

PE3 – Planning Proposal for South Tahmoor and East Tahmoor Precincts

PE3

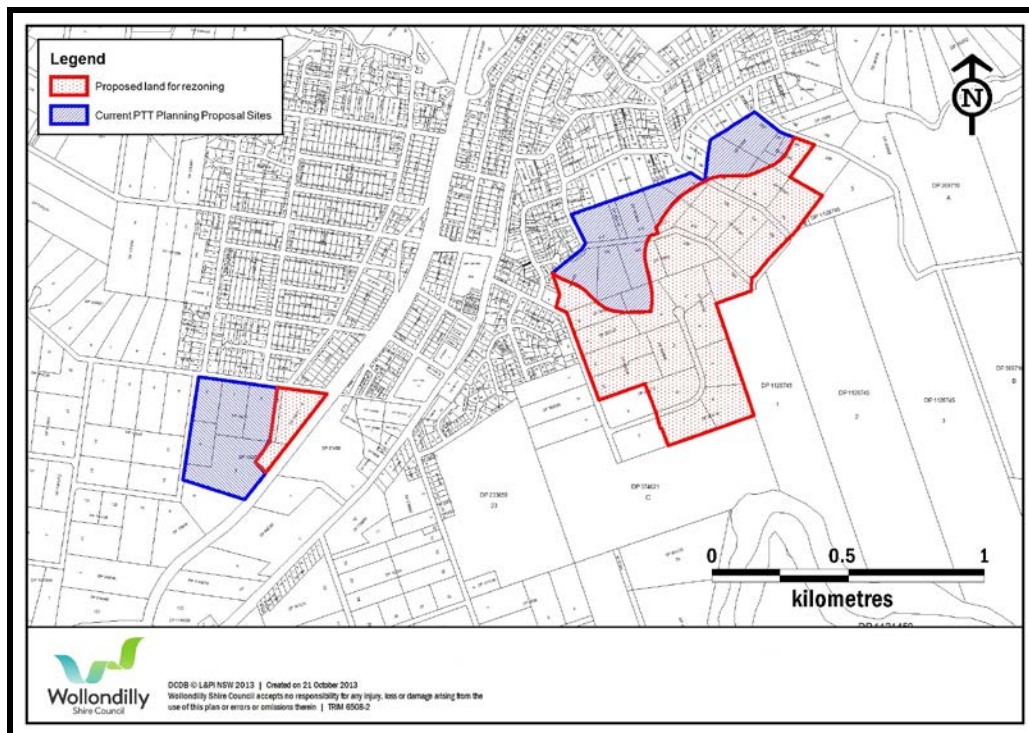
Planning Proposal for South Tahmoor and East Tahmoor Precincts

41KCAR

TRIM 6508-2

APPLICANT: Wollondilly Shire Council

OWNER: Various



REPORT

EXECUTIVE SUMMARY

The purpose of this report is to:

- Provide an update on correspondence received from Inghams in relation to an odour report prepared by them to support a future rezoning to allow residential development of their land in East Tahmoor.
- Consider the effect of this odour report on the potential for including additional land in a new planning proposal for rezoning to residential of properties within the South Tahmoor and East Tahmoor Precincts of the Picton Tahmoor Thirlmere New Urban Land Planning Proposal (PTT Planning Proposal).

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- For many years Council has supported the Picton Tahmoor Thirlmere New Urban Lands Planning Proposal for which gazettal is imminent, and may occur prior to the Council meeting. Some land in the East Tahmoor and South Tahmoor precincts of this proposal was excluded based on odour concerns. Further information is now available which supports the rezoning of the remainder of the South Tahmoor precincts and much of the East Tahmoor precincts.
- There have not been any disclosures of political donations made in regard to this application.
- It is recommended Council prepare a new planning proposal to allow additional land to be rezoned for residential purposes within the South Tahmoor and East Tahmoor precincts.

