PSA CONSULTING

Environmental Impact Statement

Hilltops Free Range Eggs, Boorowa NSW

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General Disclaimer

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DECLARATION

As author of this Environmental Impact Statement and in accordance with Schedule 2 of the *Environmental Planning and Assessment Regulation 2021*, I declare that:

a) The statement has been prepared in accordance with section 4.12(8) of the *Environmental Planning and Assessment Act 1979*, and

b) The statement contains all available information that is relevant to the environmental assessment of the development to which the statement relates, and

c) The information contained in the statements is neither false nor misleading.

David Ireland

Director – Planning

BAppSc (Urban Environmental Planning) (Hons) RPIA

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EXECUTIVE SUMMARY

Project Overview

PSA Consulting has been engaged by Hilltops Free Range Eggs to prepare this Environmental Impact Statement to accompany a Development Application seeking Development Consent for the construction of a poultry farm on Lot 1 DP789025 and Lot 133 DP754585.

Hilltops Free Range Eggs Pty Ltd is seeking development consent under Part 4 of the *Environment Planning and Assessment Act 1979* to develop a poultry farm, comprised of 30,000 birds to produce free range eggs for human consumption. The birds will be housed in mobile caravans which will hold 900 birds each. These caravans will be rotated around 11 paddocks.

Poultry Consumption and Demand

Research undertaken by the Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) indicates *The value of Australian egg production is forecast to increase by 19% to $1.1 billion in 2022–23. This is a significant increase from 2021–22 in part due to COVID-19 lockdowns reducing demand that year. In addition, high grain and oilseed prices–major egg production inputs–have increased production costs and output values. This has flowed through to higher farmgate values in 2022–23. Over the outlook period to 2027–28, the value of Australian egg production is expected to increase substantially to $1.7 billion in real terms.*

Rising concerns from consumers regarding animal welfare has prompted consumers to switch from cage egg to free range egg production. Australian Eggs 2022 Annual Report identifies that free range eggs now make up 55.6% of grocery chain egg sales.

With phasing out of caged egg sales by Coles and Woolworths by 2025, as well as the Australia-wide phase-out of caged eggs by 2036, it is expected that free range and barn production systems over the coming years will need to grow significantly to fill in the market demand.

As a result of the ongoing and predicted growth in demand for free range eggs in Australia, significant expansion of the industry is required. The growth of operations at HFRE is a direct response to ongoing consumer demand and will continue to supply this growing market.

Core Objectives

The core objectives of the proposed development are as follows:

- Formalise the operations of the HFRE Farm consisting of 30,000 birds in mobile caravans;
- Support expansion of the niche free range egg market within the Southern Inland region which is in a favourable position to supply to the Canberra and Sydney main demand centres; and
- Provide additional support and examples of best farming practices to the growing poultry industry in Australia.

Alternatives

The alternatives to carrying out the development include:

1. Stop Operations.
2. Construction of a new farm in an alternate location.

The alternatives to the proposed development are either financially unviable, unlikely to succeed or do not represent an efficient approach to the formalise this operation. Further, as demonstrated within the EIS, the proposed development can be undertaken in a manner consistent with applicable environmental and planning safe-guards and standards and as such, the project is clearly the best option to achieve the core objectives.

The Proponent

The proponent of the proposed development is Hilltops Free Range Eggs. Hilltops Free Range Eggs has established their operations on the property known as “Reynoldsdale” at 1056 Lachlan Valley Way, Boorowa NSW.

HFRE is a pasture-raised free range egg producer, applying sustainable biodynamic agricultural practices producing quality eggs, which are supplied directly to customers within hours. There is minimal egg storage and no long distribution chains.

The quality of the eggs produced at HFRE was demonstrated at the Royal Sydney Easter Show 2022 and 2021, where HFRE received the Champion Award.

The Site

The proposed HFRE farm is situated within Lot 1 DP789025 and Lot 133 DP754585 more commonly referred to as Reynoldsdale, 1056 Lachlan Valley Way, Boorowa NSW 2586. Access to and from the Site is via Lachlan Valley Way and approx. 500m of council-maintained stockroad from Lachlan Valley Way to the farm gate intersection.

The site has a total area of 380 hectares and is situated approximately 9.7km north of Boorowa, NSW.

The property has been historically cleared and used for a variety of agricultural uses.

Land Use Planning and Permissibility

Under the *Hilltops Local Environmental Plan*, the subject site is located within the RU1 Primary Production Zone. The development falls under the definition of intensive livestock agriculture. Intensive livestock agriculture is Permitted with Consent within the RU1 Zone of the LEP.

The development falls within the scope of Designated Development under Item 21 Intensive Livestock Agriculture of Schedule 3 of the *Environmental Planning and Assessment Regulation 2021.*

Consultation

In preparing the Environmental Impact Statement, consultation has been undertaken with Authorities, Stakeholders and the broader community.

A formal request for the Secretary's Environmental Assessment Requirements (dated 09 January 2023) was submitted with the NSW Department of Planning and Environment. The Department then consulted with a number of other departments including Department of Primary Industries, NSW Environmental Protection Agency, NSW Rural Fire Service, and Transport for NSW. Requirements from each of these agencies was included in the SEARs issued on 09 January 2023. Additional consultation was also undertaken with the Hilltops Shire Council.

Consultation has been undertaken with the broader local community over a number of years given the use has already commenced. All feedback from the consultation activities has been utilised to form and guide the preparation of this EIS.

Assessment of Potential Impacts

An assessment of the proposed development has been undertaken and has found that the development will not have any significant detrimental impacts upon the community, economy and receiving environment. Further details on the assessments undertaken are provided below.

Economic and Social Impacts

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

The Capital Investment Value of the project to date is estimated to be $3.5 million, a majority of which is associated with construction of the proposed farm. The project will create positions for 5 full time staff, 12 part time casual employees and 4 local maintenance contractors. With consideration of these employment opportunities, the project will have a positive economic impact and employment impact for the region.

The EIS has considered the impact on the nearby sensitive receptors and has found that the potential impacts are negligible and within the accepted standards, including for odour, noise and traffic. The proposed development will be in keeping with the local rural area.

With respect to social impacts, the findings of the detailed technical assessments undertaken in relation to the proposed farm demonstrate that construction is unlikely to have significant, negative social impacts provided the proposed mitigation and management measures documented in this EIS are implemented.

Water and Wastewater

Water to the existing dwelling and staff amenities will be provided by rainwater tanks which can be topped up by tanker, if required. The operations will also utilise bore water which will be gained via a solar energy pump. The use of the bore is per the Water Access Licence Number WAL31588.

Sewerage from managers residence amenities is captured and treated in a septic tank with pump out services provided by local contractors.

Ecological Impact Assessment

Significant disturbance of native vegetation cover on the site has occurred as a result of historic clearing and long-term agricultural production. Remnant paddock trees and some small pockets of native vegetation are present in northern part of the site, predominantly outside of the free range areas.

The site is not identified as 'environmentally sensitive land' as shown in Environmentally Sensitive Land in the Hilltops LEP 2012. The modified nature of the vegetation, particularly cropped and mostly treeless paddocks, significantly limits the value of the area as habitat for native fauna. Regardless, no clearing of vegetation is proposed or required as part of this development application.

With consideration of the operations and the need for further assessment, the *Biodiversity Conservation Regulation 2017*, sets out threshold levels for when the Biodiversity Assessment Method (BAM) and Biodiversity Offsets Scheme (BOS) will be triggered. These include:

- whether the amount of native vegetation being cleared exceeds an area threshold.
- whether the impacts occur on an area mapped on the Biodiversity Values Map published by the Environment Agency Head.

In this regard, the site has a minimum lot size of 40Ha and as such the clearing threshold for application of the BAM is 1 hectare. As identified above, the range areas which have been historically cropped and mostly treeless paddocks. trees and some small pockets of native vegetation are present in northern part of the site, predominantly outside of the free range areas. Some paddock trees and some small pockets of native vegetation are present which the existing paddock and will be retained in their current state.

With respect to the Biodiversity Values Map the only portion of the site mapped as a Biodiversity Value Area is Geegullalong Creek which is excluded from the free range areas.

With consideration of the above triggers, the operation does not require further assessment under the BAM and does not trigger the BOS. As such, a Biodiversity Development Assessment Report is not considered to be warranted in this instance.

Cultural Heritage Assessment

Cultural Heritage has been reviewed as part of the EIS. There is a low likelihood that the proposed development will adversely harm cultural heritage items or sites.

Odour Impact Assessment

An Odour Impact Assessment (OIA) has been prepared by Astute Environmental to assess the potential impact of the development in terms of odour and dust. The investigation presented in the report identifies compliance from the existing operations of the poultry farm. The calculations indicates that the proposed development is not predicted to lead to any exceedances of the odour criterion at the nearest sensitive locations.

Noise Impact Assessment

A detailed assessment has been undertaken by SoundIN to assess the proposed development against the relevant acoustic criteria. The report has shown that the existing and proposed operations are compliant with the sensitive noise receptors. SoundIN has concluded that operation and construction of the Hilltops Free Range Eggs site will not cause any long term excessive environmental noise at any residential properties.

Traffic Impact Assessment

The operations of HFRE is well established and generate minimal trips beyond which is typical for a active rural property. Access to the Site is achieved via Lachlan Valley Way which is classified Road (MR56) and approximately 500m of council-maintained stockroad from Lachlan Valley Way to the Hilltops Free Range Eggs farm gate.

Weekly traffic movements associated with the operation of the farm include the following:

- Eggs are transported twice a week, in two small rigid trucks owned by the Applicant, directly from the farm to customers and markets in Sydney and Canberra.
- Feed is delivered twice a week in a small rigid truck owned by the Applicant, directly from the mill to the farm.
- Supplier services are picked up on the way back from Sydney and Canberra egg deliveries in the same trucks, and brought to the farm.
- Waste products are removed from the site by a tipper truck owned by the Applicant once every two to three weeks.

Assuming a waste collection week, the total number of heavy vehicles trips per week will be 14 trips (7 incoming, 7 outgoing trips). With respect to Light vehicles, the HFRE farm employs 5 full time and 12 part time staff to run their operation. Assuming all staff are access the site on a single day, this equates to 32 car trips (17 incoming / 17 outgoing) per day.

Lachlan Valley Way (MR56) is a rural which was estimated by Council in the Hilltops Freight and Transport Study to carry 1600 vehicles per day. Given the location of managers residences on the site, peak hour trips associated with the development are conservatively estimated as 5 light vehicles and 1 heavy vehicles.

Given, the minimal traffic generated by the development and that a majority of the trips are not expected to occur within the peak hour, the operation of the HFRE is expected to have a negligible impact on existing traffic conditions and will function in manner consistent with other rural properties with direct access to Lachlan Valley Way.

The existing intersection between Stockroute 63 and Lachlan Valley Way provides clear access and egress point, with sight lines in excess of 170m, and is sufficient to service the low volume of rural traffic associated with the operation. No additional intersection treatments or access upgrades are proposed for the low traffic impact of the development.

Stormwater Management Plan

The operation of a free range egg farm requires minimal alteration to the landscape which would impact on the stormwater quantity. Stormwater runoff from the caravans and other impervious areas will be directed to existing overland flow paths and drainage lines. Due to minimal size and temporary nature of the caravans, no modifications to the landform, and the size of the rural property, the operation will have negligible impacts on stormwater runoff and will not result in any nuisance to upstream or downstream environments.

Rangelands Assessment has been undertaken by Scolexia to assess the potential impacts of stormwater quality from the land use.

The site is not subject to flooding/inundation or wetlands but is subject to overlays relating to drinking water catchment and groundwater vulnerability. The groundwater vulnerability mapping is identified on a small portion of the property and is not located in the range areas. The drinking water catchment is identified across a majority of the site.

With the overall operations of the development utilising mobile caravans, the risk of hotspots is quite low and can be easily managed with continuous movement of caravans and rotation within the paddocks.

Scolexia conclude in their assessment that, with consideration the site characteristics, low stocking densities and nutrient outputs of the production system as estimated, it is my professional opinion that if the management practices and buffers (scoping document and within) are maintained, there is minimal risk of nutrients and other contaminants migrating off site to the adjacent waterways and groundwater and subsequently impacting on the drinking water supply catchment.

Animal Welfare and Biosecurity

HFRE is a pasture-raised free range egg producer, applying sustainable biodynamic agricultural practices producing quality eggs, which are supplied directly to customers within hours. There is minimal egg storage and no long distribution chains.

HFRE's primary objectives are focussed on supplying fresh eggs to free range egg consumers, providing best practice animal welfare and to improve protection, resilience and productive capacity of soils, water and vegetation on Site. To meet these objectives HFRE is adopting Australian Government Smart Farm best practices, tools and technologies to develop a

sustainable biodynamic and innovative agricultural system. HFRE prides itself on their low-density farming and innovative use of mobile caravans ensuring the highest animal welfare.

Currently, HFRE maintains the capacity of 45 birds/hectare which is well below the RSPCA free range standard of 1,500 birds/ha, and the ACCC standard of 10,000 birds/hectare.

With respect to industry compliance, the HFRE farm will comply with the Animal Welfare requirements as specified in the *"Code of Practice for Biosecurity in the Egg Industry – 2nd Edition" (*Grimes and Jackson, 2015), the *"National Farm Biosecurity Technical Manual for Egg Production"* (AHA, 2015), and the *"National Water Biosecurity Manual: Poultry Production"* (DAFF, 2009b).

Impact Management and Mitigation Measures

The following table presents a summary of the impact management and mitigation measures proposed to be implemented in association with the proposed development.

IDENTIFIED IMPACT	MITIGATION AND MEASUREMENT MEASURES

TRAFFIC	• Weekly traffic movements are limited to:
	  ○ Eggs are transported twice a week, in two trucks owned by the Applicant, directly from the farm to customers and markets in Sydney and Canberra.
	  ○ Feed is delivered twice a week in a truck owned by the Applicant, directly from the mill to the farm.
	  ○ Supplier services are picked up on the way back from Sydney and Canberra egg deliveries in the same trucks, and brought to the farm.
	  ○ Waste products are removed from the site by tipper truck owned by the Applicant once every two to three weeks.
	• All traffic movement will be via the existing intersection with the Site (near Stockroute 63) and Lachlan Valley Way.

ODOUR	• All caravans will be rotated on a regular basis to reduce build up of manure. • Dead birds will be collected from the range areas / caravans on a daily basis and stored in on-site freezers prior to removal from site. • Cracked or damaged eggs are to be collected from the range areas / caravans on a daily basis and stored in on-site freezers prior to removal from site. • The insides of the caravans are to be maintained times to ensure a clean and sanitary environment. • Manure is not to be stockpiled or spread on site.
PARTICULATE MATTER	• The feed silos will be fully enclosed to minimise emissions of particulate matter when loading/unloading. • Vehicles will not exceed a general speed limit of 40 km/hr within the Development and on the access road to minimise dust emissions. • Internal access roads will be appropriately maintained at all times.
NOISE	**Operations** • Vehicles will not exceed a general speed limit of 40 km/hr within the Development and on the access road to minimise noise emissions. • All access roads should be kept in good condition, i.e. no potholes, etc. • A regular maintenance schedule should be adopted for all mobile and fixed plant to ensure unnecessary noise sources are repaired. • All staff and employees directly involved with the facility should receive informal training with regard to noise control procedures. Additional ongoing on the job environmental training should be incorporated with the introduction of any new process or procedure.

IDENTIFIED IMPACT	MITIGATION AND MEASUREMENT MEASURES
	• Trucks and other machines should not be left idling unnecessarily. Machines found to produce excessive noise compared to industry best practice should be removed from the site or stood down until repairs or modifications can be made.
ECOLOGICAL	• No clearing of paddock trees is to be undertaken as part of the operation. • Caravans will be moved every 1 to 2 weeks to provide fresh pasture for the birds and enable ground cover recovery. • Groundcovers are maintained at over 80% which minimise nutrient movement via both overland flow and through erosion.
CULTURAL HERITAGE	• There is a low likelihood that the proposed development will adversely harm Aboriginal cultural heritage items or sites. However, during operations, if Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the Unanticipated Finds Protocol should be followed. • Work crews should undergo cultural heritage induction to ensure they recognise Aboriginal artefacts AAA and are aware of the legislative protection of Aboriginal objects under the NPW Act and the contents of the Unanticipated Finds Protocol
STORMWATER	• Ensure buffer distances of 100m are maintained to between the caravans and the waterway. • Ensure caravans and infrastructure are located approximately 25m or greater from the drainage lines. • Provided minimum 15m wide Vegetated Filter Strips (VFS) as per Table 37 of AEL, 2018 between paddocks and the waterway. • Maintain groundcover of over 80%. • Regularly move caravans, waterers and feeders every week in summer and every 2 weeks in winter to encourage nutrient distribution and pasture recovery. • Undertake regular soil testing to ensure range areas remain within agronomic recommended rates. If required (elevated nutrient levels) consider cropping range areas periodically to remove nutrients from the area. • Areas around caravans and infrastructure can be spread if required to distribute nutrients more evenly across an area. • If an area becomes denuded, consider spreading materials such as straw to minimise soil loss. • If nutrient levels start to rise, consider using alternative range areas on other parts of the property taking into consideration the above buffers and practices and/or fit bases to the caravans and spread over wider areas.

