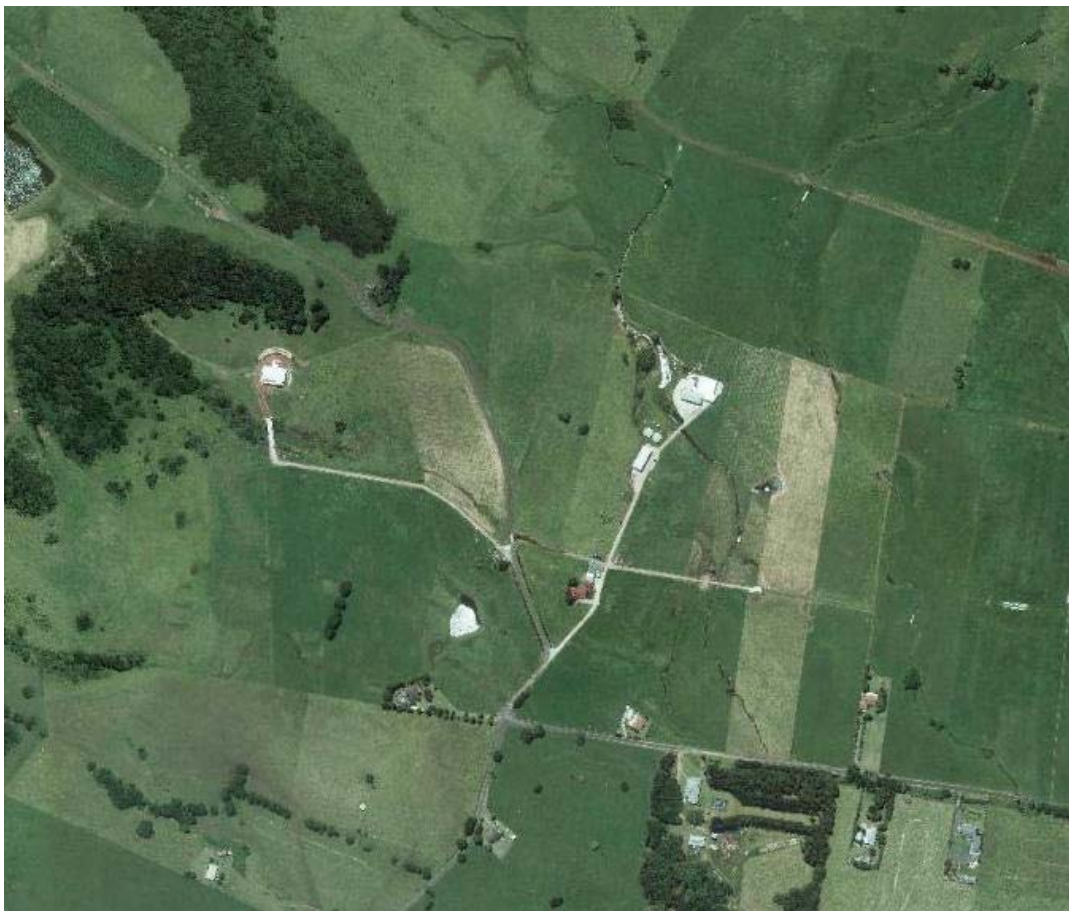


PLANNING PROPOSAL

in respect of Lot 103 DP 561082
96 Rose Valley Road,
Rose Valley



Prepared by
Plannex Environmental Planning

March 2015 (Rev.1)

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1.0 INTRODUCTION

1.1 Introduction

Plannex Environmental Planning has been engaged by Mr Gerhard Baden of Endo Technik Nord Pty Limited to prepare a Planning Proposal seeking to amend Kiama Local Environmental Plan 2011 to enable the undertaking of certain development upon the company's land at No.96 Rose Valley Road, Rose Valley.

Endo Technik Nord Pty Limited currently operates a wagyu beef grazing and production enterprise ("*Schottlanders Wagyu*") from the site, and includes a small meat processing plant for the packaging of wagyu beef products. The property is also used for tourist accommodation within a small farm stay cottage. The company would like to expand its operations on the subject site to include the following elements:-

- a small abattoir for the slaughtering of wagyu cattle produced or raised on the site;
- a 60-seat restaurant;
- a small farm gate sales premises for the sale of wagyu beef produced on the site; and
- an educational facility to enable visitors to tour the farm and be informed about the process of wagyu beef production from calf-rearing through to the end consumer, essentially a "paddock-to-plate" experience.

