5 million in capital at the site. Materials and trades will be sourced from local businesses where possible.

The proposed expansion will also generate one (1) new full time employment position in addition to the existing three (3) full-time staff members currently on the site.

Secondary expenditure including purchase of grain and bedding material as well as contract work associated with clean out and set up of sheds as well as ongoing maintenance will also increase proportionally as a result of the increase in production on the site.

More broadly, the poultry meat cluster within the Riverina is one of the larger economic and employment contributors to the region's economy. Over the next few years, Baiada intends to substantially increase its capital expenditure in the region. The relocated Avenues Breeder Rearing Farm 33 is an important component of this larger expansion programme.

Accordingly, the proposed development is considered to have a positive economic impact.

Social Impact: The proposal is not expected to result in any adverse environmental impacts on surrounding properties in terms of odour, noise, visual impacts, traffic generation, or privacy. Accordingly, there are not expected to be any significant social impacts which preclude approval of the development.

7 CONCLUSION

PSA Consulting has been engaged by Bartter Enterprises Pty Limited to prepare this Statement of Environmental Effects (SEE) to accompany a Development Application seeking Development Consent for the proposed relocation of the Avenues Breeder Rearing Farm 33. The existing farm will be demolished.

The existing Farm 33 currently contains 6 sheds housing a total population of 75,900 birds. This application seeks consent to increase the number of birds on the site from 75,900 to 156,500 at the farm to be housed in 10 sheds.

This report provides an environmental assessment of the proposal using the relevant heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*. In this regard, the proposed development is considered to comply with the relevant planning instruments, is consistent with the existing scale and character of surrounding land uses and is not expected to result in any adverse environmental impacts on surrounding properties or the receiving environment.

Accordingly, the proposed development is recommended for approval, subject to relevant and reasonable conditions.

APPENDIX 1: PLANS OF THE DEVELOPMENT

AP01

APPENDIX 2: ODOUR IMPACT ASSESSMENT

AP02

APPENDIX 3: FLORA AND FAUNA ASSESSMENT

AP03

APPENDIX 4: CULTURAL HERITAGE REPORT

AP04