WASTE	• Solid waste
	  ○ Day to day general waste will be placed into enclosed bins and removed from the farm on a regular / as needed basis.
	  ○ Collection bins for collection of recycling material such as plastic, paper, cardboard, and waste metal will also be provided on site and removed from the farm on a regular basis.
	  ○ The paddocks and caravans will be checked regularly inspected for deceased birds which will be promptly removed and transferred to cold storage.
	  ○ Dead birds will be collected weekly from the farm and transported to Jugiong Landfill.
	  ○ Cracked or damaged eggs are collected and stored in sealed containers and disposed of at the Jugiong landfill.
	  ○ No waste materials are to be disposed of on-site.

IDENTIFIED IMPACT	MITIGATION AND MEASUREMENT MEASURES
	• Wastewater ○ Effluent water from the amenities will be treated on site; a septic system with pump out provided as required basis by local contractors.
CHEMICAL USE	• Chemical handling and storage procedures will be undertaken in accordance with the relevant Material Safety Data Sheets (MSDS) and all relevant Australian Standards.

ENVIRONMENTAL MANAGEMENT	• The farm will be operated in accordance with the following standards:
	  ○ Egg Industry Environmental Guidelines Edition II (Australian Eggs Limited Publication, May 2018)
	  ○ Food Standards Australia New Zealand (FSANZ)
	  ○ National Standard 4.2.5 – Primary Production and Processing Standard for Eggs and Egg Products
	  ○ Standard 3.2.1 – Food Safety Programs of the Food Standards Code
	  ○ Food Act 2003 (NSW)
	  ○ Food Regulation 2015 and the national Food Standards Code
	  ○ Prevention of Cruelty to Animals Act 1979
	  ○ Code of Practice for Biosecurity in the Egg Industry – 2nd Edition (Grimes and Jackson, 2015)
	  ○ National Farm Biosecurity Technical Manual for Egg Production (AHA, 2015)
	• National Water Biosecurity Manual: Poultry Production (DAFF, 2009b).

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LIST OF ACRONYMS

ABARES	Australian Bureau of Agricultural and Resource Economics and Sciences
ACN	Australian Company Number
AHIP	Aboriginal Heritage Impact Permit
APZ	Asset Protection Zone
AWS	Automatic Weather Station
AWTS	Aerated Wastewater Treatment System
BAL	Bushfire Attack Level
BAM	Biodiversity Assessment Method
BDAR	Biodiversity Development Assessment Report
BOM	Bureau of Meteorology
BOS	Biodiversity Offset Scheme
DCP	Development Control Plan
DEC	Department of Environment and Conservation NSW
DPI	Department of Primary Industries
DPIE	Department of Planning, Industry and Environment
EEC	Endangered Ecological Community
EIS	Environmental Impact Statement
EPA	Environmental Protection Authority
FTE	Full time equivalent
IPA	Inner Performance Area
km	kilometre
kW	kilowatt
m	metre
mm	millimetre
LEP	Carrathool Local Environmental Plan

NPfI	Noise Policy for Industry
NSW	New South Wales
OEH	Office of Environment and Heritage
OMP	Odour Management Plan
PCT	Plant Community Type
RFS	Rural Fire Service
RMS	Roads and Maritime Services
RNP	Road Noise Policy
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SSD	State Significant Development
TEC	Threatened Ecological Community
TfNSW	Transport for NSW
TIA	Traffic Impact Assessment
vph	Vehicles per hour

1 THE SITE

1.1 SITE OVERVIEW

ADDRESS	Reynoldsdale, 1056 Lachlan Valley Way, Boorowa NSW 2586
PROPERTY DESCRIPTION	Lot 1 DP789023, Lot 133 DP754585
LAND OWNER	Hilltops Free Range Eggs
APPLICANT	Hilltops Free Range Eggs
CONSENT AUTHORITY	Hilltops Council
ZONING	RU1 Primary Production (Hilltops Local Environmental Plan 2022)
TOTAL SITE AREA	380 ha

The proposed development plans are included in **Appendix 1.**

1.2 SITE DESCRIPTION

The proposed Hilltops Free Range Egg farm is situated within Lot 1 DP789025 and Lot 133 DP754585 more commonly referred to as Reynoldsdale, at 1056 Lachlan Valley Way, Boorowa NSW 2586. Access to and from the site is via Lachlan Valley Way and approximately 500m of council-maintained stock road to the farm gate intersection.

The site has a total area of 380 hectares and is situated approximately 9.7km north of Boorowa, NSW.

The property has been historically cleared and used for a variety of agricultural uses including cropping and grazing.

Table 1: Site Details

ADDRESS	REAL PROPERTY DESCRIPTION	EXISTING DEVELOPMENT	SITE AREA (ha)
1056 Lachlan Valley Way, Boorowa NSW 2586	Lot 1 DP789025 Lot 133 DP754585	Dwelling / Agriculture	134.275 245.725
		TOTAL	**380 ha**

1.3 SURROUNDING AREA

As outlined above, the site is situated approximately 9.7km north of Boorowa and located within the Hilltops Council area. The site is surrounded by similar rural properties, utilised for a range of agricultural activities and livestock production. The nearest sensitive receptors (rural dwellings) are located approximately 630m southwest from the property boundary, on the opposite side of Lachlan Valley Way.

The site and surrounding area is shown in Figure 1.

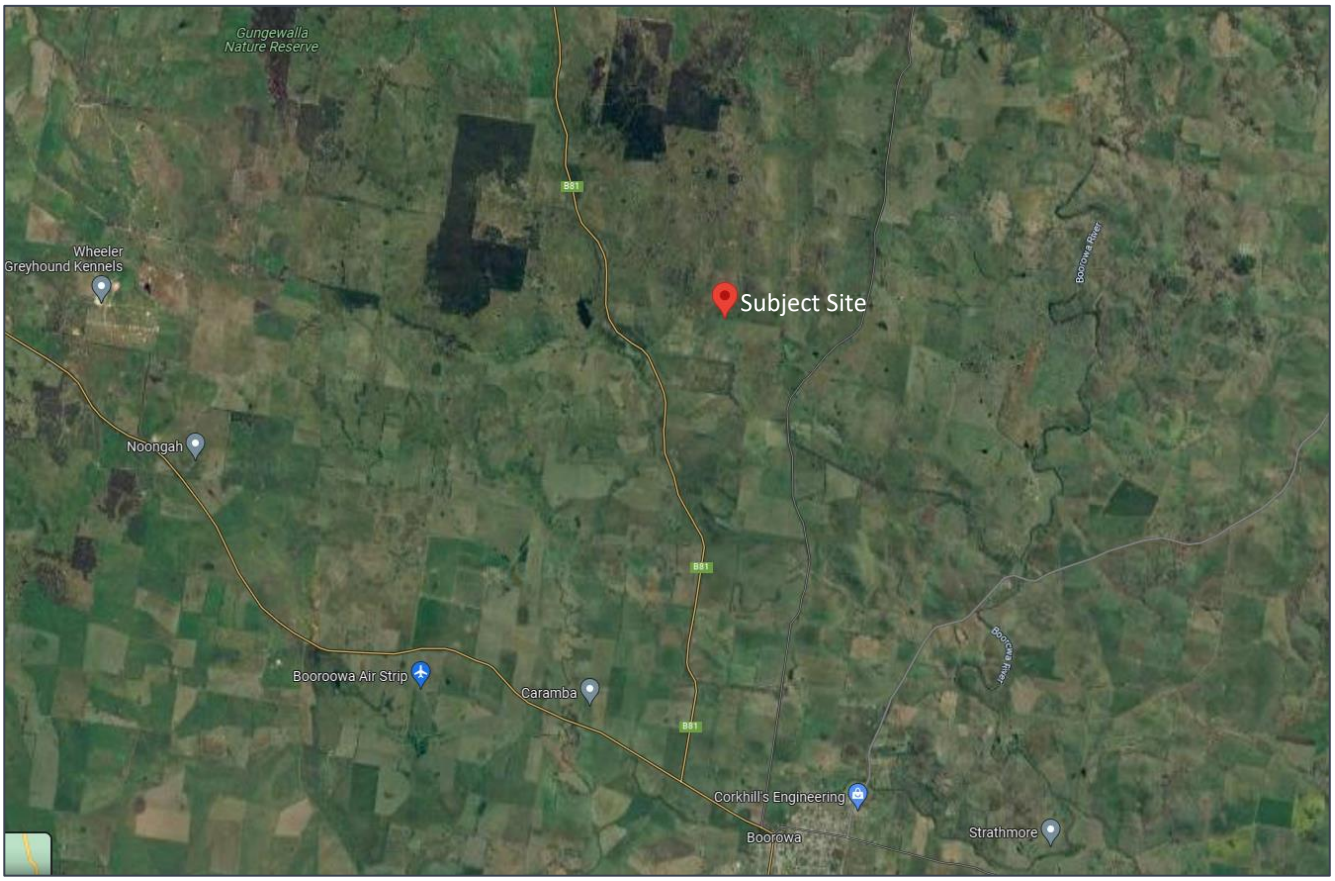

Figure 1: Subject Site and Surrounds (Google Maps, 2023)

1.4 THE EXISTING OPERATIONS AND APPROVALS

The Hilltops Free Range Egg farm (HFRE) is a small, low density, producer of pasture-raised free range eggs. The operation commenced in 2017 on the site and had grown incrementally since this time. In July 2021, HFRE received notification from Hilltops Council that the operation was of a size that required a Development Consent under the *Environmental Planning and Assessment Act 1979*.

The site has a history of use as agricultural production and farming. Searches on Hilltops Council DA tracker have identified only one known approval relevant to the site which is summarised in Table 2 below.

Table 2: Council Approvals

Application ID	Lodgement Date	Date Determined	Description	Group	Address	Applicant
DA020-2013	29/08/2013	06/11/2013	Boundary Adjustment - lot 1 DP 789025 and lot 133 DP 754585	Development Applications	REYNOLDSDALE 1056 Lachlan Valley (Mr56) Way BOOROWA NSW 2586	ANTHONY JUDE DE SILVA

1.5 THE PROPONENT

The proponent of the proposed development is HFRE. HFRE has established their operations on the property known as "Reynoldsdale" at 1056 Lachlan Valley Way, Boorowa NSW.

HFRE is a pasture-raised free range egg producer, applying sustainable biodynamic agricultural practices producing quality eggs, which are supplied directly to customers within hours. There is minimal egg storage and no long distribution chains.

The quality of the eggs produced at HFRE was demonstrated at the Royal Sydney Easter Show 2022 and 2021, where HFRE received the Champion Award.

HFRE's primary objectives are focussed on supplying fresh eggs to free range egg consumers, providing best practice animal welfare and to improve protection, resilience and productive capacity of soils, water and vegetation on Site. To meet these objectives HFRE is adopting Australian Government Smart Farm best practices, tools and technologies to develop a sustainable biodynamic and innovative agricultural system. HFRE prides itself on their low density farming and innovative use of mobile caravans ensuring the highest animal welfare.

1.6 AUSTRALIAN POULTRY INDUSTRY CONTEXT

Research undertaken by the Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) indicates *The value of Australian egg production is forecast to increase by 19% to $1.1 billion in 2022–23. This is a significant increase from 2021–22 in part due to COVID-19 lockdowns reducing demand that year. In addition, high grain and oilseed prices–major egg production inputs–have increased production costs and output values. This has flowed through to higher farmgate values in 2022–23. Over the outlook period to 2027–28, the value of Australian egg production is expected to increase substantially to $1.7 billion in real terms.*

Rising concerns from consumers regarding animal welfare has prompted consumers to switch from cage egg to free range egg production. Australian Eggs 2022 Annual Report identifies that free range eggs now make up 55.6% of grocery chain egg sales.

Major supermarket grocery chains egg sales farming system market share - 2022 FY
(Source: IRI MarketEdge)

	Value	Volume
Cage eggs	24.3%	31.1%
Free Range eggs	61.2%	55.6%
Barn-Laid eggs	10.4%	11.3%
Specialty eggs	4.1%	2.0%

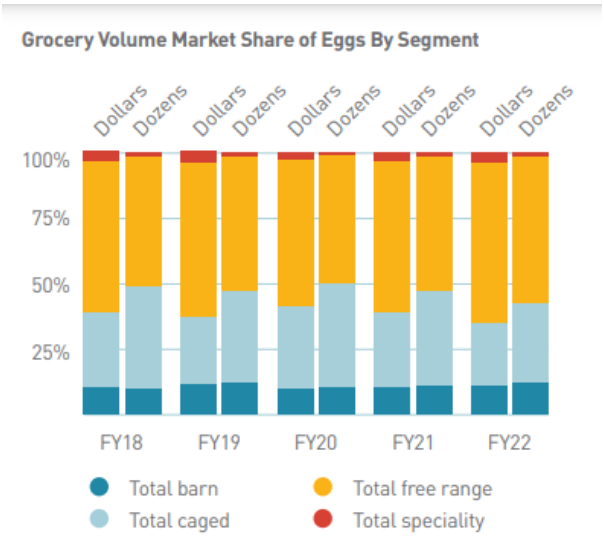

Figure 2: Grocery Chain Egg Sales by Segment (Australian Eggs, 2022)

With phasing out of caged egg sales by Coles and Woolworths by 2025, as well as the Australia-wide phase-out of caged eggs by 2036, it is expected that free range and barn production systems over the coming years will need to significantly increase, in order to meet consumer demand.

As a result of the ongoing and predicted growth in demand for free range eggs in Australia, significant expansion of the industry is required. The growth of operations at HFRE is a direct response to ongoing consumer demand and will continue to supply this growing market.

1.7 PHYSICAL ENVIRONMENT

1.7.1 Topography and Soils

The topography of the Site is characterised by undulating low hills ranging between approximately 540 and 570m AHD with slopes between 3 – 10%. The range areas are generally undertaken on the flatter areas of the site.

The site is located within the Binalong Soil Landscape with fine sandy loam underlain by red, yellow or yellow mottled clay. Mottled slightly alkaline grey clays may occur beneath the clay loams. Soil reaction is neutral.

1.7.2 Hydrology

The site is located within the Boorowa River Catchment. The Boorowa River is a tributary of the Lachlan River, which flows through central New South Wales. The Boorowa River Catchment covers an area of approximately 1,900 square kilometres and includes the town of Boorowa and surrounding areas.

There is one named watercourse, Geegullalong Creek to the west of the HFRE farm, which flows intermittently. There are a number of flow paths in the eastern portion of the site, collecting overland flows and discharging to Geegullalong Creek Boorowa River flows 7km to the south. The site is not subject to riverine flooding or inundation.

1.7.3 Meteorological Data

Young Airport (~48km north-west of site) is the primary centre for meteorological data collection for the Boorowa Region.

1.7.3.1 Temperature

Under the Koppen climate classification scheme, Boorowa has a Tropical and Subtropical Steppe Climate. The long-term temperature figures show a summer mean maximum temperature of approximately 32.2^{o}C and a winter mean maximum average temperature of approximately 15.5^{o}C. Table 3 shows the average temperature recorded at Young AWS.

Table 3: Temperature information: Young Airport (Bureau of Meteorology, 20202

WEATHER STATION	YOUNG AIRPORT (APPROXIMATELY 48 KM FROM SUBJECT SITE)											
Monthly	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean maximum temperature (Celsius)	37.1	33.5	29.8	27.4	19.8	15.8	14.5	16.5	20.7	27.3	32.0	33.0
Mean minimum temperature (Celsius)	26.6	26.5	24.3	19.6	16.0	12.1	10.3	12.3	15.2	18.6	21.7	25.9

1.7.3.2 Rainfall

As shown in Table 4, rainfall in the local area is historically experienced throughout the year within an average of 400 mm received per year.