This Planning Proposal identifies the objectives and intended outcomes of the proposal; offers an explanation of the proposed amendment to Kiama Local Environmental Plan 2011; and, provides detailed justification for the proposed rezoning.

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act, 1979; relevant Department of Planning and Environment (DPE) guidelines, including '*A guide to preparing planning proposals*' (2012) and '*A guide to preparing local environmental plans*' (2012); and, Kiama Council's '*Planning Proposal Policy*' (2012).

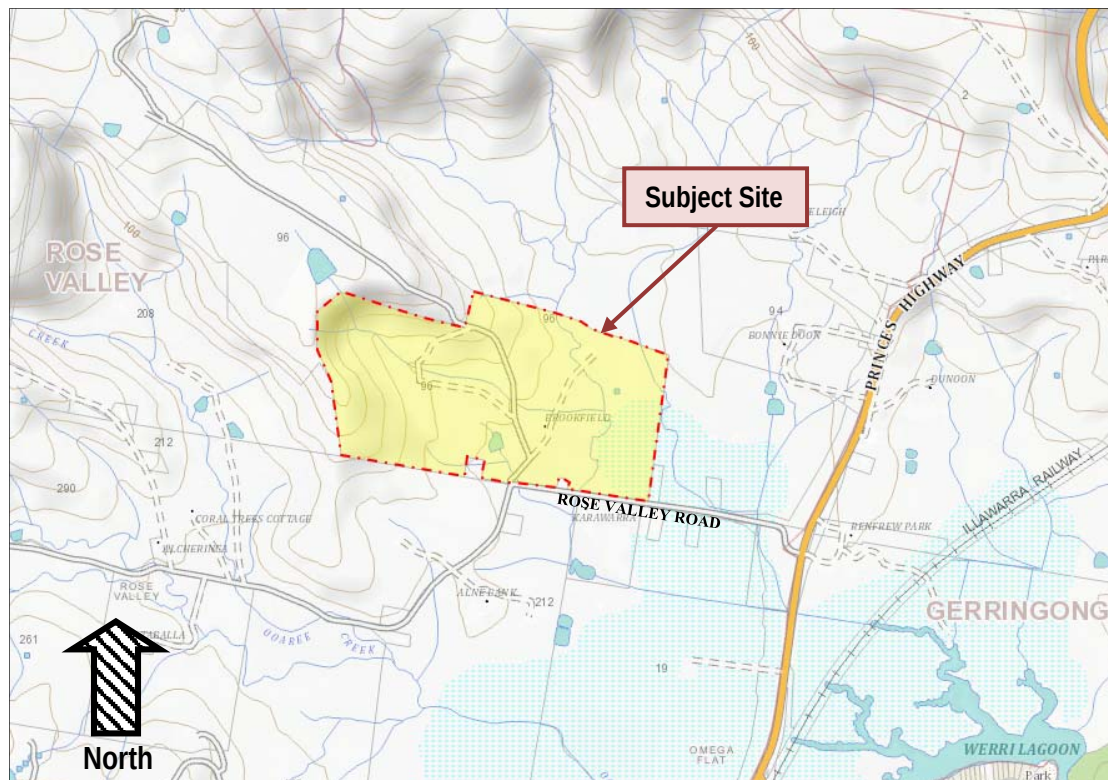
1.2 Subject Site

The subject site consists of a largely cleared, rural parcel of land situated on the south-eastern footslopes and adjoining flats of Saddleback Mountain at Rose Valley (see Figure 1). The site is known as Lot 103 in Deposited Plan No.561082 and has an area of 53 hectares.

The subject site is irregular in shape and has a total frontage of around 400m to Rose Valley Road along the eastern portion of its southern boundary. The balance of the southern boundary measures around 530m, while the eastern boundary

measures about 460m. The northern and western boundaries are both irregular, measuring a total of about 1,170m and 565m, respectively.