BACKGROUND

PAE Holmes was engaged to prepare a Level 2 Odour Assessment and Noise Assessment in relation to the Ingham's Turkey processing plant and duck shed operations at east Tahmoor for the Picton, Tahmoor, Thirlmere New Urban Precincts Planning Proposal (PTT Planning Proposal). The studies identified that the majority of the East Tahmoor Precinct as well as a portion of the South Tahmoor Precinct is considered unsuitable for residential development while the poultry operations continue. The studies specified that sensitive residential uses (ie: dwellings) must be located outside of that contour line. The studies were forwarded to the Department of Planning and Infrastructure (DP&I) for consideration and they advised that Council should amend the PTT Planning Proposal to exclude those lands where dwelling houses would not be permitted (ie: within the 2 odour unit contour line.)

Council at its meeting held on Monday 15 October, 2012 resolved as follows:

1. *That Parts 2, 3, 4, 5 and 6 of Council's previous Resolution No 74/2012 relating to the report titled 'PE6 Update and Amendment of Planning Proposal for Picton Tahmoor Thirlmere New Urban Lands' at its meeting on 16 April 2012 be deleted and that Parts 1, 7, 8 and 9 of that Resolution remain.*
2. *That Council resolve to amend the Picton Tahmoor Thirlmere New Urban Lands Planning Proposal and relevant maps in line with the Department of Planning and Infrastructure's recent correspondence, by removing those lands within the 2 odour unit contour identified by the PAE Holmes Odour and Noise Assessments in the East Tahmoor and South Tahmoor Precincts as provided in the revised Attachment 3 circulated at the meeting to this report and by supporting the rezoning of all remaining lands within the six precincts to Zone R2 Low Density Residential.*

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3. *That Council resolve to resubmit the amended Planning Proposal as outlined in this report to the Department of Planning and Infrastructure for further reconsideration in order to proceed to community consultation (public exhibition).*
4. *That should Council consider a future Planning Proposal for lands East of Tahmoor, it is recommended that Council also consider including the lands within the East Tahmoor and South Tahmoor Precincts of the original Picton Tahmoor Thirlmere New Urban Lands Planning Proposal affected by the 2 odour unit contour as part of any Planning Proposal.*
5. *That affected landowners, particularly those individually affected, be notified of Council's resolution.*
6. *That Council continue to consult with Department of Planning and Infrastructure and Inghams with the view to resolving the noise and odour issues.*
7. *That the issue raised in relation to odour by the department of planning in relation to farming activities be considered to all other rezonings.*

Subsequently the PTT Planning Proposal was placed on public exhibition between November – December 2012 with the amended rezoning boundary based on the 2 odour unit contour line. At its meeting held on Monday 18 February 2013 Council resolved to forward the PTT Planning Proposal to the DP&I for finalisation and publishing into legislation which is anticipated in the near future.

Resolution 4 and 6 above indicate that Council would support further planning proposals which would allow this excluded land to be rezoned for residential development and that it would continue to consult with the DP&I and Inghams to resolve the odour issue.

Ingham Turkey Processing Facility, Odour Impact Assessment

Council has recently received correspondence from Inghams which has indicated to Council that they are preparing a planning proposal to rezone their land for residential purposes at Cross Street and River Road, Tahmoor namely Lot C DP 374621, Lots 1-6 DP 1128745 and Lot 255 DP 10669. This land is currently where their duck sheds operations are located. As a consequence of Inghams proposal to rezone and therefore the resultant future removal of the duck shed operation, potential odour from these operations would in the future no longer impact on the eastern end of the East Tahmoor precinct or any of the land within the South Tahmoor Precinct.

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As part of the assessment for this planning proposal Inghams undertook a Phase 3 odour assessment of their turkey processing facility and particularly the wastewater treatment ponds located at Lot 23 DP 233658 Rockford Road to determine whether there would be an odour impact affecting their proposed rezoning and also the South Tahmoor and East Tahmoor precincts. An odour performance criterion of '2 odour units' was adopted for the dispersion modelling. Inghams recently provided Council with an Information Sheet and Map that details the findings of their Phase 3 Odour Impact Assessment and this can be found at Attachment 1.