Table 4: Rainfall information – Gunnary (Burnbrae) (Bureau of Meteorology, 2022)

WEATHER STATION	GUNNARY (BURNBRAE) (APPROXIMATELY 11.9 KM FROM SUBJECT SITE)												
Monthly	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Rainfall (mm)	142.5	46.0	44.4	75.0	118.4	17.8	37.0	99.6	130.8	168.2	120.6	33.2	1033.5

It is noted that the average rainfall over the past year was above average.

1.8 URBAN INFRASTRUCTURE

1.8.1 Water and Sewer

The site is not connected to reticulated sewerage or water infrastructure. Farm operations use rainwater and bore water.

1.8.2 Power Supply

The dwellings and packing sheds are connected to the electricity grid. No electricity is consumed by the mobile caravans for hens.

1.8.3 Telecommunications

Telecommunications is available in the local area and is connected to the existing dwelling.

1.8.4 Road Network and Site Access

Access to and from the Site is via Lachlan Valley Way and approx. 500m of council-maintained stockroad from Lachlan Valley Way to the HFRE farm gate intersection. Weekly traffic movements associated with the current operation are limited to:

- Eggs are transported twice a week, in two trucks owned by the Applicant, directly from the farm to customers and markets in Sydney and Canberra.
- Feed is delivered twice a week in a truck owned by the Applicant, directly from the mill to the farm.
- Supplier services are picked up on the way back from Sydney and Canberra egg deliveries in the same trucks, and brought to the farm.
- Waste products are removed from the site by tipper truck owned by the Applicant once every two to three weeks.

The existing intersection with the Site (near Stockroute 63) and Lachlan Valley Way provides clear access and egress for the low volume of traffic accessing and egressing the site. No traffic incidents have been recorded relating to HFRE operations since egg production commenced on the Site in 2017.

No additional intersection treatments or access upgrades are proposed for the low traffic volumes associated with the development.

1.9 STATUTORY PLANNING

1.9.1 Hilltops Local Environmental Plan 2022

As shown in Figure 3 under the *Hilltops Local Environmental Plan 2022*, the subject site is located in the RU1 Primary Production Zone.

Figure 3: Zoning Plan (Hilltops LEP, 2022)

The objectives for the RU1 Primary Production 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.*
- *To encourage competitive rural production and associated economic development by maintaining and enhancing—*
    - *(a) local and regional transport and communications connectivity, and*

(b) accessibility to national and global supply chains.

- *To maintain areas of high conservation value vegetation.*
- *To encourage development that is in accordance with sound management and land capability practices, and that takes into account the natural resources of the locality.*
- *To protect and enhance the water quality of receiving watercourses and groundwater systems and to reduce land degradation.*
- *To encourage the development of non-agricultural land uses that are compatible with the character of the zone and sustain high quality rural amenity.*

The existing and proposed development falls under Hilltops LEP definition of ***intensive livestock agriculture*** which means "*the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following—*

(a) dairies (restricted),
(b) feedlots,
(c) pig farms,
(d) poultry farms,

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

In accordance with the Land Use Table of the Hilltops LEP, development of *intensive livestock agriculture* within the Primary Production Zone (RU1) is permitted with consent.

The site is located within an active agricultural area and surrounded by a number of other intensive livestock agriculture uses. As such, the proposed poultry farm is considered to be complementary to the surrounding land uses and zones. Further, the development of HFRE will support expansion of primary industry enterprises across the region and accordingly aligns with the objectives for the zone.

2 THE PROPOSAL

2.1 PROPOSAL OVERVIEW

HFRE is seeking development consent under Part 4 of the *Environment Planning and Assessment Act 1979* to formalise the poultry layer farm operations on the subject site. Specifically, the proposed development involves a free range layer farm, accommodating a maximum of 30,000 hens to produce free range eggs for human consumption. The hens will be housed in mobile caravans which will hold 900 hens each. These caravans will be moved every 1 to 2 weeks to provide fresh pasture for the birds and enable ground cover recovery.

Small flocks of hens occupy sub-divisions within available range areas, with flocks protected by Maremma dogs. The size of each flock of birds is kept small (~900), and the mobile caravans, feeders and mobile water stations are spread out, minimising bird density in each paddock. Paddocks are fenced to protect the hens from predators and keep them within the designated range areas.

The hens have unrestricted daytime access to pastures and are provided with water, feed, shade and shelter. The hens are trained to layer their eggs within the nest boxes contained within each caravan. At night, birds return to the mobile caravans which are closed to provide warmth, shelter and safety for the hens. Feed and water for the hens is provided via portable water and feeding stages which are moved with the caravans.

Use of the free range paddock areas on farm are spelled and rotated with low density grazing of sheep or cattle and cropping is also conducted on remaining areas of the site to maintain pasture cover and provide an additional farming income. Poultry feed crops such as oats, Japanese millet and wheat are also planted to and used as feed for the hens.

Eggs are collected from the caravans on a daily basis and stored in the on-site packing shed prior to distribution to customers. Collected eggs are transported from the site twice a week, in two small rigid trucks owned by the Applicant, directly from the farm to customers and markets in Sydney and Canberra.

Feed is delivered twice a week in a truck owned by the Applicant, directly from the mill to the farm and stored in the on-site silos. Supplier services are picked up on the way back from Sydney and Canberra egg deliveries in the same trucks, and brought to the farm. Waste products are removed from the site by tipper truck owned by the Applicant once every two to three weeks.

In addition to free range poultry activities, the HFRE property also includes:

- Two managers' dwellings associated with site operations.
- Supporting rural buildings and infrastructure including:
    - A packing shed (workshop).
    - Amenity facilities encompassing office space, toilets, and employee change rooms.
    - A kitchen within one of the existing dwellings will be used to make egg pasta and baked goods from HFRE (subject to approval from the Food Authority).
    - Three feed storage silos.
    - Six water storage tanks.
    - General waste collection and storage area.
    - Dead bird chiller.
    - Access road connecting to Lachlan Valley Way.

Some photos of the existing operation are provide below.

Figure 4: Typical Free Range Paddock Areas (HFRE, 2023)

Figure 5: Free Range Hens and Mobile Caravans (HFRE, 2023)

Figure 6: Free Range Hens and Maremma dogs (HFRE, 2023)

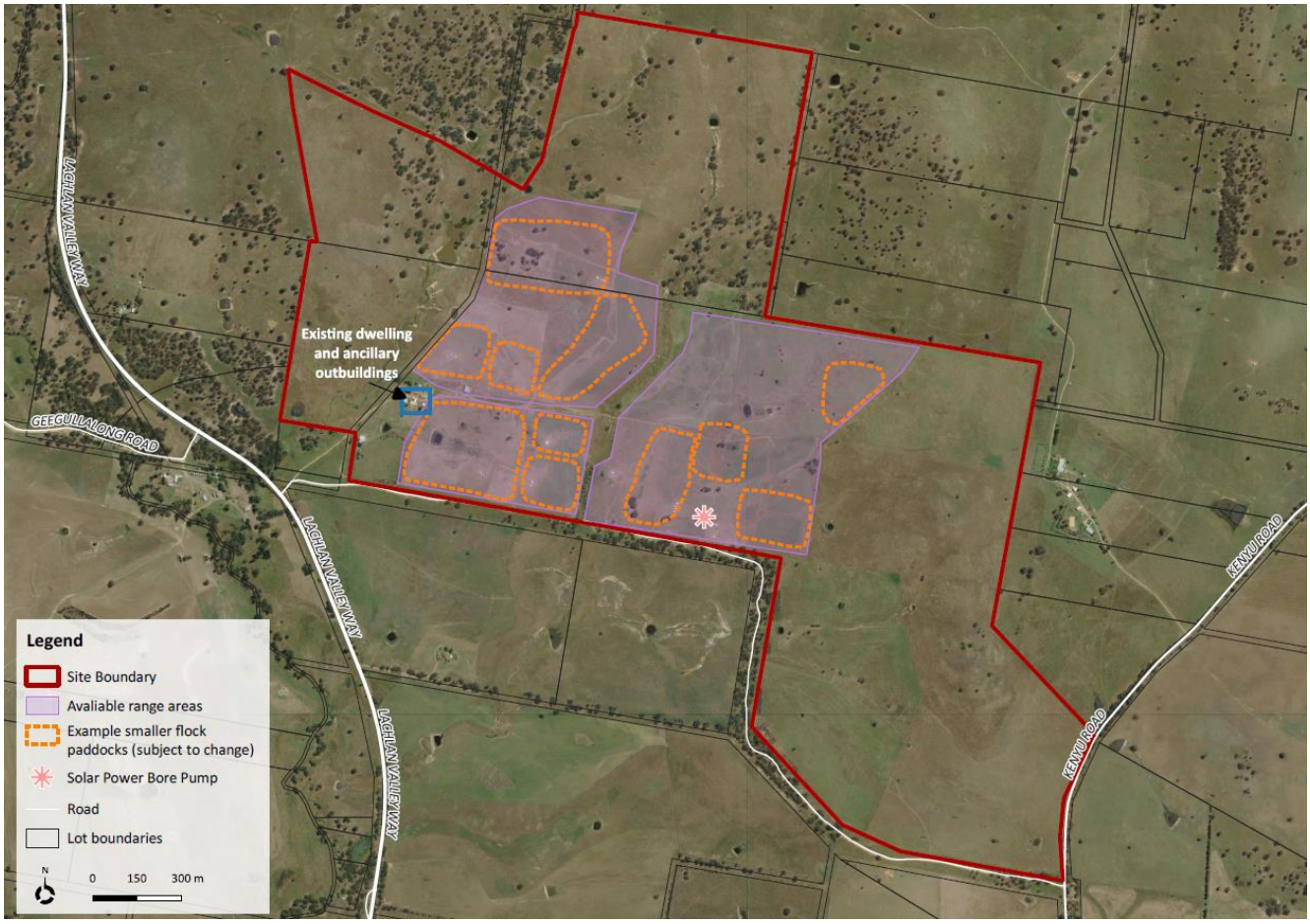

Figure 7: Proposed Site Layout (PSA Consulting, 2023)

2.2 COST OF DEVELOPMENT

The Capital Investment Value of the project is estimated to be $3.5 million not including the cost of land. The operations have already been established and there is no additional construction or costs proposed.

2.3 ON-SITE EMPLOYMENT

The HFRE farm employs 5 full time and 12 part time staff to run their operation. Additional 4 local contractors are also regularly engaged for site maintenance activities.

2.4 INFRASTRUCTURE PROVISION AND UPGRADES

2.4.1 Electricity

The dwellings and packing sheds are connected to the electricity grid. No electricity is consumed by the mobile caravans for hens.

2.4.2 Water

Water to the existing dwelling and staff amenities will be provided by rainwater tanks which can be topped up by tanker, if required. The operations will also utilise bore water which will be gained via a solar energy pump. The use of the bore is per the Water Access Licence Number WAL31588.

2.4.3 Wastewater Treatment

Sewerage from mangers residence amenities is captured and treated in a septic tank with pump out services provided by local contractors.

2.4.4 Stormwater Drainage

The operations do not propose any new construction which would result in changes to the exiting stormwater. Given the minor footprint of the operations from the mobile caravans, the impact of operations on stormwater drainage will be negligible.

3 CONSULTATION

3.1 GOVERNMENT DEPARTMENTS AND AGENCIES

3.1.1 SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

The Secretary's Environmental Assessment Requirements (SEARs) were received from the Department of Planning, Industry and Environment on 09 January 2023. A copy of the SEARs is included in **Appendix 2**. A summary of the SEARs requirements from the Department of Planning and Environment (DPIE) is provided in **Table 5**.

Table 5: SEARs Requirements from DPE

ISSUE	SPECIFIC REQUEST	INFLUENCE ON THE EIS	RELEVANT EIS SECTION
General Requirements	The Environmental Impact Statement (EIS) must comply with the assessment requirements and meet the minimum form and content requirements in sections 190 and 192 of the *Environmental Planning and Assessment Regulation 2021.*	This EIS has been prepared in accordance with the EP & A Regulation	All
Key Issues	The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed: • **Strategic and statutory context** – including: • A detailed justification for the proposal and suitability of the site for the development	Site Suitability	Section 7
	• A Land Use Conflict Risk Assessment prepared in accordance with relevant Department of Primary Industries guidelines	Land Use Conflict Risk Assessment	Appendix 9
	• A demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies	Statutory Planning Assessment	Section 4.1
	• A list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.	Approvals and licences	Section 6
	• **Suitability of the site** – including: • a detailed justification that the site can accommodate the proposed processing capacity, having regard to the scope of the operations and its environmental impacts and relevant mitigation measures of **animal welfare, bio-security and disease management** – including: - details of how the proposed development would comply with relevant codes of practice and guidelines - details of all pest, weed and disease control measures	Outline of the project and justification	Section 2 Section 7

ISSUE	SPECIFIC REQUEST	INFLUENCE ON THE EIS	RELEVANT EIS SECTION
	- a detailed description of the contingency measures that would be implemented for the mass disposal of livestock in the event of disease outbreak.		
	• **Air quality** – including: • a description of all potential sources of air and odour emissions during construction and operation • an air quality impact assessment in accordance with relevant Environment Protection Authority guidelines • a description and appraisal of air quality impact mitigation and monitoring measures.	Air Quality Management Report	Section 4.7 Appendix 6
	• **Noise and vibration** – including: • A description of all potential noise and vibration sources during construction and operation, including road traffic noise • A noise and vibration assessment in accordance with the relevant Environment Protection Authority guidelines • A description and appraisal of noise and vibration mitigation and monitoring measures.	Noise impact assessment	Section 4.8 Appendix 8
	• **Traffic and transport** – including: • Details of road transport routes and access to the site • Road traffic predictions for the development during construction and operation • an assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development.	Traffic impact assessment	Section 4.9
	• **Soil and water** – including: • a description of local soils, topography, drainage and landscapes • details of water usage for the proposal including existing and proposed water licencing requirements in accordance with the *Water Act 1912* and/or the *Water Management Act 2000* • an assessment of potential impacts on floodplain and stormwater management and any impact to flooding in the catchment • details of sediment and erosion controls • a detailed site water balance • an assessment of potential impacts on the quality and quantity of surface and groundwater resources • details of the proposed stormwater and wastewater management systems (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts • a description and appraisal of impact mitigation and monitoring measures.	Physical environment and Groundwater Assessment	Section 1.8 Section 4.4 Appendix 8

ISSUE	SPECIFIC REQUEST	INFLUENCE ON THE EIS	RELEVANT EIS SECTION
	• **Biodiversity** – including a description of any potential vegetation clearing needed to undertake the proposal and any impacts on flora and fauna.	Ecological impact assessment	Section 4.15
	• **Visual** – including an impact assessment at private receptors and public vantage points.	Visual impact assessment	Section 4.11
	• **Heritage** – including Aboriginal and non-Aboriginal cultural heritage.	Cultural heritage review	Section 4.2
Environmental Planning Instruments and other policies	The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to: • State Environmental Planning Policy (Transport and Infrastructure) 2021 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Chapters 2 and 4) • State Environmental Planning Policy (Primary Production) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 (Chapters 2, 3 and 4) • Boorowa Local Environmental Plan 2012 • relevant Development Control Plans and section 7.11 plans.	Statutory planning assessment	Section 4.1
Guidelines	During the preparation of the EIS you should consult the Department's Register of Development Assessment Guidelines which is available on the Department's website at https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Industries. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.	Statutory planning assessment	Section 4.1
Consultation	During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with: • Hilltop Council • WaterNSW • DPI Agriculture • Environment and Heritage Group of the Department of Planning and Environment • the surrounding landowners and occupiers that are likely to be impacted by the proposal. • Cowra local Aboriginal land Council Details of the consultation carried out and issues raised must be included in the EIS.	Each of these groups has been consulted either through the SEARs, consultation through cultural heritage assessment and through communication with landowners.	Section 3
Further consultation after 2 years	If you do not lodge an application under Section 4.12(8) of the *Environmental Planning and Assessment Act 1979* within 2 years of the issue date of these SEARs, you must consult with the Planning Secretary in relation to any further requirements for lodgement.	Noted	N/A

3.2 HILLTOPS COUNCIL

A copy of the SEARs Request was forwarded to Hilltops Council requesting any additional requirements which have not covered in the SEARs. On 12 April 2023, contact was made with Council's Development Team Leader, Andrew Raines to discuss the project and confirm any additional requirements. It was confirmed that Council will assess the development application against the SEARs and the person preparing the EIS must certify that the requirements have been complied with. In addition, noise and odour assessments (Level 1) should be prepared for intensive developments.