Figure 1 - Location Plan



Source - SIX Maps

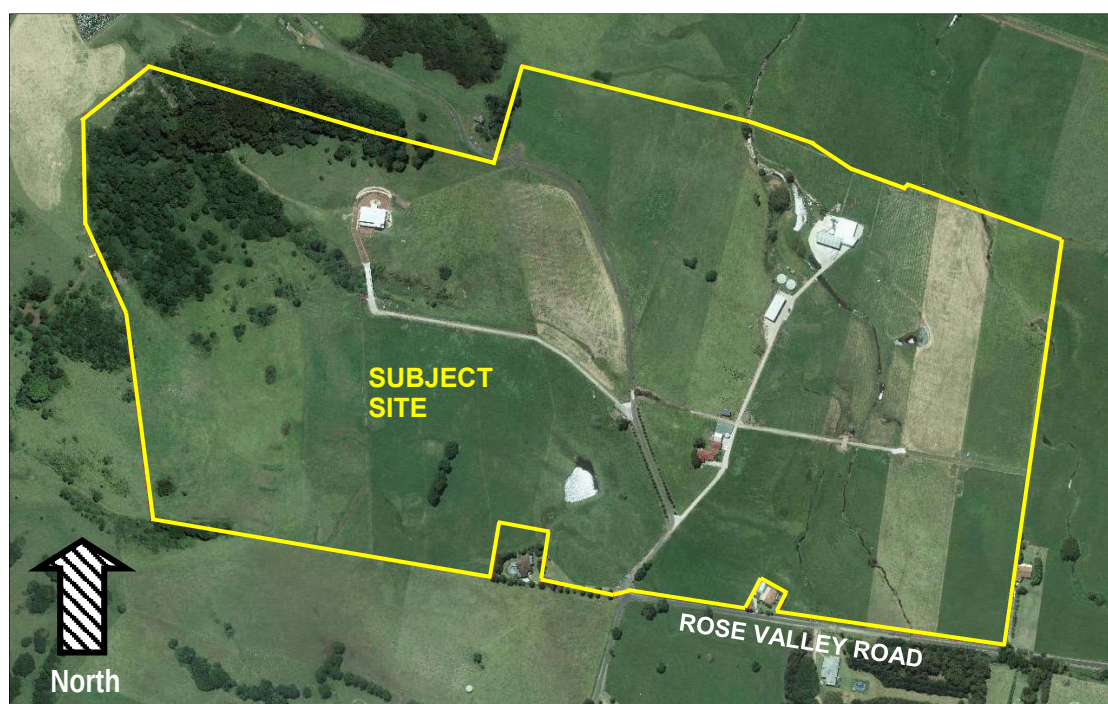
The subject site is located on the south-eastern footslopes of Saddleback Mountain, and includes lower-lying flats on the northern side of Rose Valley Road. The topography of the subject site varies from the flood-prone creek flats adjacent to the eastern boundary of the subject site, which form part of the Ooaree Creek/Werri Lagoon floodplain; through the cleared undulating hillside pastures that make up the bulk of the central portion of the subject site; to the steep vegetated slopes at the western end of the site, where the landform rises to around RL 140m AHD.

The subject site is traversed by a number of watercourses, mostly intermittent, that eventually drain to Werri Lagoon. The principal watercourses are a west-east flowing Category 3 watercourse that drains through the centre of the site, and two (2) north-south flowing Category 3 watercourses that flow almost parallel with each other through the eastern portion of the subject site.

Just as the topography varies markedly across the subject site, the nature of the vegetation also varies from the cleared and pasture-improved creek flats and lower hill slopes, through to the remnant native vegetation on the steeper slopes at the western boundary of the site and within the upper reaches of the principal creek line.

A dwelling house has been constructed in recent years on the higher slopes towards the north-western corner of the subject site. This dwelling house replaced the original dwelling house (located on the flatter land in the centre of the site) which has since been converted for use to provide farm stay accommodation. To the north of the farm stay building, and spread out along an internal access road, are various buildings and sheds associated with the agricultural use of the subject site, including a meat processing facility; barn; machinery shed; hay shed; and, calving shed.

Figure 2 - Site Context



Source - SIX Maps

Access to the subject site is obtained directly from Rose Valley Road. A bitumen-sealed central access roadway is located within a Right of Carriageway providing access to an allotment of land to the north-west of the subject site. Branching off this bitumen roadway to the north is a concrete road servicing the farm stay accommodation and agricultural outbuildings; and, to the west a concrete road providing access to the dwelling house.