The Phase 3 odour assessment based on the continued use of the turkey processing facility and associated wastewater treatment ponds found that the Level 2 odour unit contour would not extend to the South Tahmoor precinct, but would extend over a significant portion of the East Tahmoor precinct. However the odour consultants found that the proposed implementation of a 500 metre odour buffer zone, from the primary odour emission source (i.e. the wastewater treatment ponds system) was considered acceptable. A 500 metre odour buffer zone would allow for additional properties within East Tahmoor precinct to be considered for rezoning including some that would otherwise fall within the 2 odour unit performance criterion.

Proposed Properties for Rezoning to Residential

Within South Tahmoor Precinct no property would be affected by odour based on the Phase 3 odour impact assessment and therefore a new planning proposal would be able to incorporate all of the previously identified as odour affected. A large number of additional properties within the East Tahmoor Precinct in whole or part excluded due to the current odour buffer contour boundary would also be able to be included in a new planning proposal.

Consideration may also be given to including the whole of some properties that are partially affected by the 500m buffer contour namely numbers 36, 44 and 50 Progress Street being Lot 1 DP 623127 and Lots 12 & 13 DP 826338. Under the current East Tahmoor amendment that is being finalised by the Department of Planning, the odour contour line boundary results in a large number of properties having a split zoning with some land proposed for low density residential and the residue remaining rural. The future development of this land in terms of achieving an effective subdivision is considered extremely problematic and therefore it would be desirable to ensure there are no split zonings.

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Around a third of the property at number 36 Progress Street is affected by the 500m odour buffer contour but 30, 36, 38 and 42 Progress Street combined have a current development approval D367-07 for a seniors living development which would result in residential development at a similar density to that which would be permissible in the Zone R2 Low Density Residential zone proposed in the PTT Planning Proposal. Accordingly allowing consideration of this additional land would be reasonable as residential development in the form of seniors living could be developed. Although around half to three quarters of numbers 44 and 50 Progress Street are affected by the odour buffer contour it is considered preferable to include them in a new planning proposal rather than to have a split zoning. The properties proposed to be included in a new planning proposal are shown on the map at Attachment 2.

CONSULTATION

Consultation with Council staff and the community would be undertaken in accordance with the planning proposal process should a new planning proposal be undertaken to include additional land within the South Tahmoor and East Tahmoor precincts.

It is anticipated that there would not be a need for additional consultation with government agencies as there has been substantial consultation undertaken during the assessment of the PTT Planning Proposal.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES**Looking after the Community**

CO4. Engagement and Communication

Implement excellence in our community engagement by listening to and responding to the needs and concerns of residents.

Comment

Council will ensure that the concerns of landowners in the South Tahmoor and East Tahmoor planning precincts are addressed in an appropriate and timely manner.

Building A strong local Economy

EC4. Managing Development and Land Use

Manage and regulate land use and development in order to achieve a high quality built environment which contributes to economic well-being.

Comment

Ensuring that suitable available land with potential for development is managed to achieve both optimum use and optimum urban design.

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Should Council resolve to prepare a new Planning Proposal, it will be prepared in accordance with Section 55 to the *Environmental Planning and Assessment Act, 1979* and guidelines published by the Department of Planning and Infrastructure.