3.3 COMMUNITY CONSULTATION

This application is seeking to formalise the existing operations of HFRE which has been in production for some time. As a result of this, the surrounding land owner and wider community are highly aware of operations, any potential impacts and have been consistently supportive of the operations. As part of the preparation of this EIS, the Applicant has specifically made contact with the adjoining property owners:

- Mr George Merriman (Geegullalong)
- Mrs Anne Johnson (Tulangi)

Consultation was undertaken to ensure that these adjoining land owners / businesses were aware of the proposed development and were able to raise any specific issues to be addressed in the EIS. All of the above contacts were already aware of, expecting and supportive of the proposed development. No additional issues were raised to be addressed in the EIS. See confirmation of consultation in **Appendix 10**.

3.4 AGENCY CONSULTATION

On 31 March 2023, letters were sent to each of the following agencies and organisations to request input concerning the preparation of an Environmental Impact Statement (EIS) for the free range egg farm. A copy of the Scoping Report and SEARS were also provided for review. Initial and follow up phone calls to each group were also made. No additional feedback was received from these agencies.

- Cowra Local Aboriginal Land Council
- WaterNSW
- NSW Department of Planning & Environment (Environment group)
- Heritage – Environment NSW
- Department of Primary Industry – Agriculture

3.5 PUBLIC NOTIFICATION

In accordance with Part 4 of the *Environmental Planning and Assessment Act 1979,* the EIS will be publicly notified during which time the general public will be invited to make comment and forward submissions to the Consent Authority (Hilltops Council) in relation to the proposed development. Advertising will occur for a minimum period of 30 days.

4 ASSESSMENT OF ENVIRONMENTAL IMPACTS

4.1 STATUTORY PLANNING ASSESSMENT

4.1.1 Designated Development

Item 39 Poultry farms of Schedule 3 – Designated Development of the *Environmental Planning and Assessment Regulation 2021* indicates that a Poultry Farm is designated development under the following circumstances.

39 Poultry farms

(1) Development for the purposes of a poultry farm is designated development if the poultry farm—

(a) accommodates more than 250,000 birds, or

(b) is located within 500 metres of another poultry farm.

(2) Development for the purposes of a poultry farm is designated development if the poultry farm—

(a) accommodates more than 10,000 birds, and

(b) is located within—

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

(ii) a drinking water catchment, or

(iii) 500 metres of a residential zone or 150 metres of a dwelling not associated with the development and, in the consent authority's opinion, considering topography and local meteorological conditions, is likely to significantly affect the amenity of the neighbourhood because of noise, odour, dust, lights, traffic or waste.

While the farm will accommodate significantly less than 250,000 birds, Designated Development is triggered due to the site location within 100m of a waterbody (Geegullaglong Creek) and presence within a drinking water catchment. Accordingly the development requires the preparation and submission of an Environmental Impact Statement (EIS) to Hilltops Council as the Consent Authority for assessment.

4.1.2 Concurrence

This DA does not trigger a requirement for concurrence under environmental planning instrument.

4.1.3 Referrals

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

4.1.4 Draft South East and Tablelands Regional Plan 2041

The *Draft South East and Tablelands Regional Plan 2041 is* a 20 year blueprint for the future for the South East and Tablelands Region prepared by the NSW State Government. The vision for the region contained in the plan includes the following statements which align with the core objectives of the proposed development:

- *Productive agricultural land and natural resources are the foundations of the region's economy, which continues to diversify through growth in the tertiary education, health, waste, energy, tourism and transport sectors*

Local Government specific, the Regional Plan states that a number of the Hilltops' priorities are to:

- *Protect productive agricultural land and rural industries from incompatible land uses.*
- *Grow rural industries by enhancing farm-to-market opportunities, that leverage each town's strategic freight and transport infrastructure.*
- *Encourage business diversification, value add and growth agriculture and tourism.*

As part of this development application, HFRE is seeking for formally establish their existing operations on the site. The operation closely aligns with the vision for the region as it will support ongoing growth in the agricultural sector and make productive use of the naturel resource base. HFRE will continue to provide employment opportunities for the local areas which in turn will support the local economy and strengthen the region's sustainable communities.

The plan has identified 5 themes for the region with theme 3 Leveraging diverse economic identities having the following 6 objectives:

- Objective 11 Realise economic benefits from a connected regional economy
- Objective 12 Promote a year-round visitor economy
- Objective 13 Promote innovation and sustainability in agriculture and aquaculture industries
- Objective 14 Support the development of a circular economy
- Objective 15 Promote business and employment opportunities in strategic locations
- Objective 16 Support industries to integrate operations and digital solutions

An assessment of the proposed development's contribution towards achieving these goals is provided below.

Table 6: Assessment of the development against the Draft South East and Tablelands Regional Plan 2041

REGIONAL PLAN THEMES	PROPOSED DEVELOPMENT CONTRIBUTION
Objective 11 Realise economic benefits from a connected regional economy	The proposed development supports the regional area by continuing to operate and maintain business which provides free range eggs to the local and greater area. The proposed development will support the ongoing growth and stability of the regional agricultural economy and support the growth of the haulage transport route improvements.
Objective 12 Promote a year-round visitor economy	Agritourism contributes more than 650 jobs to the region. Although not agritourism, the development of the HFRE through its well-established operations has shown to support and compliment the industry without adding to the potential conflicts with primary production.
Objective 13 Promote innovation and sustainability in agriculture and aquaculture industries	Poultry is noted as one of the key agricultural production contributors in the region. The operations and production from the HFRE has shown success through recognition and response from the community. The operations support favourable production conditions whilst maintaining ecological sustainability.
Objective 14 Support the development of a circular economy	A key factor in Objective 14 is Livestock and poultry are grazed on a rotational basis across diversified farms, or shared across farm lands to improve soil condition and nutrients. HFRE will support this rational grazing as they apply sustainable biodynamic agricultural practices producing quality eggs through the use of portable, mobile roosting and laying 'caravans'.
Objective 15 Promote business and employment opportunities in strategic locations	The operations of the HFRE is located near the Cunningar Employment Precinct regional employment investigation area. Through the employment of up to 21 persons, the operations will support this objective by providing agricultural production which will utilise the freight networks.
Objective 16 Support industries to integrate operations and digital solutions	HFRE 's primary objectives are focussed on supplying fresh eggs to free range egg consumers, providing best practice animal welfare and to improve protection, resilience and productive capacity of soils, water and vegetation on Site. To meet these objectives HFRE is adopting Australian Government Smart Farm best practices, tools and technologies to develop a sustainable biodynamic and innovative agricultural system. HFRE business objectives align with Council's Economic Action Plan's strategic intent to attract industry, targeting agriculture, and building business capacity by workforce development and a 'Buy Local' program (Hilltops Council, 2018). HFRE's innovative agriculture systems also provide an opportunity to contribute to Council's plan to build a strong education and research base around the agricultural industry. The best practices implemented will support partnerships between key research bodies and the public sector to improve information and data sharing.

4.1.5 State Environmental Planning Policies

An assessment of the development against the remaining SEPPs is provided in Table 7 below.

Table 7: Applicability of other SEPPs

STATE ENVIRONMENTAL PLANNING POLICY (PLANNING SYSTEMS) 2021	
CHAPTERS	**APPLICABILITY AND ASSESSMENT**
Chapter 2 - State and Regional Development	**N/A.** The project is not State or Regionally Significant Development.
Chapter 3 - Aboriginal Land	**N/A.** The site is not located on land owned by a Local Aboriginal Land Council.
Chapter 4 - Concurrences and Consents	**N/A.** There are no concurrences of consents described in Chapter 4 applicable to the site.

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021	
CHAPTERS	**APPLICABILITY AND ASSESSMENT**
Chapter 2 - Vegetation in Non-Rural Areas	**N/A.** Chapter 2 does not apply to as the site is a rural area.
Chapter 3 - Koala Habitat Protection 2020	The Koala habitat protection SEPP 2021 and SEPP 2020 provides provisions for retaining Koala habitat. Under the SEPP, if the site meets the definition of potential Koala habitat, and is zoned RU1 it must be assessed under the Core Koala habitat guidelines as detailed in the Koala SEPP 2020. The Development Site contains large areas of cleared land with no clearing of native vegetation proposed. Significant disturbance of natural environment on the site has already occurred as a result of historic clearing and long-term agricultural production. The site is not identified as 'environmentally sensitive land 'as shown in Environmentally sensitive land in the Hilltops LEP 2022. The proposed egg production pastures are nominated outside of any areas mapped as Terrestrial Biodiversity Mapping. As such, a Koala Plan of Management consistent with the SEPP 2020 and the Planning Circular B35 is not required for approval by the Department of Planning, Industry and Environment (DPIE) as part of this application.
Chapter 4 - Koala Habitat Protection 2021	
Chapter 5 – River Murray Lands	**N/A.** The chapter does not apply to the subject site.
Chapter 6 – Water Catchments	**N/A.** The site is not located within a nominated water catchment.
Chapter 13 – Strategic Conservation Planning	**N/A.** The site is not located on the nominated Land Application maps.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021	
CHAPTERS	**APPLICABILITY AND ASSESSMENT**
Chapter 2 - Coastal Management	**N/A.** The site is not located in the Coastal Zone.
Chapter 3 - Hazardous and Offensive Development	**N/A.** The proposed development is not defined as 'industry' or 'storage establishment' as outlined in the Hilltops LEP 2022. Therefore, in accordance with s 2.1 of the Applying SEPP 33 Guideline and Clause 3 of the SEPP33, the SEPP does not apply to the proposed development.

Chapter 4 - Remediation of Land	**N/A.** 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. As the proposed development involves the operations of a poultry farm which is not a sensitive land use, further assessment of this SEPP is not required.

STATE ENVIRONMENTAL PLANNING POLICY (TRANPORT AND INFRASTRUCTURE) 2021	
CHAPTERS	**APPLICABILITY AND ASSESSMENT**
Chapter 2 - Infrastructure	**Not applicable** – The proposed development is not for transport and infrastructure.
Chapter 3 - Educational Establishments and Childcare Facilities	**N/A.** The project does not involve an Educational Establishment of Childcare Facility.
Chapter 4 - Major Infrastructure Corridors	**N/A.** The site is not within or adjacent to a major infrastructure corridor.
Chapter 5 - Three Ports-Port Botany, Port Kembla and Newcastle	**N/A.** The site is not located within the relevant port areas.
Chapter 6 – Moorebank Freight Intermodal Precinct	**N/A.** The site is not located within the relevant precinct.

STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021	
CHAPTERS	**APPLICABILITY AND ASSESSMENT**
Chapter 2 - Western Sydney Employment Area	**N/A.** The site is not located within the Western Sydney Employment Area.
Chapter 3 - Advertising and Signage	**N/A.** No advertising or signage under Chapter 3 is proposed as part of this application.

STATE ENVIRONMENTAL PLANNING POLICY (RESOURCES AND ENERGY) 2021	
CHAPTERS	**APPLICABILITY**
Chapter 2 - Mining, Petroleum Production and Extractive Industries	**N/A.** The project does not involve mining or extractive industry.
Chapter 3 - Extractive Industries	**N/A.** The project does not involve mining or extractive industry.

STATE ENVIRONMENTAL PLANNING POLICY (PRIMARY PRODUCTION) 2021	
CHAPTERS	**APPLICABILITY**
Chapter 2 - Primary Production and Rural Development	The assessment considerations for intensive livestock agriculture outlined in Schedule 4, Part 3 (4) of the SEPP are replicated within the Hilltops LEP 2022. An assessment against these provisions is provided in Section 4.5.3 of this SEE. This EIS has adequately provided information on all potential effects of the proposed development including odour, pollutants, noise, site suitability and all relevant codes of practice.
Chapter 3 - Central Coast Plateau Areas	**N/A.** The project is not located in the Central Coast Plateau Area.

STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS – EASTERN HARBOUR CITY) 2021	
CHAPTERS	**APPLICABILITY**
All	**N/A.** The project is not located in a listed State Significant Precinct.

STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS – CENTRAL RIVER CITY) 2021	
CHAPTERS	**APPLICABILITY**
All	**N/A.** The project is not located in a listed State Significant Precinct.

STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS – WESTERN PARKLAND CITY) 2021	
CHAPTERS	**APPLICABILITY**
All	**N/A.** The project is not located in a listed State Significant Precinct.

STATE ENVIRONEMENTAL PLANNING POLICY (PRECINCTS - REGIONAL) 2021	
CHAPTERS	**APPLICABILITY**
All	**N/A.** The project is not located in a listed State Significant Precinct.

4.1.6 Hilltops Local Environmental Plan 2022

4.1.6.1 Zoning and Permissibility

Under the *Hilltops Local Environmental Plan 2022* (LEP), the subject site is located in the *RU1 Primary Production Zone.*

The proposed development falls under Hilltops LEP definition of ***intensive livestock agriculture*** which means "*the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following – dairies (restricted), feedlots, pig farms, poultry farms; but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief".*

In accordance with the Land Use Table of the Hilltops LEP, development of an intensive livestock agriculture within the Primary Production Zone (RU1) is **permitted with consent**.

The objectives for the RU1 Primary Production Zone are as follows:

- *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.*
- *To encourage competitive rural production and associated economic development by maintaining and enhancing—*
    - *(a) local and regional transport and communications connectivity, and*
    - *(b) accessibility to national and global supply chains.*
- *To maintain areas of high conservation value vegetation.*
- *To encourage development that is in accordance with sound management and land capability practices, and that takes into account the natural resources of the locality.*

- *To protect and enhance the water quality of receiving watercourses and groundwater systems and to reduce land degradation.*
- *To encourage the development of non-agricultural land uses that are compatible with the character of the zone and sustain high quality rural amenity.*

The site is located within an active agricultural area and surrounded by a number of other intensive livestock agriculture uses. As such, the proposed poultry farm is considered to be complementary to the surrounding land uses and zones. Further, the development of HFRE will support expansion of primary industry enterprises across the region and accordingly aligns with the objectives for the zone.

4.1.6.2 Other Clauses

Other assessment provisions considered include in the Table 8, below.

Table 8: Hilltops LEP 2022 assessment provisions

PROVISION	APPLICABILITY
PRINCIPAL DEVELOPMENT STANDARDS	
4.1 Minimum subdivision lot size	**Not Applicable –** This development application does not propose subdivision.
4.2 Rural subdivision	**Not Applicable –** This development application does not propose subdivision.
4.3 Height of buildings	**Not Applicable –** The proposed poultry farm contains a number of existing buildings. No new buildings are proposed which result in any noncompliance with the clause.
4.4 Floor space ratio	**Not Applicable.**
4.5 Calculation of floor space ratio and site area	**Not Applicable.**
4.6 Exceptions to development standards	**Not Applicable.**
MISCELLANEOUS PROVISIONS	
5.1 Relevant acquisition authority	**Not Applicable.**
5.2 Classification and reclassification of public land	**Not Applicable –** classification and reclassification of public land is not involved in this DA.
5.3 Development near zone boundaries	**Not Applicable –** the subject site is not located near zone boundaries.
5.4 Controls relating to miscellaneous permissible uses	**Not Applicable –** the stated miscellaneous permissible uses are not relevant to the proposed development.
5.6 Architectural roof features	**Not Applicable.**
5.7 Development below mean high water mark	**Not Applicable.**
5.8 Conservation of fire alarms	**Not Applicable.**
5.10 Heritage conservation	**Not Applicable –** the subject site is not identified as a heritage conservation area
5.11 Bush fire hazard reduction	**Not Applicable –** the subject site is not identified as bushfire prone
5.12 Infrastructure development and use of existing buildings of the Crown	**Not Applicable** – no use of infrastructure of existing buildings of the Crown is not involved in this DA.
5.13 Eco-tourist facilities	**Not Applicable** – no eco-tourist facilities are involved in this DA.