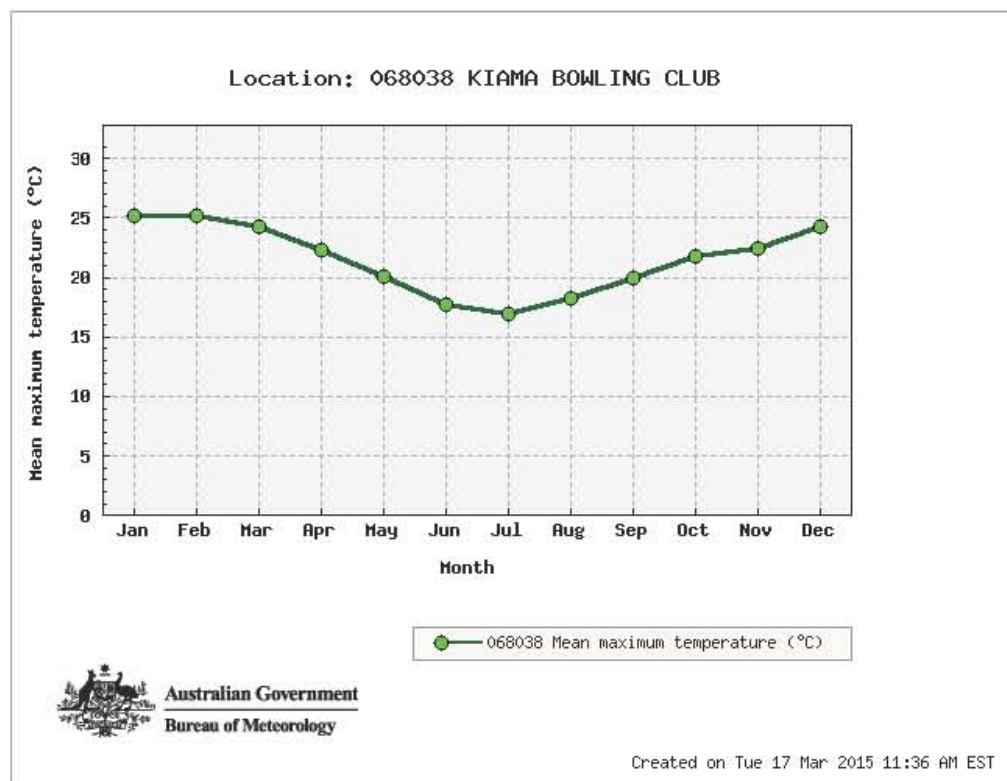
Whilst electricity is available for connection to the subject site, the owner has opted to install an array of solar panels which generate enough electricity for domestic and farm usage. The subject site is connected to Sydney Water's reticulated water supply system, which supplies water to the existing dwelling house. Water for stock watering purposes and general farm use is harvested from dams on the property. The site is not connected to Sydney Water's reticulated sewerage system and relies upon on-site effluent disposal.

1.3 Climatic Information

The climate of the subject site is generally characterised by warm summers, and cool (but not cold) winters. Due to the proximity of the ocean, the annual range of temperatures is relatively low due to the stabilising effect of marine air masses.

Information obtained from the nearest Bureau of Meteorology weather station at Kiama Bowling Club (site no.068038, 34.68° south 150.85° east) indicates that the maximum mean temperature ranges from 25.2°C in January and February to 16.9°C in July (see Figure 3).

Figure 3 – Mean Maximum Temperatures



Source – www.bom.gov.au

Mean minimum temperatures vary from a low of 8.5°C in July to 17.8°C in February (Figure 4).

Rainfall is adequate and reliable, with an average annual rainfall of 1,253.8mm. The rainfall also tends to be evenly distributed throughout the year, although autumn tends to be the wettest period of the year and late winter/early spring the driest. This is evidenced in the mean rainfall data (Figure 5) which shows March as the wettest month, with a mean rainfall of 142.5mm, and September as the driest month, with 73.4mm of rainfall.