RELEVANT CONSIDERATIONS**Wollondilly Local Environmental Plan 2011 (WLEP 2011)**

A new planning proposal would amend WLEP 2011 for the following land:

South Tahmoor Planning Precinct	
Lot/DP Description	Address
9/16911	10 Bronzewing Street, Tahmoor
1/1032620	18 Bronzewing Street, Tahmoor
Part 2/1032620	35 Byron Road, Tahmoor

East Tahmoor Planning Precinct	
Lot/DP Description	Address
Part 4/262132	38 Tahmoor Road, Tahmoor
Part 223/10669	50 Tahmoor Road, Tahmoor
224/10669	80 Tahmoor Road, Tahmoor
225/10669	90 Tahmoor Road, Tahmoor
Part 211/10669	65 Tahmoor Road, Tahmoor
210/10669	69 Tahmoor Road, Tahmoor
Part A/365411	30 Progress Street, Tahmoor
1/623127	36 Progress Street, Tahmoor
12/826338	44 Progress Street, Tahmoor
13/826338	50 Progress Street, Tahmoor
7/263172	30 Greenacre Drive, Tahmoor
6/263172	36 Greenacre Drive, Tahmoor
5/263172	42 Greenacre Drive, Tahmoor
4/263172	60 Greenacre Drive, Tahmoor
3/263172	66 Greenacre Drive, Tahmoor
10/263172	15 Greenacre Drive, Tahmoor
11/825465	45-65 Greenacre Drive, Tahmoor
Part 2/263172	71 Greenacre Drive, Tahmoor
Part 190/10669	76 Myrtle Creek Avenue, Tahmoor
102/597260	90 Myrtle Creek Avenue, Tahmoor
101/597260	100 Myrtle Creek Avenue, Tahmoor
100/597260	110 Myrtle Creek Avenue, Tahmoor
Part 258/10669	85 Myrtle Creek Avenue, Tahmoor
Part 59/555941	95 Myrtle Creek Avenue, Tahmoor
60/555941	105 Myrtle Creek Avenue, Tahmoor
Part 26/740263	80 River Road, Tahmoor

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- Amend the Land Zoning Map from Zone RU4 Primary Production Small Lots to Zone R2 Low Density Residential
- Amend the Lot Size Map from a minimum lot size category of **2 hectares to 450m²**
- Amend the Height of Buildings Map from a Maximum Building Height Category of **no maximum building height** to a Maximum Building Height Category of **9 metres**.

The Natural Resources Water and Natural Resources Biodiversity Maps will be amended in accordance with the findings of specialist studies prepared for the PTT Planning Proposal.

FINANCIAL IMPLICATIONS

This matter has no financial impact on Council's adopted budget or forward estimates.

CONCLUSION

The submission of the Phase 3 Odour Impact Assessment by Inghams and its findings regarding the imposition of the 500m odour buffer has provided an opportunity for Council to reconsider the current odour contour boundary applying to the South Tahmoor and East Tahmoor planning precincts in terms of proposals to rezone this land for residential purposes. It is considered that this assessment would enable the preparation of a new planning proposal to amend WLEP 2011 by including those properties not affected by the odour buffer and to include some properties that are partially affected. It is recommended that a Planning Proposal be prepared and forwarded to the Minister for Planning for a Gateway Determination.

ATTACHMENTS

1. Inghams Tahmoor Odour Information Sheet
2. South Tahmoor and East Tahmoor Amended Precincts Boundaries Map

RECOMMENDATION

1. That Council support the preparation of a Planning Proposal for land being:

South Tahmoor Planning Precinct	
Lot/DP Description	Address
9/16911	10 Bronzewing Street, Tahmoor
1/1032620	18 Bronzewing Street, Tahmoor
Part 2/1032620	35 Byron Road, STW Tahmoor