PROVISION	APPLICABILITY
5.14 Siding Spring Observatory – maintaining dark sky	**Not Applicable.**
5.15 Defence communications facility	**Not Applicable.**
5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	**Complies –** the development does not include any new dwellings. A LUCRA has been undertaken to ensure the development does not result in any potential land use conflict.
5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	**Not Applicable.** The development does not include any artificial waterbodies.
5.18 Intensive livestock agriculture	
(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—	
(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,	(a) This EIS provides a detailed assessment of the proposed development and addresses all matters raised in the SEARS and the LEP / DCP. This EIS provides sufficient information regarding the project to enable Council to undertake a thorough assessment of the development application.
(b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,	(b) An odour and dust assessment can be referred to in **Appendix 6**. The calculations undertaken shows that the development will comply with the applicable odour impact criterion at the nearest sensitive receptors. In addition, the assessment also shows that no major change to odour impacts within the locality is expected due to the significant setbacks to sensitive receptors and the minor nature of the development.
(c) the potential for the pollution of surface water and ground water,	(c) A nutrient risk assessment for the HFRE pasture free range area impacts to surface waters has been undertaken in accordance with the Egg Industry Environmental Guidelines Edition II (Australian Eggs Limited Publication, May 2018). The nutrient risk assessment considered rainfall, distance to waterways, farm size, soil profile, land shape, groundcover, stocking rate, slope, soil phosphorus and soil phosphorus buffering capacity. The risk assessment of the HFRE free range area nutrient impacts to surface water indicates that the Site is Low risk and suitable for continued pasture-raised, free range operation. The potential for HFRE to impact surface water flow is considered low as pastures are 80 – 100% annual groundcover and mobile caravans are not fixed
(d) the potential for the degradation of soils,	(d) HFRE do not use fertilisers and the risk of land contamination from free range egg production on Site is considered to be minimal given the following: o There is no power generation and associated fuel required for mobile caravans.

PROVISION	APPLICABILITY
	o The long-term and existing use of the Site and adjoining lands is traditional agricultural production, primarily comprising cropping with some livestock grazing. o There are no identified previous or existing land use activities that may have caused or attributed to significant soil contamination. o There are no known areas within the Site where toxic wastes, poisons or the like have been dumped or buried to cause or attribute to soil contamination
(e) the measures proposed to mitigate any potential adverse impacts,	(e) A list of measures to mitigate the potential risks of the proposed development can be found in Section 5 of this EIS.
(f) the suitability of the site in the circumstances,	(f) The site is located within an established rural area containing a number of intensive livestock facilities and significant agricultural operations. The formalisation of the operations of Hilltops Free Range Eggs is compatible with the surrounding operations, objectives of the RU1 Primary Production zone. As such, the site is considered inherently suitable for the proposed development. A detailed discussion of site suitability is provided in Section 7.1 of the EIS.
(g) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,	(g) A detailed overview of the management of the proposed farm in regard to animal health and welfare can be seen in Sections 4.14 of the EIS. The farm will be contractually required to operate in accordance with the relevant industry codes.
(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.	(h) The proposed design and operation of the poultry farm accords with the relevant guidelines.
(4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if— (a) the development is of a type specified in subclause (5), and (b) the consent authority is satisfied that the development will not be located— (i) in an environmentally sensitive area, or (ii) within 100 metres of a natural watercourse, or (iii) in a drinking water catchment, or (iv) within 500 metres of any dwelling that is not associated with the development, or a residential zone, or	**Complies.** As the development is within 100m of a watercourse and in a drinking water catchment, the application has been sought for approval and shows compliance with the relevant controls as detailed in the EIS.

PROVISION	APPLICABILITY
(v) if the development is a poultry farm—within 500 metres of another poultry farm.	
(5) The following types of development are specified for the purposes of subclause (4)— (a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle, (b) a goat feedlot having a capacity to accommodate fewer than 200 goats, (c) a sheep feedlot having a capacity to accommodate fewer than 200 sheep, (d) a pig farm having a capacity to accommodate fewer than 20 breeding sows, or fewer than 200 pigs (of which fewer than 20 may be breeding sows), (e) a dairy (restricted) having a capacity to accommodate fewer than 50 dairy cows, (f) a poultry farm having a capacity to accommodate fewer than 1,000 birds for meat or egg production (or both).	**Noted.** The proposed development is for a poultry farm with 30,000 chickens.
(6) For the avoidance of doubt, subclause (4) does not apply to development that is prohibited or that may be carried out without development consent under this or any other environmental planning instrument.	**Not Applicable.** The proposed development is identified as 'development permitted with consent'.
5.19 Pond-based, tank-based and oyster aquaculture	**Not Applicable –** pond-based, tank-based and oyster aquaculture is not involved in this DA.
5.20 Standards that cannot be used to refuse consent – playing and performing music	**Not Applicable –** playing and performing music is not involved in this DA.
5.21 Flood Planning	**Not Applicable -** The subject site does not impact on flood prone land.
5.22 Special Flood Considerations	**Not Applicable -** The subject site does not impact on flood prone land.
5.23 Public bushland	**Not Applicable**
5.24 Farm stay accommodation	**Not Applicable**
5.25 Farm gate premises	**Not Applicable**
ADDITIONAL LOCAL PROVISIONS	
6.1 Earthworks	**Not Applicable** – No earthworks are proposed as part of the development
6.2 Essential services	**Not Applicable –** The site is not located within the RU5, R5 or IN1 Zone. Regardless, all necessary infrastructure and services can be provided to the site.
6.3 Terrestrial biodiversity	**Complies –** Significant disturbance of native vegetation cover on the site has occurred as a result of historic clearing and long-term agricultural production. Remnant paddock trees and some small pockets of native vegetation (as shown in Figure 9 the Terrestrial Biodiversity Map from the *Hilltops LEP 2022*) are present

PROVISION	APPLICABILITY
	in northern part of the site, predominantly outside of the free range areas. The site is not identified as 'environmentally sensitive land' as shown in Environmentally Sensitive Land in the Hilltops LEP 2012. The modified nature of the vegetation, particularly cropped and mostly treeless paddocks, significantly limits the value of the area as habitat for native fauna. Regardless, no clearing of vegetation is proposed or required as part of this development application.
6.4 Riparian land and watercourses	**Not Applicable –** The site does not include mapped riparian land and watercourses.
6.5 Groundwater vulnerability	**Complies** – A small area (approximately 200m2) near the entrance to the Site at 1056 Lachlan Valley Way, and outside of the egg production areas on the Site, is identified as groundwater vulnerable land as shown on the Groundwater Vulnerability Map in the Boorowa LEP 2012. The proposed free range areas are not located on groundwater vulnerable land.
6.6 Salinity	**Not Applicable –** The site is not subject to salinity.
6.7 High erodible soils	**Not Applicable –** The site is not subject to high erodible soils.
6.8 Drinking water catchments	**Complies** – The property was located within the drinking water catchment for the Boorowa township water supply. On a regional scale, the Site is located within the water catchment of the Boorowa River. The catchment supports the drinking water catchment of the township of Boorowa. The Boorowa River flows approximately 7 kilometres to the south of the Site. On Site there is one named watercourse in the west of the Site, Geegullalong Creek, in which water flows intermittently; a tributary pattern of creeks/ topographical depressions in the eastern half of the Site in which water flows intermittently; and dams holding surface water are located across the Site . The depressions have no formed banks and are only distinguishable as drainage features by their location. A nutrient risk assessment for HFRE pasture free range area impacts to surface waters has been undertaken in accordance with the Egg Industry Environmental Guidelines Edition II (Australian Eggs Limited Publication, May 2018). The nutrient risk assessment considered rainfall, distance to waterways, farm size, soil profile, land shape, groundcover, stocking rate, slope, soil phosphorus and soil phosphorus buffering capacity. The risk assessment of the HFRE free range area nutrient impacts to surface water indicates that the Site is Low risk and suitable for continued pasture-raised, free-range operation.

PROVISION	APPLICABILITY
	No burial or composting of dead birds is proposed to occur on Site. Dead birds are collected from egg production areas on a daily basis, stored in a chiller on Site, and disposed of at the Jugiong landfill. Overall assessment has indicated the proposed development will not impact on the drinking water catchment.
6.9 Development along the Lachlan and Boorowa Rivers and Lake Wyangala	**Not Applicable –** the site is not adjacent to the Lachlan, Boorowa Rivers or Lake Wyangala
6.10 Development on Carinya Estate	**Not Applicable –** the site is not on Carinya Estate
6.11 Development control plan for development in urban release areas	**Not Applicable –** the site is not in an urban release area.

4.1.7 Industry Guidelines

There are a range of industry guidelines which HFRE will comply with during the operational of the development. These include:

- Egg Industry Environmental Guidelines Edition II (Australian Eggs Limited Publication, May 2018)
- NSW Waste Classification guidelines (NSW EPA, 2014)
- Planning Guidelines Intensive Livestock Agriculture Development (NSW Department of Planning, Industry and Environment (DPIE), 2019)

4.2 ABORIGINAL CULTURAL HERITAGE

The proposed operations are on an existing agricultural site which has had significant historic disturbances from clearing and grazing. Due to the highly disturbed nature of the site, it is unlikely that any Aboriginal objects have survived within the proposed free range use areas. A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that there are no Aboriginal sites on, or within 1km of the property and no aboriginal places have been declared in or near the location.

The proposed uses have minimal potential impacts. The development does not include any new construction. All paddocks and areas proposed for use are clear of vegetation and are in the historical high use areas.

In accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW*, as the proposed use does not require the disturbance of the ground surface or any culturally modified trees, the development may therefore proceed with caution without an Aboriginal Heritage Impact Permit (AHIP).

4.3 POTABLE WATER USE

Water supply is required for the managers residences, staff amenities, cleaning of equipment, washing of eggs and for drinking water for the birds. Water demand for all the HFRE farm operations are typically met by collection of rainwater and the bore on the farm.

The houses and amenities are serviced by rainwater tanks which can be topped up by bore water or tanker if required. The bird drinking water is primarily supplied from the on-site bore (WAL31588) which uses a solar pump to supply water to the on-site storage tanks. A copy of the WAL is within **Appendix 5** and indicates a total of 25 units available for the site. The bore and pump can also be used to supply drinking water to the houses and staff on the property. Water testing is regularly undertaken to ensure the water quality is suitable for animal and human consumption.

4.4 STORMWATER MANAGEMENT

4.4.1 Stormwater Quantity

The operation of a free range egg farm requires minimal alteration to the landscape which would impact on the stormwater quantity. Stormwater runoff from the caravans and other impervious areas will be directed to existing overland flow paths and drainage lines. Due to minimal size and temporary nature of the caravans, no modifications to the landform, and the

size of the rural property, the operation will have negligible impacts on stormwater runoff and will not result in any nuisance to upstream or downstream environments.

4.4.2 Stormwater Quality

With respect to stormwater quality, Rangelands Assessment has been undertaken by Scolexia to assess the potential impacts of stormwater quality from the land use. A copy of this report is included in **Appendix 8.**

As noted above, the production system accommodates a maximum of 30,000 birds in a free-range system, housed in 33 caravans which have a mesh floor. The caravans and associated infrastructure (water and feed stations) are moved every week in summer and every 2 weeks in winter to evenly distribute the manure and maintain groundcover. The distance between caravans is maintained at approximately 150m and the birds have unrestricted access to the caravans at all times.

The site is not subject to flooding/inundation or wetlands but is subject to overlays relating to drinking water catchment and groundwater vulnerability. The groundwater vulnerability mapping is identified on a small portion of the property and is not located in the range areas (see *Figure 8* below). The drinking water catchment is identified across a majority of the site.

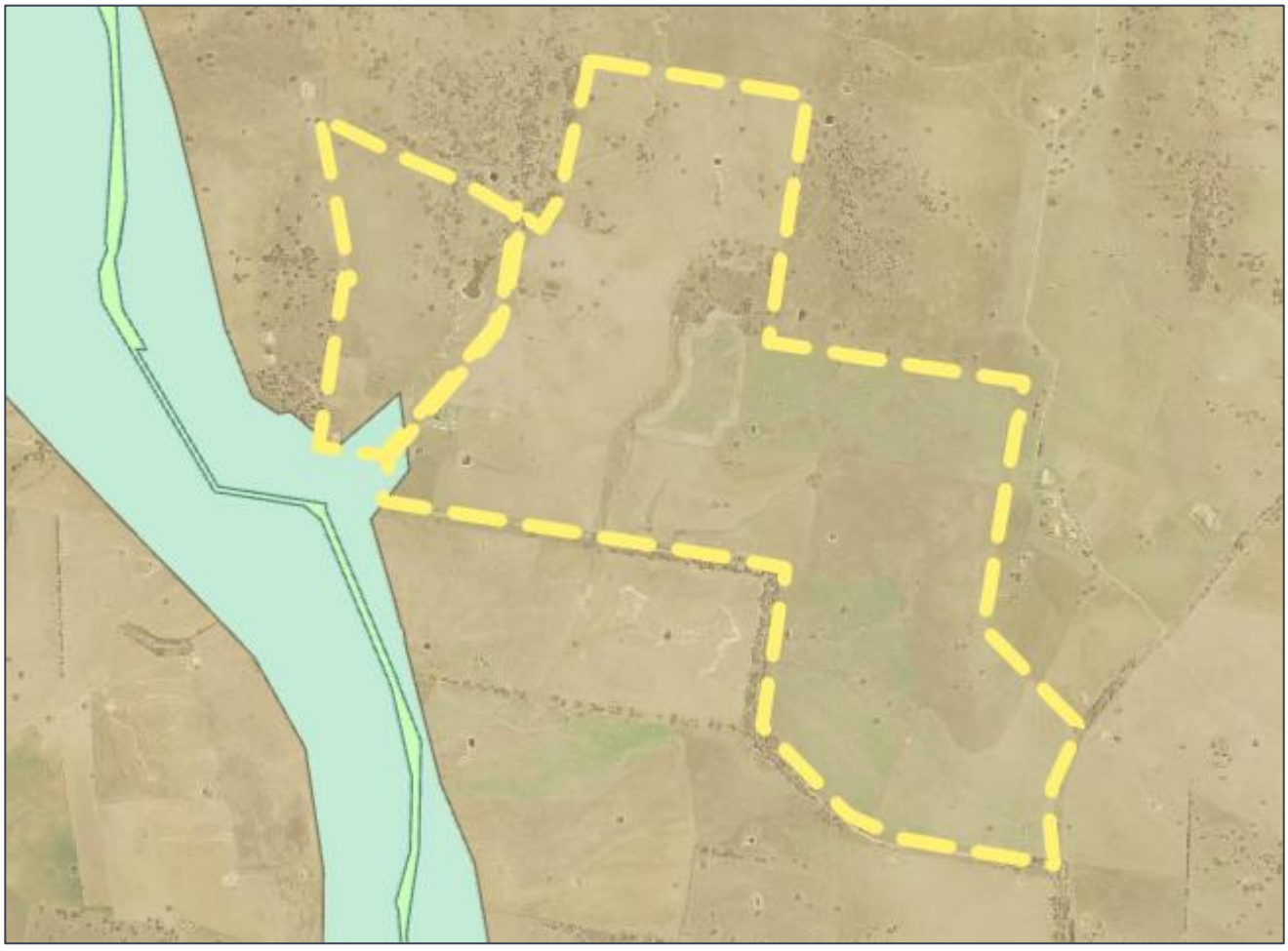

Figure 8: Groundwater Vulnerability Area (E-Spatial NSW, 2023)

As identified in the Rangelands Assessment, all of the manure from the birds will be deposited onto the paddocks due to mesh floor of the caravans and unfettered free range access. The nutrient levels associated with the operation have been conservatively estimated as 4-8kg of Nitrogen and 3kg of Phosphorus per week per caravan (900 birds). Overall, the use is very low compared to other livestock and each caravan is comparable to 4 cows (i.e. each cow deposits ~1.1kgN and 0.6kg P per week).

With the overall operations of the development utilising mobile caravans, the risk of hotspots is quite low and can be easily managed with continuous movement of caravans and rotation within the paddocks.

As part of the Scoping Report (included as **Appendix 3**), a Nutrient Risk Assessment was undertaken by the Applicant in accordance with the Australian Eggs Ltd guidelines. The nutrient risk assessment considered soil profile, depth to groundwater, rainfall factor, pasture type, farm size and stocking rate. The risk assessment undertaken demonstrates that the risk of the operation to surface water and groundwater quality is low, the site is suitable for continued pasture-raised, free range farming.

In addition to the Scoping Report, Scolexia have prepared a Rangeland Assessment Report (included as **Appendix 8**) to review the current practices undertaken on the site, identify bird behaviours that influence manure and nutrient deposition, identify potential nutrient loss pathways and review the risks to surface and groundwater based on site specific characteristics. Management and Mitigation strategies to assist in minimising the potential risks to surface and groundwater have also been identified, as well as identify the overall risk to the surface and groundwater and subsequent drinking water catchment.