Figure 4 – Mean Minimum Temperatures



Source – www.bom.gov.au

Figure 5 – Mean Annual Rainfall



Source – www.bom.gov.au

1.4 Description of Proposal

As mentioned previously Endo Technik Nord Pty Limited currently graze and rear wagyu beef cattle on the subject site and have on-site facilities for the processing and packaging of wagyu carcasses. At present, up to 25 head per year of wagyu cattle produced on the subject site are transported to an off-site abattoir, slaughtered, processed, and then returned to the on-site meat processing plant as a carcass. The nearest available abattoirs, at Wollondilly and Milton on the south coast, no longer have the necessary lifting equipment to be able to handle animals the size of those produced at the subject site. Consequently, the producer has explored other options, with the closest abattoir that is capable of accommodating the animals being located at Casino (on the NSW far north coast 860km from Gerringong). Given the low volume of animals sent to slaughter each year, it is not cost-effective for the producer to transport animals over such long distances and then have the carcasses transported back in refrigerated trucks. Accordingly, the producer has decided to pursue the construction of a small, purpose-built abattoir on-site. This abattoir would be located in the vicinity of the existing cluster of farm buildings and would enable the slaughtering of up to a maximum 120 head of wagyu cattle (72 tonnes live weight) per annum. As the producer does not want to process cattle from off-site, only cattle that have been produced or raised on the subject site will be processed by the abattoir.

In the interests of promoting locally produced, high quality wagyu beef, the producer also wishes to establish a small farm gate sales use within an existing building (up to a maximum 75m² in area) to enable the sale of wagyu beef products direct to the public. It is also proposed, as part of the promotional objectives, to conduct group tours through the subject site, providing an educational opportunity for visitors to tour the farm and be informed about the process of wagyu beef production from calf-rearing through to the end consumer.

As a final component of the proposal, the producer would like to construct a 60-seat licensed restaurant, and associated car parking area, in an elevated area towards the north-western corner of the subject site. The restaurant would be a single level, rotating restaurant, constructed over a partially underground car parking area. The restaurant would not only provide an outlet from which to showcase wagyu beef products, but would also provide a unique dining experience for locals and tourists to appreciate the Gerringong area.

Given the inability of nearby abattoirs to accommodate the cattle produced on-site and the producers' immediate need to find an alternative, the construction of the abattoir is a high priority and will be constructed as Stage 1 of the overall proposal. The farm gate sales and farm tours, with their relatively lower capital start-up costs, would form the Stage 2 of the proposal; with the more capital intensive restaurant Stage 3.

Plans illustrating the abattoir and restaurant components of the Planning Proposal are attached at Appendix A.

1.5 Existing Planning Controls

1.5.1 Kiama Local Environmental Plan 2011

The land to which the Planning Proposal applies is affected by the provisions of Kiama Local Environmental Plan 2011 (KLEP 2011). Under KLEP 2011 the following specific planning controls apply to the subject site:-

(a) Zoning

The majority of the subject site is zoned RU2 Rural Landscape, with small areas of E2 Environmental Conservation coinciding with pockets of remnant vegetation on the steeper slopes on the western boundary.

(b) Minimum Lot Size

A minimum allotment size of 40 hectares applies to the subject site.

(c) Heritage

The subject site does not contain any heritage items and is not within a Heritage Conservation Area. An adjacent property to the south of the subject site contains “Karrawarra Homestead” a locally significant heritage item (ref. I 172).

(d) Terrestrial Biodiversity

The steeper vegetated slopes towards the western boundary of the subject site are identified as biodiversity land.

(e) Riparian Land & Watercourses

The unnamed watercourses that traverse the subject site are all identified riparian lands (specifically Category 3 watercourses).

(f) Floor Space Ratio

There is currently no maximum floor space ratio (FSR) applying to the subject site.

(g) Acid Sulfate Soils

The subject site is identified as containing Class 4 and 5 Acid Sulfate Soils.

(h) Height of Buildings

There is currently no maximum building height applying to the subject site.

(i) Bushfire Prone Land

The subject site is mapped as Bushfire Prone Land.

2.0 OBJECTIVES & INTENDED OUTCOMES

The objective and intended outcome of this Planning Proposal is to enable the subject site to ultimately be developed for the following purposes:-

- Construction of a small abattoir in the vicinity of the existing farm sheds to enable the slaughtering of up to a maximum 120 head of wagyu cattle per annum. Only cattle that have been produced or raised on the subject site will be processed by the abattoir;
- Construction of a 60-seat licensed restaurant, and associated car parking area, in an elevated area towards the north-western corner of the subject site;
- Use of an existing building (up to a maximum 75m² in floor area) for farm gate sales for the sale of wagyu beef, produced on the site, direct to the public; and
- Conducting of group tours through the subject site, providing an educational opportunity for visitors to tour the farm and be informed about the process of wagyu beef production from calf-rearing through to the end consumer.