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East Tahmoor Planning Precinct	
Lot/DP Description	Address
Part 4/262132	38 Tahmoor Road, Tahmoor
Part 223/10669	50 Tahmoor Road, Tahmoor
224/10669	80 Tahmoor Road, Tahmoor
225/10669	90 Tahmoor Road, Tahmoor
Part 211/10669	65 Tahmoor Road, Tahmoor
210/10669	69 Tahmoor Road, Tahmoor
Part A/365411	30 Progress Street, Tahmoor
1/623127	36 Progress Street, Tahmoor
12/826338	44 Progress Street, Tahmoor
13/826338	50 Progress Street, Tahmoor
7/263172	30 Greenacre Drive, Tahmoor
6/263172	36 Greenacre Drive, Tahmoor
5/263172	42 Greenacre Drive, Tahmoor
4/263172	60 Greenacre Drive, Tahmoor
3/263172	66 Greenacre Drive, Tahmoor
10/263172	15 Greenacre Drive, Tahmoor
11/825465	45-65 Greenacre Drive, Tahmoor
Part 2/263172	71 Greenacre Drive, Tahmoor
Part 190/10669	76 Myrtle Creek Avenue, Tahmoor
102/597260	90 Myrtle Creek Avenue, Tahmoor
101/597260	100 Myrtle Creek Avenue, Tahmoor
100/597260	110 Myrtle Creek Avenue, Tahmoor
Part 258/10669	85 Myrtle Creek Avenue, Tahmoor
Part 59/555941	95 Myrtle Creek Avenue, Tahmoor
60/555941	105 Myrtle Creek Avenue, Tahmoor
Part 26/740263	80 River Road, Tahmoor

To amend Wollondilly Local Environmental Plan, 2011 as follows:

- amend the Land Zoning Map to Zone R2 Low Density Residential
 - amend the Lot Size Map to a minimum lot size of 450m²
 - amend the Height of Buildings map to allow a maximum building height of 9m
 - amend the Natural Resources Biodiversity map in accordance with the findings of the specialist studies in the Picton, Tahmoor, Thirlmere Planning Proposal for the South Tahmoor and East Tahmoor Precincts
 - amend the Natural Resources Water map in accordance with the findings of the specialist studies in the Picton, Tahmoor, Thirlmere Planning Proposal for the South Tahmoor and East Tahmoor Precincts.
2. That the Planning Proposal be forwarded to the Minister for Planning and Infrastructure for a Gateway Determination.

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3. That Council request the Minister to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979.
4. That all of the landowners in the South Tahmoor Precinct and the East Tahmoor Precinct who are proposed to be included in the new planning proposal be informed that Council will be preparing a new planning proposal to amend the WLEP 2011 as outlined.
5. That all of the landowners within the East Tahmoor Precinct whose entire property falls within the 500m odour buffer boundary be advised of the findings of the Inghams Phase 3 Odour Impact Assessment and that they are not going to be included in a new planning proposal.

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ATTACHMENT 1 – 6508-2 – 18 NOVEMBER 2013

INFORMATION SHEET

Ingham Turkey Processing Facility, Odour Impact Assessment September 2013

Synopsis

The purpose of this 'Information Sheet' is to inform those Landowner's who adjoin the Ingham Turkey Processing Facility at Tahmoor of some of the key findings detailed in the Odour Impact Assessment. The Assessment was undertaken by The Odour Unit ('TOU') on behalf of Ingham Property Development Pty Ltd ('Ingham's') and was completed on 16 September 2013.

The Purpose of the Odour Impact Assessment

TOU was originally commissioned by Ingham's back in August 2012 to carry out a Phase 3 Odour Impact Assessment ('the assessment') of the Ingham Turkey Processing Facility ('the site') at Tahmoor, NSW.

The primary intent for the assessment was to consider whether the rezoning of land to permit a higher density of residential development up to the site boundary, which is greater than that currently permitted under the RU2 'Rural Landscape' zone, would be acceptable under the relevant NSW Environmental Protection Authority ('EPA') guidelines and/or the Australian Standards for odorous impacts. In particular, the dispersion modelling considered whether a minimum buffer zone of 500 metres from the onsite Wastewater Treatment Ponds is acceptable for any future development around the sites periphery.

Site Inspections

Two key site visits were carried out by TOU during the undertaking of the assessment. The first site visit (1 August 2012) was a familiarisation exercise of the site whereby an investigation into all potential odour emissions sources was carried out and an inventory of these sources was compiled. A series of samples were collected and later used as input into the odour dispersion modelling. A second site visit was undertaken in March 2013 to collect additional odour emission samples at the site.