Scolexia have reviewed the inputs provided in the scoping report and confirmed that the reasonably reflect the site values. Some minor changes to the criteria were suggested by Scolexia, however these changes do not affect the overall outcomes and the operations still maintain a low-risk outcome. The key factors in maintaining the operations low risk include the following physical and operational factors:

- Range Areas have low slope of ~3% which facilitates drainage but reducing the velocity of water movement across the surface allowing infiltration and reduced run-off.
- Soil mapping indicates that soils appear to be moderate to well-draining yellow chromosols which will minimise the potential for overland flow.
- Annual mean rainfall in Boorowa according to BOM (accessed 24/04/23) is 612mm. Lower rainfall climates are more suitable for free range systems as this minimises overland run-off, reduces nutrient pooling and minimises soil displacement.
- The free range operation has low stock density which limits nutrient deposition.
- The caravans will be moved every 1 to 2 weeks to avoid hot spots, provide fresh pasture for the birds, and enable ground cover recovery.
- Groundcovers are maintained at over 80% which minimise nutrient movement via both overland flow and through erosion. Grass cover is the most effective vegetation to create vegetative filter systems/strips that also trap the soil particles and reduce the velocity of flow allowing water and nutrient infiltration and uptake rather than run-off.
- No caravans or infrastructure are to be located within 100m of the waterways further reducing the risk of nutrient movement from the site.
- 15m wide vegetation filter strips (strips of denser / longer grass) between the operations and creeks are to be used and has been shown to reduce TKN by 81% and TP by 91% (AEL, 2018).

Scolexia conclude in their assessment that, with consideration the site characteristics, low stocking densities and nutrient outputs of the production system as estimated, it is my professional opinion that if the management practices and buffers (scoping document and within) are maintained, there is minimal risk of nutrients and other contaminants migrating off site to the adjacent waterways and groundwater and subsequently impacting on the drinking water supply catchment.

4.4.3 Ground Water Quality

The risk to groundwater is influenced by a range of features of the site such as hydro- geology, depth to groundwater, soil type and the existing quality of the ground water. Nutrients in ground water can also influence surface water where shallow aquifers are linked to the surface water system. (AEL, 2018)

There is an area on the farm mapped as groundwater vulnerable, however no range areas are located in this area. A bore on site is said to be 20m. Groundwater is mapped as low to moderate productivity (national maps, 2023). Sandy loam soils underlain with clays will reduce leaching potential into the groundwater.

Ensuring low nutrient levels (through monitoring) coupled with the indicative soil type on site, along with deposition distribution (regular rotations) and low rainfall (as indicated by BOM) will minimise manure/nutrient build up and subsequent leaching potential into groundwater.

4.4.4 Stormwater Quality Management Measures

In spite of the low risk to water quality, the management and mitigation measure are proposed to further minimise risks and ensure the operation will function as proposed.

- Ensure buffer distances are maintained to waterway.
- Ensure caravans and infrastructure are located approximately 25m or greater from the drainage lines. (VFS as determined by table 37 of AEL, 2018 requires a filter strip of 2m with good cover and 13m with poor cover- however a larger buffer as suggested allows for a more conservative approach).
- Maintain where possible groundcover of over 80% (especially within buffers to drainage lines)
- Regularly move caravans, waterers, and feeders every week in summer and every 2 weeks in winter to encourage nutrient distribution and pasture recovery.
- Undertake regular soil testing to ensure range areas remain within agronomic recommended rates. An agronomist can assist in interpreting results, aiding agronomical assessment for maintaining pasture growth cover and making nutrient stripping recommendations if required. Adjust management if necessary to ensure nutrient levels remain low.
- If required (elevated nutrient levels) consider cropping range areas periodically to remove nutrients from the area.
- Areas around caravans and infrastructure can be spread if required to distribute nutrients more evenly across an area.
- If an area becomes denuded, consider spreading materials such as straw to minimise soil loss.
- If nutrient levels start to rise, consider using alternative range areas on other parts of the property taking into consideration the above buffers and practices and/or fit bases to the caravans and spread over wider areas.

4.5 ECOLOGICAL CONSIDERATIONS

Significant disturbance of native vegetation cover on the site has occurred as a result of historic clearing and long-term agricultural production. Remnant paddock trees and some small pockets of native vegetation (as shown in Figure 9 the Terrestrial Biodiversity Map from the *Hilltops LEP 2022*) are present in northern part of the site, predominantly outside of the free range areas.

The site is not identified as 'environmentally sensitive land' as shown in Environmentally Sensitive Land in the Hilltops LEP 2012. The modified nature of the vegetation, particularly cropped and mostly treeless paddocks, significantly limits the value of the area as habitat for native fauna. Regardless, no clearing of vegetation is proposed or required as part of this development application.

With consideration of the operations and the need for further assessment, the *Biodiversity Conservation Regulation 2017*, sets out threshold levels for when the Biodiversity Assessment Method (BAM) and Biodiversity Offsets Scheme (BOS) will be triggered. These include:

- whether the amount of native vegetation being cleared exceeds an area threshold.
- whether the impacts occur on an area mapped on the Biodiversity Values Map published by the Environment Agency Head.

In this regard, the site has a minimum lot size of 40Ha and as such the clearing threshold for application of the BAM is 1 hectare. As identified above, the range areas which have been historically cropped and mostly treeless paddocks. trees and some small pockets of native vegetation (as shown in Figure 9 the Terrestrial Biodiversity Map from the *Hilltops LEP 2022*) are present in northern part of the site, predominantly outside of the free range areas. Some paddock trees and some small pockets of native vegetation are present which the existing paddock and will be retained in their current state.

With respect to the Biodiversity Values Map, as shown in Figure 10, the only portion of the site mapped as a Biodiversity Value Area is Geegullalong Creek which is excluded from the free range areas.

With consideration of the above triggers, the operation does not require further assessment under the BAM and does not trigger the BOS. As such, a Biodiversity Development Assessment Report is not considered to be warranted in this instance.

Figure 9: Terrestrial Biodiversity Mapping (E Spatial NSW, 2023)

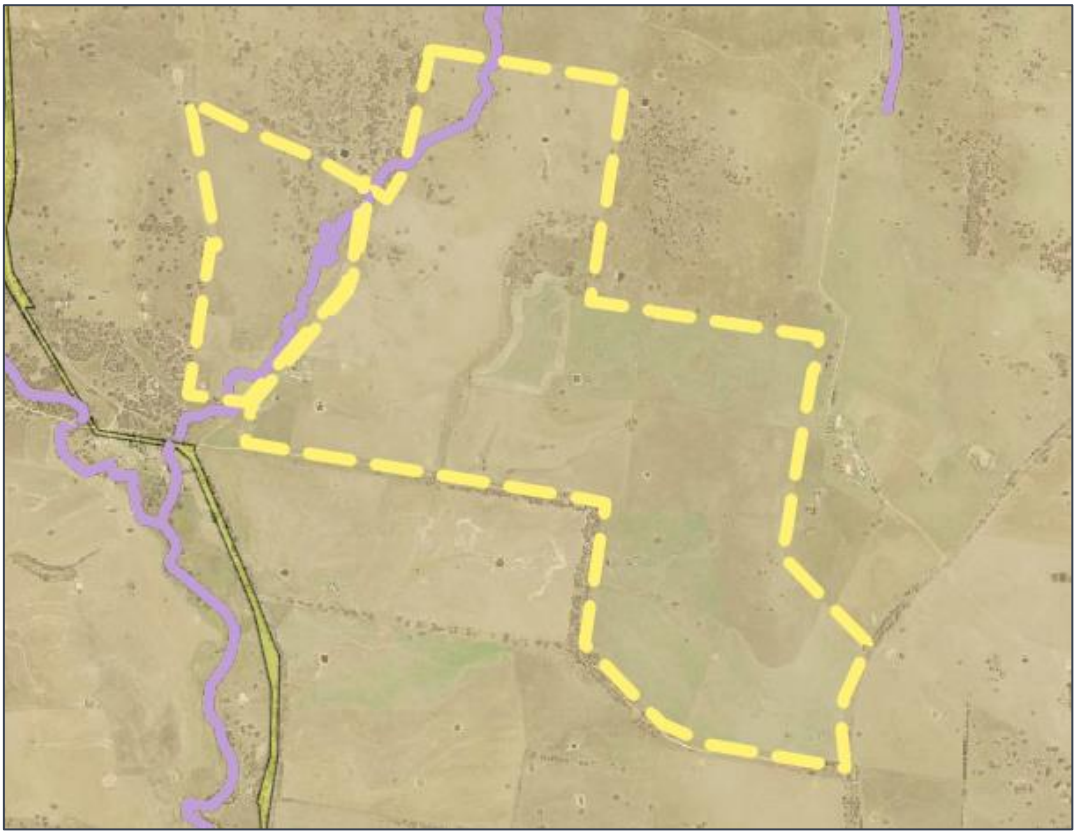

Figure 10: Biodiversity Values Map (E Spatial NSW, 2023)

4.6 CONTAMINATION

A search of the NSW EPA Contaminated Land Database has confirmed that the site is not listed as a contaminated land. In addition, 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. As the proposed development involves the operation of a free range poultry farm, which is not a sensitive land use, further assessment this SEPP (Resilience and Hazard) 2021 is not required.

4.7 AIR QUALITY

Astute Environmental Consulting Pty Ltd (Astute) was engaged to prepare a Level 1 Odour Impact Assessment (separation distance study) for the HFRE operation. A copy of the Assessment is included as **Appendix 6**.

When siting a potentially odorous operation, the distance between the operation and nearby neighbours is critical to ensure that the risk of odour impacts is minimised. In New South Wales, a Level 1 assessment can be used to derive a separation distance between an operation and nearby sensitive locations. The associated technical notes provide methodologies for broilers (meat chickens), feedlots and piggeries. Although the proposed operation is a layer farm, the broiler methodology can be conservatively adopted in that it is recognised that meat chicken farms emit more odour than layer farms (McGahan & Galvin, 2018).

The S Factor method in the technical notes uses an equation that includes the following inputs:

- Number of animals – N (for meat chickens N is the total number of birds divided by 22,000);
- Shed type (S1);
- Receptor type factor (S2);
- Terrain factor (S3);
- Vegetation Factor (S4); and
- Wind Frequency (S5).

Each of the S factors is input into Equation 1to calculate a buffer in metres. The factors applied to this operation as

Table 9: S-Factor Inputs (Astute, 2023)

<table>
<tr><th colspan="2">FACTORS</th><th>INPUT</th></tr>
<tr><td>N</td><td>Number of animals</td><td>For meat chickens N is the total number of birds divided by 22,000. The proposed development includes 30,000 chickens which equates to 0.71. (30000/22000=0.71)</td></tr>
<tr><td>S_1</td><td>Shed Type</td><td>The assessment has applied an S1 of 690 for a naturally ventilated shed. It is considered a conservative amount as the caravans can be moved around and manure does not accumulate like a naturally ventilated shed.</td></tr>
<tr><td>S_2</td><td>Receptor type factor</td><td>There are 5 sensitive land receptors which have been identified in Figure 11. All receptors are dwelling houses. The S2 factor (receptor type) was set to 0.3 as the receptors are single rural residences and do not fall into other categories, including small towns.</td></tr>
<tr><td>S_3</td><td>Terrain factor</td><td>The S3 factor is used to incorporate terrain into the assessment. The terrain for each receptor has been noted below:
<table>
<tr><th>Receptor</th><th>Slope</th><th>Up/Down</th><th>Factor</th><th>Description</th></tr>
<tr><td>1</td><td>-2.4%</td><td>Down</td><td>1.2</td><td>Low relief</td></tr>
<tr><td>2</td><td>1.1%</td><td>Up</td><td>1.0</td><td>Flat</td></tr>
<tr><td>3</td><td>2.3%</td><td>Up</td><td>1.0</td><td>Flat</td></tr>
<tr><td>4</td><td>0.5%</td><td>Up</td><td>1.0</td><td>Flat</td></tr>
<tr><td>5</td><td>-3.9%</td><td>Down</td><td>1.2</td><td>Low relief</td></tr>
</table></td></tr>
</table>

FACTORS		INPUT
S_4	Vegetation Factor	There are five options for vegetation factors in the method. As all the receptors can be described as “few trees long grass”, an S4 factor of 0.9 was adopted.
S_5	Wind frequency	A “normal” value was adopted for the site (S5 = 1) as a site in an open area like this will not have a high or low frequency of winds (as defined by ±40°) toward the receptors. High or low frequencies are typically only seen in narrow valleys or areas where terrain can significantly channel winds.

Using the above calculations, the minima setbacks to the nearest sensitive receptors have been calculated and are shown in Table 10. The necessary buffers to each surrounding residence are also shown in *Figure 11*.

Table 10*: Calculated Distances*

RECEPTOR	AVAILABLE DISTANCE (M)	REQUIRED DISTANCE (M)	% OF AVAILABLE	COMPLIES
1	648	279	43%	Yes
2	1013	232	23%	Yes
3	795	232	29%	Yes
4	1799	232	13%	Yes
5	560	279	50%	Yes

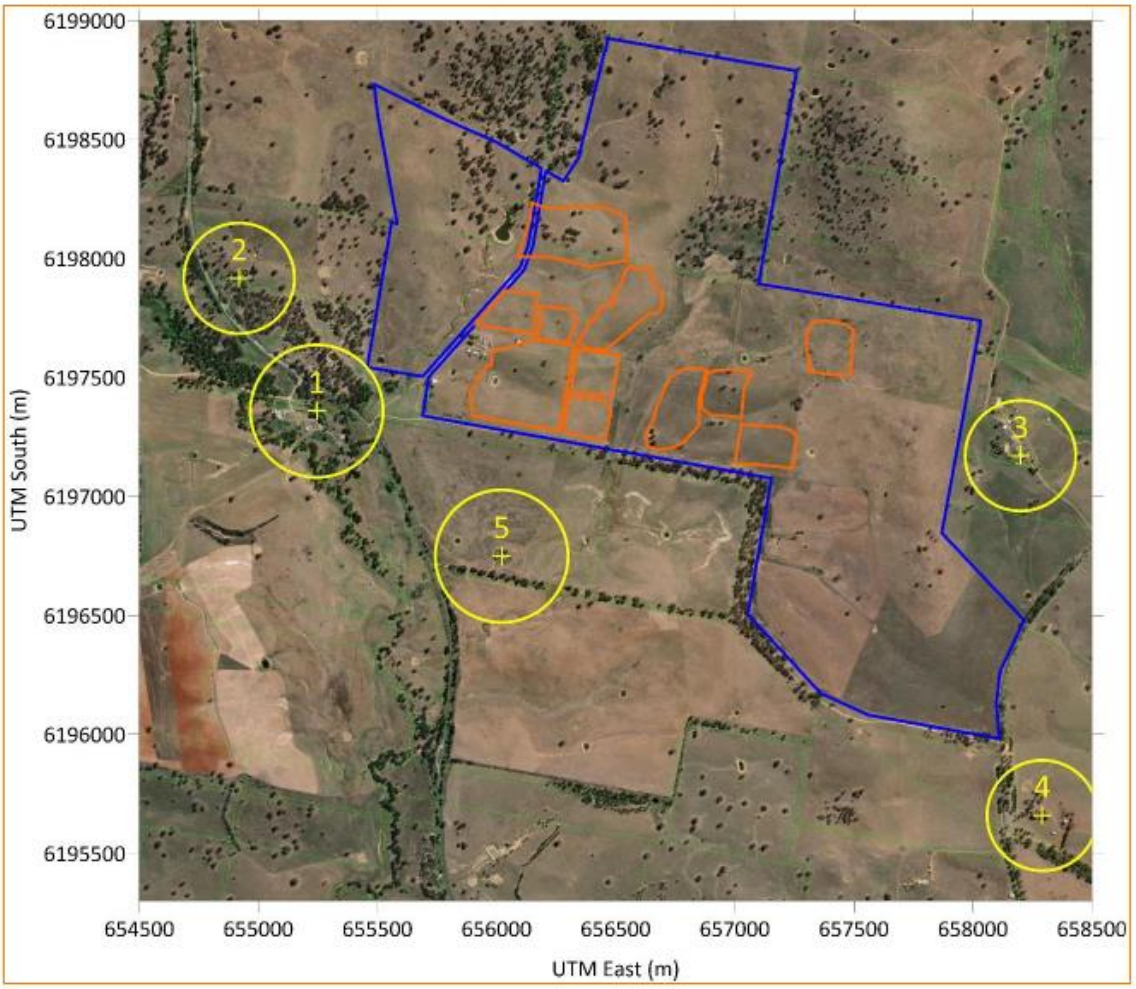

Figure 11: Sensitive Land Receptors and Buffers

As demonstrated above, each receptor is provided with a compliant buffer distance to the HFRE and are not expected to experience any unacceptable odour impacts. It is also noted that the buffers are considered conservative as the calculations assumed that 30,000 birds are condensed in a single location at the closest point to each receptor. Given this assumption, it only further supports compliance and demonstrates that the proposed free range egg farm will not have any unacceptable odour impacts on nearby residents.

4.8 NOISE IMPACT ASSESSMENT

A Noise Impact assessment has been prepared by SoundIn to assess the potential noise impacts of the HFRE farm against the relevant acoustic criteria. A copy of this report is included as **Appendix 7.** A summary of the acoustic assessment is provided below.

4.8.1 Methodology

The overall use is minor in nature and as such, Operational noise emissions from the Proposal have been modelled using SoundPLAN v8.2. The selected noise calculation method is International Standard ISO 9613-2:1996 Acoustics -Attenuation of sound during propagation outdoors – Part 2: General Method of Calculation (ISO 9613-2).

4.8.2 Existing Acoustic Environment

The nearest sensitive receptors to the operation which have been considered in the assessment are **Figure 12**. The background noise levels have not been measured in the area, therefore the lowest possible Rating Background Levels (RBLs) have been adopted, which are in accordance with table 2.1 of the NSW Environment Protection Authority's Noise Policy for Industry (NPfI).

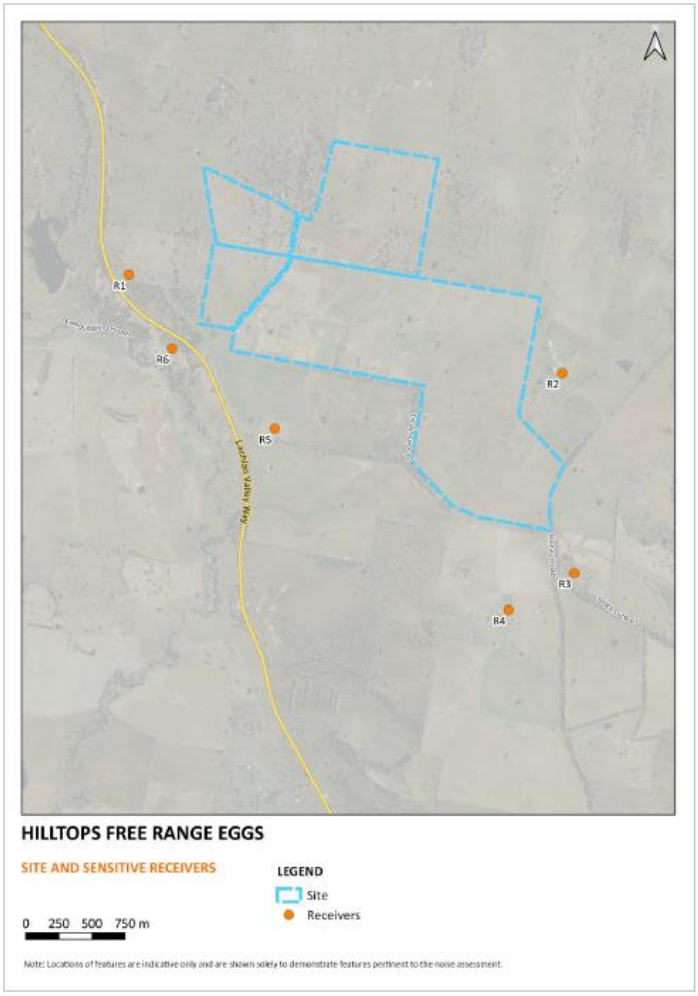

Figure 12: Locality plan of the nearest residential receivers (SoundIn, 2023)

4.8.3 Noise Criteria

The NPfI stipulates that project noise trigger levels are determined for the daytime (7am – 6pm), evening (6pm – 10pm) and night time (10pm – 7am) periods, as relevant. The determined trigger levels typically apply at the most affected point on or within the receiver property boundary. The assessment has considered the projected intrusiveness noise level, amenity noise level and noise trigger levels as summarised below:

The NPfI stipulates that project intrusiveness noise levels should not be set below 40 dBA during the daytime and 35 dBA in the evening and night time. Additionally, the NPfI recommends that the project intrusiveness noise level for evening is set at no greater than that for the daytime, and that the project intrusiveness level for night time is set at no greater than that for the evening and daytime.

Project amenity noise levels aim to set a limit on continuing increases in noise levels from all industrial noise sources affecting a variety of receiver types; that is, the ambient noise level in an area from all industrial noise sources remains below recommended amenity noise levels.

Due to different averaging periods for the $L_{Aeq,15min}$ and $L_{Aeq,period}$ noise descriptors, the values of project intrusiveness and amenity noise levels cannot be compared directly when identifying noise trigger levels i.e. the most stringent values of each category. To make a comparison between descriptors, the NPfI assumes that the $L_{Aeq,15min}$ equivalent of an $L_{Aeq,period}$ noise level is equal to the $L_{Aeq,15min}$ level plus 3dB.

The project intrusiveness noise levels and project amenity noise levels for sensitive receivers are summarised in Table 11. The project noise trigger levels (PNTL) – which are the lower values of the project intrusiveness noise levels and the project amenity noise levels – are highlighted in bold.

Receiver	Time of Day	Project intrusiveness noise level – $L_{Aeq,15min}$ (dBA)	Project amenity noise level – $L_{Aeq,15min}$ (dBA)
R1 – R6	Day	40	48
	Evening	35	43
	Night	35	38

Table 11: Intrusiveness and Amenity Noise Levels

4.8.4 Assessment

Truck movements are the only significant noise sources identified for the operation of the Proposal. A typical worst-case operating scenario has been developed whereby, in any 15-minute period, a single truck could enter the site, deliver and/or collect goods and leave the site. The truck could travel on any part of the Site where eggs are produced.

Results from the acoustic modelling shows that noise levels from the operations, even in the unlikely event that truck movements occur in the night time period, are expected to be compliant with the Project noise trigger levels.

Receiver	Predicted LAeq,15min noise level (dBA)	Project noise trigger level (dBA)			Complies?
		Day	Evening	Night	
R1	28	40	35	35	Yes
R2	29	40	35	35	Yes
R3	<20	40	35	35	Yes
R4	<20	40	35	35	Yes
R5	34	40	35	35	Yes
R6	35	40	35	35	Yes

Table 12: Predicted $L_{Aeq,15min}$ Noise Levels

4.9 TRAFFIC & TRANSPORT ASSESSMENT

The operations of HFRE is well established and generate minimal trips beyond which is typical for a active rural property. Access to the Site is achieved via Lachlan Valley Way which is classified Road (MR56) and approximately 500m of council-maintained stockroad from Lachlan Valley Way to the Hilltops Free Range Eggs farm gate.

Weekly traffic movements associated with the operation of the farm include the following:

- Eggs are transported twice a week, in two small rigid trucks owned by the Applicant, directly from the farm to customers and markets in Sydney and Canberra.
- Feed is delivered twice a week in a small rigid truck owned by the Applicant, directly from the mill to the farm.
- Supplier services are picked up on the way back from Sydney and Canberra egg deliveries in the same trucks, and brought to the farm.
- Waste products are removed from the site by a tipper truck owned by the Applicant once every two to three weeks.

Assuming a waste collection week, the total number of heavy vehicles trips per week will be 14 trips (7 incoming, 7 outgoing trips). With respect to Light vehicles, the HFRE farm employs 5 full time and 12 part time staff to run their operation. Assuming all staff are access the site on a single day, this equates to 32 car trips (17 incoming / 17 outgoing) per day.

Lachlan Valley Way (MR56) is a rural which was estimated by Council in the Hilltops Freight and Transport Study to carry 1600 vehicles per day. Given the location of managers residences on the site, peak hour trips associated with the development are conservatively estimated as 5 light vehicles and 1 heavy vehicles.

Given, the minimal traffic generated by the development, and that a majority of the trips are not expected to occur within the peak hour, the operation of the HFRE is expected to have a negligible impact on existing traffic conditions and will function in manner consistent with other rural properties with direct access to Lachlan Valley Way.

The existing intersection between Stockroute 63 and Lachlan Valley Way provides clear access and egress point, with sight lines in excess of 170m, and is sufficient to service the low volume of rural traffic associated with the operation. No additional intersection treatments or access upgrades are proposed for the low traffic impact of the development.

Figure 13: Existing Intersection with Lachlan Valley Way (Google Earth, 2023)

4.9.1 Parking and Manoeuvring

Ample parking and manoeuvring space is provided for all staff and heavy vehicles on the site. All vehicles can enter and exit the site in forward gear.

4.10 SOCIAL AND ECONOMIC IMPACT ASSESSMENT

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

The subject site is located within the Hilltops Local Government Area (LGA), which (as of 2021) was estimated to have a population of around 19,216 persons. The unemployment rate for the LGA is around 5.1% which is lower than the national average of 6.9% of the same period.

The Capital Investment Value of the project is estimated to be $3.5 million, and as there is no construction associated with operation of the farm, the value relates to operational costs. The development will continue to provide employment for 5 full time and 12 part time staff. With consideration of these employment opportunities, the project will have a positive economic impact and employment impact for the region.

With respect to social impacts, the findings of the detailed technical assessments undertaken in relation to the proposed farm demonstrate that as there is no construction proposed, the operations are unlikely to have significant, negative social impacts provided the proposed mitigation and management measures documented in this EIS are implemented.

With consideration of the positive impacts, particularly in relation to economic investment and local employment opportunities, overall it is considered that the farm will have a positive social outcome.

4.11 VISUAL IMPACTS

The subject site and proposed operation is low density, free range farming and is in keeping with the rural nature of activities on this and surrounding properties. The proposed farm is setback 510m from Lachlan Valley Way, which is a road with 100km speed limit and is sporadically lined with trees. Given the low scale of the mobile caravans, the rural nature the of the site and surrounding activities, as well as the significant setback from public vantage points, the visual impacts of the are anticipated to be negligible.

4.12 WASTE MANAGEMENT

Waste management is critical to the operation of an efficient poultry farm. As on similar sites, the applicant will adopt measures to ensure that all waste generated from activities on the site are reused and recycled where practical or otherwise managed and disposed of in a manner that will not cause environmental harm. Importantly, no on-site stockpiling or disposal of waste materials is proposed as part of this development.

Typically, poultry farms generate little waste. Day to day general waste is collected in sealed bins and removed from the site by the applicant every two to three weeks. This type of waste will be transported to and disposed of at a local resource recovery station / landfill site. No waste material will be disposed of on-site.

4.12.1 Mortalities and Egg Waste

Dead birds are classified as General Solid Waste (putrescible) in accordance with Waste Classification Guidelines (NSW EPA, 2014) and the *Protection of the Environment Operations Act 1979*. Staff inspect each range area and caravan on a daily basis and any mortalities are promptly removed from the laying environment. Mortalities are temporarily stored in a chiller to avoid breakdown and then disposed of at the Jugiong landfill. There is no burial or composting of dead birds on the site.

Cracked or damaged eggs are separated from the intact eggs and are not sold for human consumption. Cracked or damaged eggs are collected and stored in sealed containers and disposed of at the Jugiong landfill.

At Hilltops, chickens live outdoors, in the pasture, and have mobile caravans which are moved every few days. The mobile caravans do not have a floor, thus not holding manure. This ensures that manure is spread on the paddock as natural fertilizer and the birds move often enough so there is no build-up of manure.

4.12.2 Manure

There are no permanent poultry sheds used for poultry accommodation on the Site. Mobile caravans have an open floor with manure deposited directly onto the land. Regular, scheduled movement of mobile caravans provides even distribution of nutrients across the paddocks and allows groundcover to re-establish. As such, there is no collection, storage, stockpiling and/or composting of manure on Site.

4.12.3 Sewerage waste

Effluent from the staff amenities is treated in a septic tank with pump out service provided by Yass contractors, Poo Carters.

4.13 CHEMICAL USE AND STORAGE

In accordance with the underlying principles associated with the HFRE farm, there is minimal chemical use associated with the operation of the farm. In this it is noted that there is no fertiliser required or used within the range areas and the caravans are not powered and do not require fuel storage.

A small amount of standard cleaners are used for staff sanitation, cleaning and bio-security and all handling and storage procedures will be undertaken in accordance with the applicable Material Safety Data Sheets (MSDS) and other relevant Australian Standards. No chemical storage volumes exceed the thresholds identified under the *Hazardous and Offensive Development Application Guidelines - Applying SEPP 33* and as such a Preliminary Hazard Assessment is note required.

4.14 ANIMAL WELFARE

HFRE is a pasture-raised free range egg producer, applying sustainable biodynamic agricultural practices producing quality eggs, which are supplied directly to customers within hours. There is minimal egg storage and no long distribution chains.

HFRE's primary objectives are focussed on supplying fresh eggs to free range egg consumers, providing best practice animal welfare and to improve protection, resilience and productive capacity of soils, water and vegetation on Site. To meet these objectives HFRE is adopting Australian Government Smart Farm best practices, tools and technologies to develop a sustainable biodynamic and innovative agricultural system. HFRE prides itself on their low density farming and innovative use of mobile caravans ensuring the highest animal welfare.

Currently, HFRE maintains the capacity of 45 birds/hectare which is well below the RSPCA free range standard of 1,500 birds/ha, and the ACCC standard of 10,000 birds/hectare.

With respect to industry compliance, the HFRE farm will comply with the Animal Welfare requirements as specified in the *"Code of Practice for Biosecurity in the Egg Industry – 2nd Edition" (*Grimes and Jackson, 2015), the *"National Farm Biosecurity Technical Manual for Egg Production"* (AHA, 2015), and the *"National Water Biosecurity Manual: Poultry Production"* (DAFF, 2009b).

4.15 BIOSECURITY

HFRE places a high importance on maintaining flock health through vaccination, farm hygiene and biosecurity. In addition to animal welfare considerations, there is also a major economic incentive for HFRE to ensure flocks are kept disease free. As well as affecting bird health and welfare, disease can significantly reduce egg production and product quality. If a flock requires depopulating, the economic gain from the egg production is immediately lost. In addition, there is considerable cost associated with the removal and euthanasia of birds, carcass disposal, equipment disinfection and remediation activities.

With respect to bio-security consideration the following considerations have been made with respect to the site and operations:

- HFRE is located >38km from other poultry facilities and is separated from standing water which can provide waterfowl habitat to minimise the risk of disease transfer between farms.
- The site is subject to and implements all requirements under the *NSW Biosecurity Act 2015* and the *Biosecurity Control Order 2020* to minimise bio-security risks. Under this regime, the is subject to annual inspections and compliance checks. The operation follows protocols to enforce poultry disease prevention and avoid outbreaks, including keeping small flocks separated by empty paddocks.
- The operation is undertaken in accordance with the Animal Welfare and biosecurity requirements as specified in the *"Code of Practice for Biosecurity in the Egg Industry – 2nd Edition" (*Grimes and Jackson, 2015), the *"National Farm Biosecurity Technical Manual for Egg Production"* (AHA, 2015), and the *"National Water Biosecurity Manual: Poultry Production"* (DAFF, 2009b).
- In the unlikely event of a major disease outbreak, the EPA and DPI will be contacted as soon as the breakout is suspected and will likely assume control of the Site. Immediate measures will be implemented to isolate the flock, effect strict quarantine procedures to prevent the spread of the disease, and notification of relevant stakeholders.

Upon confirmation that immediate slaughter of farm stock is necessary, slaughter will be managed by the DPI in coordination with the EPA and technical service units of the poultry industry. The birds will likely be slaughtered on Site and disposed as directed by the DPI.

4.16 ENVIRONMENTAL MANAGEMENT AND QUALITY ASSURANCE

The proposed farm will be operated in accordance with the Food Safety Program for HFRE, dated May 2021. This document includes details operational protocols in response to:

- Management Responsibility
- Egg production Operations
- Waste disposal
- Health and hygiene requirements,
- Skills and knowledge
- Design, construction and maintenance of premises, equipment and transportation vehicles
- Bird health
- Traceability
- Equipment failure – egg stamping

5 MANAGEMENT AND MITIGATION MEASURES

Table 13 presents a summary of the impact management and mitigation measures proposed to be implemented associated with the proposed development.

Table 13: Management and Mitigation Measures

IDENTIFIED IMPACT	MITIGATION AND MEASUREMENT MEASURES

TRAFFIC	• Weekly traffic movements are limited to:
	  ○ Eggs are transported twice a week, in two trucks owned by the Applicant, directly from the farm to customers and markets in Sydney and Canberra.
	  ○ Feed is delivered twice a week in a truck owned by the Applicant, directly from the mill to the farm.
	  ○ Supplier services are picked up on the way back from Sydney and Canberra egg deliveries in the same trucks, and brought to the farm.
	  ○ Waste products are removed from the site by tipper truck owned by the Applicant once every two to three weeks.
	• All traffic movement will be via the existing intersection with the Site (near Stockroute 63) and Lachlan Valley Way.