Sampling Program and Methodology

A total of nineteen (19) gas samples were collected from a series of identified odour emission sources on site. Subsequently, in light of the varying nature of the sampling sources the techniques of both 'Point Source' and 'Area Source' sampling were utilised by the assessment. The use of both techniques was done so in accordance with the relevant industry and Australian Standards.

Odour Concentration Measurement Methodology

The concentration of the gaseous odour samples were measured using a technique known as *dynamic olfactometry*. Dynamic olfactometry involves the repeated presentation of both a diluted gaseous odour sample and an odour-free air stream to a panel of qualified assessors through two adjacent ports on the olfactometer (known as the Odormat™). TOU utilises four to six trained assessors (or panellists) for sample analysis, with the results from four qualified panellists being the minimum allowed under the Australian Standard AS/NZS 4323.3:2001. TOU utilised up to six panellists for purposes of this assessment (TOU, 2013).

NSW Odour Criteria and Dispersion Model Guidelines

The assessment recognises that regulatory authority guidelines for odorous impacts of *gaseous process emissions* are not designed to satisfy a 'zero odour impact criteria', but rather to minimise the nuisance effect to acceptable levels of odour emissions to a range of sensitive receptors within the local community. The assessment for this project has been carried out in accordance with the methods outlined by the following NSW EPA documents:

1. *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2005)*; and
2. *Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (2006)*.

Based on the NSW EPA classification of population densities, an *odour performance criterion* of '2 odour units' was adopted by the assessment for the dispersion modelling. This criterion was considered appropriate given the existing and proposed urban area character around the site.

PE3 – Planning Proposal for South Tahmoor and East Tahmoor Precincts**ATTACHMENT 1 – 6508-2 – 18 NOVEMBER 2013****The Odour Dispersion Modelling**

The odour dispersion modelling for this study was carried out using AUSPLUME Version 6.0, a Gaussian, steady-state, plume dispersion model developed by the Victorian Environmental Protection Authority (EPA Victoria). AUSPLUME is the approved dispersion model recommended by the NSW EPA in their document - *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales (2005)* (TOU, 2013).

The Findings

The dispersion modelling results indicated that the NSW EPA's 2 odour unit performance criterion does exceed beyond the site boundary, as illustrated on the Attached *Issues and Opportunities Map* prepared by AE Design Partnership dated 17 September 2013. Marked by the *dotted black outline* is the cumulative impact from the key emission sources, which include the killing/evisceration room vents, bird receival area vents, bird holding area, and the wastewater treatment pond system.

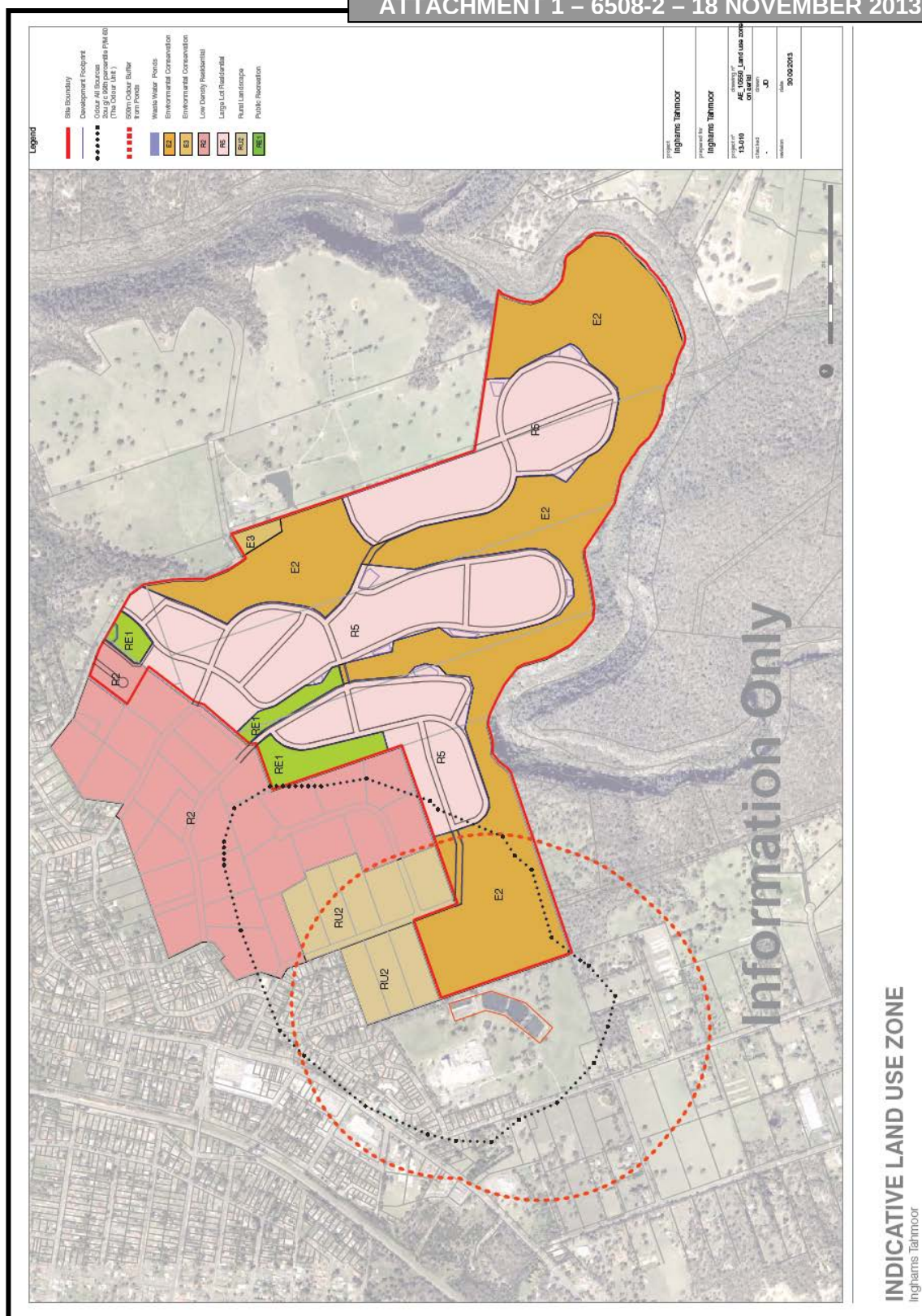
What do the findings mean?

1. There may be some level of impact at existing residences, under certain meteorological conditions.
2. The bulk projection of the 2 odour unit performance criterion beyond the site boundary is largely due to the wastewater treatment pond system.
3. The 'inherent conservatism' factored into the NSW EPA criterion means that odour receptors insider the 2 odour unit contour will not 'automatically' be inconvenienced by odour.
4. As illustrated on the attached map, sections of East Tahmoor lie within the 2 odour unit performance criterion, and therefore are potentially susceptible to odour impact from the Ingham Turkey Processing Facility at Tahmoor.
5. TOU found that the proposed implementation of a 500 metre buffer zone, for future residential development to the east of the primary odour emission source (i.e. the wastewater treatment ponds system), was considered acceptable. Note: the 500 metre buffer zone is marked by the *dotted red outline* on the Attached *Issues and Opportunities Map*.
6. The AUSPLUME modelling however did not find any justification for a buffer distance of less than 500 metres.

Disclaimer: this Information Sheet serves to provide a brief outline only of the key methodologies and findings contained within the *Ingham Turkey Processing Facility, Odour Impact Assessment* (dated September 2013) prepared for the Ingham Turkey Processing Facility at Tahmoor NSW. A complete copy of the assessment will accompany the imminent Planning Proposal Report currently being prepared. The Odour Impact Assessment is the overarching document in any instance, however for the purposes of continuity and correct planning protocol a copy of the final assessment has not been provided at this point in time.

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Planning & Economy

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