ODOUR	• All caravans will be rotated on a regular basis to reduce build up of manure. • Dead birds will be collected from the range areas / caravans on a daily basis and stored in on-site freezers prior to removal from site. • Cracked or damaged eggs are to be collected from the range areas / caravans on a daily basis and stored in on-site freezers prior to removal from site. • The insides of the caravans are to be maintained times to ensure a clean and sanitary environment. • Manure is not to be stockpiled or spread on site.
PARTICULATE MATTER	• The feed silos will be fully enclosed to minimise emissions of particulate matter when loading/unloading. • Vehicles will not exceed a general speed limit of 40 km/hr within the Development and on the access road to minimise dust emissions. • Internal access roads will be appropriately maintained at all times. • Range Areas to
NOISE	**Operations** • Vehicles will not exceed a general speed limit of 40 km/hr within the Development and on the access road to minimise noise emissions. • All access roads should be kept in good condition, i.e. no potholes, etc. • A regular maintenance schedule should be adopted for all mobile and fixed plant to ensure unnecessary noise sources are repaired. • All staff and employees directly involved with the facility should receive informal training with regard to noise control procedures. Additional ongoing on the job environmental training should be incorporated with the introduction of any new process or procedure. • Trucks and other machines should not be left idling unnecessarily. Machines found to produce excessive noise compared to industry best practice should be removed from the site or stood down until repairs or modifications can be made.
ECOLOGICAL	• No clearing of paddock trees is to be undertaken as part of the operation.

IDENTIFIED IMPACT	MITIGATION AND MEASUREMENT MEASURES
	• Caravans will be moved every 1 to 2 weeks to provide fresh pasture for the birds and enable ground cover recovery. • Groundcovers are maintained at over 80% which minimise nutrient movement via both overland flow and through erosion.
CULTURAL HERITAGE	• There is a low likelihood that the proposed development will adversely harm Aboriginal cultural heritage items or sites. However, during operations, if Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the Unanticipated Finds Protocol should be followed. • Work crews should undergo cultural heritage induction to ensure they recognise Aboriginal artefacts AAA and are aware of the legislative protection of Aboriginal objects under the NPW Act and the contents of the Unanticipated Finds Protocol
STORMWATER	• Ensure buffer distances of 100m are maintained to between the caravans and the waterway. • Ensure caravans and infrastructure are located approximately 25m or greater from the drainage lines. • Provided minimum 15m wide Vegetated Filter Strips (VFS) as per Table 37 of AEL, 2018 between paddocks and the waterway. • Maintain groundcover of over 80%. • Regularly move caravans, waterers and feeders every week in summer and every 2 weeks in winter to encourage nutrient distribution and pasture recovery. • Undertake regular soil testing to ensure range areas remain within agronomic recommended rates. If required (elevated nutrient levels) consider cropping range areas periodically to remove nutrients from the area. • Areas around caravans and infrastructure can be spread if required to distribute nutrients more evenly across an area. • If an area becomes denuded, consider spreading materials such as straw to minimise soil loss. • If nutrient levels start to rise, consider using alternative range areas on other parts of the property taking into consideration the above buffers and practices and/or fit bases to the caravans and spread over wider areas.

WASTE	• Solid waste
	  ○ Day to day general waste will be placed into enclosed bins and removed from the farm on a regular / as needed basis.
	  ○ Collection bins for collection of recycling material such as plastic, paper, cardboard, and waste metal will also be provided on site and removed from the farm on a regular basis.
	  ○ The paddocks and caravans will be checked regularly inspected for deceased birds which will be promptly removed and transferred to cold storage.
	  ○ Dead birds will be collected weekly from the farm and transported to Jugiong Landfill.
	  ○ Cracked or damaged eggs are collected and stored in sealed containers and disposed of at the Jugiong landfill.
	  ○ No waste materials are to be disposed of on-site.
	• Wastewater
	  ○ Effluent water from the amenities will be treated on site; a septic system with pump out provided as required basis by local contractors.

IDENTIFIED IMPACT	MITIGATION AND MEASUREMENT MEASURES
CHEMICAL USE	• Chemical handling and storage procedures will be undertaken in accordance with the relevant Material Safety Data Sheets (MSDS) and all relevant Australian Standards.
ENVIRONMENTAL MANAGEMENT	• The farm will be operated in accordance with the following standards: ○ Egg Industry Environmental Guidelines Edition II (Australian Eggs Limited Publication, May 2018) ○ Food Standards Australia New Zealand (FSANZ) ○ National Standard 4.2.5 – Primary Production and Processing Standard for Eggs and Egg Products ○ Standard 3.2.1 – Food Safety Programs of the Food Standards Code ○ Food Act 2003 (NSW) ○ Food Regulation 2015 and the national Food Standards Code ○ Prevention of Cruelty to Animals Act 1979 ○ Code of Practice for Biosecurity in the Egg Industry – 2nd Edition (Grimes and Jackson, 2015) ○ National Farm Biosecurity Technical Manual for Egg Production (AHA, 2015) ○ National Water Biosecurity Manual: Poultry Production (DAFF, 2009b).

6 APPROVALS AND LICENCES

Existing License: Licence No. 44863 by the NSW Food Authority

There are no further approvals required for HFRE to continue operations on the site.

7 SUMMARY AND CONCLUSIONS

7.1 SITE SUITABILITY

This Environmental Impact Statement has reviewed the site's suitability for use of the site for free range egg poultry farm and considered all matters relevant to the economic, social and environmental impacts of the development. As required by the SEARs, this assessment has been undertaken below.

As a result of the ongoing and predicted growth in demand for free range eggs in Australia, significant expansion of the industry is required. The growth of operations at HFRE is a direct response to ongoing consumer demand and will continue to supply this growing market. A high-quality free range farm requires a number of physical and location characteristics to ensure its suitability for the operation. In this regard, a free-range egg farm is requires;

- Suitable climate for poultry and egg production.
- Land which is free from environmental (significant flora or fauna or threatened ecological communities) and physical constraints (steep gradient, unsuitable geology, flooding and other natural hazards).
- Appropriate zoning and to befree from planning constraints to allow a development application to be considered.
- Adequate and suitable water supply.
- Suitable Road Access.
- Sufficient separation distances to other poultry farms, intensive livestock operations and standing water which may introduce a bio-security risk.
- Proximity to a population centre which can provide employees and support services.
- Sufficient area to satisfy animal welfare and best practice requirements.
- Suitable separation distances to surrounding residents to ensure no unacceptable amenity impacts.
- Be available for purchase at a price which makes the operation financially viable.

The HFRE site satisfies all of the above criteria and accordingly was selected by the Applicant to accommodate the operation. With consideration of all of the above factors as well as the site specific assessments undertaken as part of this EIS, the site is considered to be inherently suitable for the proposed use. As such, it is necessary that the operators maximise the best practice nature of free-range egg farming to highlight the quality of egg products produced from the land.

7.2 ALTERNATIVES TO THE PROPOSAL

Research undertaken by the Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) indicates *The value of Australian egg production is forecast to increase by 19% to $1.1 billion in 2022–23. This is a significant increase from 2021–22 in part due to COVID-19 lockdowns reducing demand that year. In addition, high grain and oilseed prices–major egg production inputs–have increased production costs and output values. This has flowed through to higher farmgate values in 2022–23. Over the outlook period to 2027–28, the value of Australian egg production is expected to increase substantially to $1.7 billion in real terms.*

Rising concerns from consumers regarding animal welfare has prompted consumers to switch from cage egg to free range egg production. Australian Eggs 2022 Annual Report identifies that free range eggs now make up 55.6% of grocery chain egg sales. HFRE prides themselves on implementing best farming practices and yielding high quality produce and in this regard is an industry leader with respect to the provision of a bespoke free range operation.

The alternatives to carrying out the development include:

3. Stop Operations.
4. Construction of a new farm in an alternate location.

These alternatives are discussed in **Table 14**.

Table 14: Alternatives to the Project

PROPOSED ALTERNATIVE	DISCUSSION
1. Do nothing	HFRE is a small, low density, producer of pasture-raised, free range eggs. The operation commenced in 2017 on the site and had grown incrementally since this time. In July 2021, HFRE received notification from Hilltops Council that the operation was of a size that required a Development Consent under the *Environmental Planning and Assessment Act 1979*. According, this EIS has been prepared and submitted to formalise the operation and the necessary development consent. As demonstrated in this EIS, the HFRE Site provides a combination of critical factors which make it an ideal location for a free range egg farm. These factors and the operators commitment to best practice animal welfare and adoption of a sustainable biodynamic and innovative agricultural system on the site have demonstrated the business is sustainable, economically viable and produces an in demand product. The consequence of the do nothing option would mean that the region does not benefit from the best practice operation and will lose employment, agricultural investment, and local recognition. This options fails to capitalise on the capital and effort expended to date on establishing this niche operation. The farm would also likely return to a lower value agricultural use with less employment and economic return and investment in the community.
2. Construction of a new poultry farm in an alternate location within the region	Construction of a new farm on an alternate site within the region would require the identification and purchase of an alternate site as well as gaining all necessary approvals for development. There is a harmonious relationship with the existing neighbours who are supportive of the operation and the best practice farming practices implemented on the site. It is also difficult to identify an available alternate site which has the same contribution of factors which make the HFRE Farm viable and attractive, including: • Suitable climate for poultry and egg production. • Land which is free from environmental (significant flora or fauna or threatened ecological communities) and physical constraints (steep gradient, unsuitable geology, flooding and other natural hazards). • Appropriate zoning and to befree from planning constraints to allow a development application to be considered. • Adequate and suitable water supply. • Suitable Road Access. • Sufficient separation distances to other poultry farms, intensive livestock operations and standing water which may introduce a bio-security risk. • Proximity to a population centre which can provide employees and support services. • Sufficient area to satisfy animal welfare and best practice requirements. • Suitable separation distances to surrounding residents to ensure no unacceptable amenity impacts. • Be available for purchase at a price which makes the operation financially viable. While alternate sites may be identified, as demonstrated in this EIS, the proposed HFRE Farm can be delivered in an extremely efficient manner with minimal negative environmental, social or economic impact. As such, it is considered that this specific site is inherently suitable for the development.

The alternatives to the proposed development are either financially unviable, unlikely to succeed or do not represent an efficient approach to the formalise this operation. Further, as demonstrated within the EIS, the proposed development can

be undertaken in a manner consistent with applicable environmental and planning safe-guards and standards and as such, the project is clearly the best option to achieve the core objectives.

7.3 JUSTIFICATION

As a result of the ongoing and predicted growth in demand for free range eggs in Australia, significant expansion of the industry is required. The growth of operations at HFRE is a direct response to ongoing consumer demand and will continue to supply this growing market. To formalise the operation, HFRE is now seeking a Development Consent for a new poultry farm at Reynoldsdale, 1056 Lachlan Valley Way, Boorowa. In accordance with Part 8, Division 4, s192 1(f) of the *Environmental Planning and Assessment Regulation 2021*, justification of carrying out the proposed development is provided below.

7.3.1 Biophysical 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:

- Stormwater management and treatment;
- Ecological impacts;
- Acoustic impact;
- Odour impact;
- Cultural heritage impact;
- Chemical use and storage;
- Waste management;
- Animal Welfare;
- Biosecurity management.

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

7.3.2 Economic Considerations

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

The Capital Investment Value of the project to date is estimated to be $3.5 million, a majority of which is associated with construction of the proposed farm. The project will create positions for 5 full time staff, 12 part time casual employees and 4 local maintenance contractors. With consideration of these employment opportunities, the project will have a positive economic impact and employment impact for the region.

7.3.3 Social Considerations

The EIS has considered the impact on the nearby sensitive receptors and has found that the potential impacts are negligible and within the accepted standards, including for odour, noise and traffic. The proposed development will be in keeping with the local rural area.

With respect to social impacts, the findings of the detailed technical assessments undertaken in relation to the proposed farm demonstrate that construction is unlikely to have significant, negative social impacts provided the proposed mitigation and management measures documented in this EIS are implemented.

7.3.4 Principles of Ecologically Sustainable Development

A discussion of the proposal's compliance with the principles of Ecologically Sustainable Development is also provided in Table 15.

Table 15: Principles of Ecological Sustainability

PRINCIPLE	DISCUSSION
(a) the precautionary principle, namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by: *(i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and* *(ii) an assessment of the risk-weighted consequences of various options,*	**Complies.** There are no threats of serious or irreversible environmental damage that have been identified as part of the detailed assessments undertaken with respect to the project. A number of mitigation, management and monitoring measures are also applied to the existing and proposed operation to ensure that it continues to perform in accordance with all relevant environmental standards.
(b) inter-generational equity, namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,	**Complies.** The proposed development will not result in the impacts that will reduce the health, diversity and productivity of the environment or reduce the potential benefits of future generations. Conversely, the proposed development will maximise the economic and operational efficiency of the site and support the broader growth and economic development associated with egg production in the Hilltops region.
(c) conservation of biological diversity and ecological integrity, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,	**Complies.** The biodiversity assessment of the EIS confirms that the development will have a minimal impact upon significant flora and fauna in the local area. There are no Threatened Ecological Communities or Endangered Ecological Communities impact by the development. The site has been historically cleared and no new vegetation removal is proposed.
(d) improved valuation, pricing and incentive mechanisms, namely, that environmental factors should be included in the valuation of assets and services, such as: *(i) polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,* *(ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,* *(iii) environmental goals, having been established, should be pursued in the most cost-effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.*	**Complies.** Typically, poultry farms generate little waste. Day to day general waste is collected in sealed bins and removed from the site by the applicant every two to three weeks. This type of waste will be transported to and disposed of at a local resource recovery station / landfill site. No waste material will be disposed of on-site. With respect to manure, the mobile caravans have an open floor with manure deposited directly onto the land. Regular, scheduled movement of mobile caravans provides even distribution of nutrients across the paddocks and allows groundcover to re-establish. As such, there is no collection, storage, stockpiling and/or composting of manure on site. Mortalities and cracked eggs are removed from the range areas and temporarily stored in a chiller to avoid breakdown and then disposed of at the Jugiong landfill. There is no burial or composting of dead birds on the site.

In accordance with, Part 8, Division 5, s192 1(f) of the *Environmental Planning and Assessment Regulation 2021,* the proposed development complies with the relevant statutory planning instruments and will not result in significant adverse environmental impacts on the receiving environment. The proposal capitalises on the existing investment in the site and supports the ongoing expansion of the broader poultry industry and economic development in the Riverina. Where potential impacts have been identified, suitable mitigation and management measures have been implemented. Accordingly, approval of the proposed development is justified.

7.4 CONCLUSION

HFRE is seeking development consent under Part 4 of the *Environment Planning and Assessment Act 1979* to formalise the poultry layer farm operations on land at 1056 Lachlan Valley Way, Boorowa. Specifically, the proposed development involves a free range layer farm, accommodating a maximum of 30,000 hens to produce free range eggs for human consumption.

The hens will be housed in mobile caravans which will hold 900 hens each. These caravans will be moved every 1 to 2 weeks to provide fresh pasture for the birds and enable groundcover recovery. The operations utilise best farming practices and as a result have produced high-quality award-winning products.

PSA Consulting has been engaged by HFRE to prepare this Environmental Impact Statement to accompany a Development Application seeking Development Consent for the operation.

This Environmental Impact Statement has been prepared in accordance with the requirements of the relevant State and Local statutory planning requirements and assesses all relevant impacts of the proposed development. Where impacts have been identified, appropriate management and mitigation measures have been prescribed. Provided that the management and mitigation measures described in this EIS are adhered to, the proposed development is not predicted to result in unacceptable impacts on the receiving environment or local community. Accordingly, the development is recommended for Approval, subject to relevant and reasonable conditions.

APPENDIX 1: PROPOSED SITE PLAN

AP01

APPENDIX 2: SEARs

AP02

APPENDIX 3: SCOPING REPORT

AP03

APPENDIX 4: OPERATIONAL MANUEL

AP04

APPENDIX 5: TITLE SEARCH & WAL

AP05

APPENDIX 6: ODOUR ASSESSMENT

AP06

APPENDIX 7: ACOUSTIC ASSESSMENT

AP07

APPENDIX 8: GROUNWATER QUALITY ASSESSMENT

AP08

APPENDIX 9: LAND USE CONFLICT RISK ASSESSMENT

AP09

APPENDIX 10: NEIGHBOUR CONSULTATION

AP10