3.0 EXPLANATION OF THE PROPOSED PROVISIONS

The objective and intended outcome of the Planning Proposal, as identified in Section 2.0, is to be achieved by Amending the KLEP 2011 *Additional Permitted Uses Map* in accordance with Appendix B to highlight the subject site, and by adding the following item at the end of Schedule 1:-

xx Use of certain land at Rose Valley Road, Rose Valley

- (1) This clause applies to land at Rose Valley Road, Rose Valley, being Lot 103, DP 561082, identified as "xx" on the Additional Permitted Uses Map.*
- (2) Development for the purposes of the following is permitted with consent:*
 - (a) an abattoir capable of processing a maximum of 120 beasts per annum,*
 - (b) a restaurant with a maximum seating capacity of 60,*
 - (c) a shop for the sale of products produced on the site only, and*
 - (d) an education establishment involving tours of the agricultural activities undertaken on the site.*

4.0 JUSTIFICATION FOR THE PLANNING PROPOSAL

This section of the report examines the justification for the Planning Proposal in terms of the need for the proposal; how it sits within the strategic planning framework; its likely environmental, social and economic impacts; and, its implications for State and Commonwealth government agencies. This section is structured as responses to the questions contained within the DPE's '*A guide to preparing planning proposals*'.

4.1 Need for the Planning Proposal

4.1.1 Is the planning proposal a result of any strategic study or report?

The Planning Proposal is not the result of a specific strategic study or report, but has arisen as a result of a development application for the construction of a small abattoir on the subject site, which was lodged with Council in November 2013, and of subsequent discussions with Council staff concerning the permissibility of the proposal on the subject site. The discussions with Council staff indicated that, although consistent with the use of the land for agricultural purposes, the proposal was prohibited on the subject site.

The Planning Proposal must resolve the same issues that were under consideration as part of the development application previously lodged with Council, namely:-

- management and disposal of solid and liquid waste; and
- agricultural impacts.

Reports have been commissioned by the proponent to address these issues in support of the Planning Proposal.

4.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best and most practical way to provide the proponent with certainty in terms of the permissibility of the proposals, which will enable the intensification of the wagyu beef production enterprise as well as allowing the orderly development of the subject site for associated purposes. The Planning Proposal will also enable Council to impose specific limitations reflective of the different components of the development to ensure that it retains its intended low-key and low-impact nature.

There are currently no existing zones under KLEP 2011 which would permit all aspects of the Planning Proposal with or without Council's consent. Therefore, rezoning the subject site to another zone is not an option in this case.

The option of including the aspects of the Planning Proposal as permissible uses in the RU2 zone has also been considered, but has been ruled out on the basis that not all land zoned RU2 is suitable for the type of development being put forward by the Planning Proposal.

4.2 Relationship to Strategic Planning Framework

4.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Illawarra Regional Strategy (IRS) was released by the DPE in January 2007 and provides the strategic plan and direction for the Illawarra Region over a 25 year period to 2031. The IRS has identified that one of the major challenges facing the Region is the need to recognise the value of rural lands as food-producing lands and implementing measures to ensure the long term protection of these lands. To assist in meeting this challenge, the IRS contains aims to:-

- *Limit development in places constrained by coastal processes, flooding and wetlands, or which are important primary industry resources or significant scenic/cultural landscapes; and*
- *Promote the economic food and fibre production and community values of existing agricultural lands.*

The Planning Proposal will be consistent with these aims and the recommended actions of the IRS. The Planning Proposal will foster the expanded and continuing use of the subject site for primary production purposes, whilst also enabling the promotion of locally produced food.

4.2.2 Is the planning proposal consistent with a council's local strategy or other local strategic plan?

In October 2006, Edge Land Planning prepared the *Kiama Rural Lands Study* on behalf of Kiama Council. The Study identified the importance of the rural lands of the Kiama LGA in providing a source of food and fibre, a biodiversity resource, and a place for people to live, with one of the key challenges facing the local community being the need to balance these three components. The Study identified agricultural land as a resource worthy of protection from fragmentation so that it can be used for primary production purposes.

The Planning Proposal is entirely consistent with the *Kiama Rural Lands Study* as it seeks to maintain the primary production use as the principal use of the subject site and to intensify this use by adding an abattoir. The restaurant, farm gate sales premises and educational tours components all hinge on the continued use of the subject site for the production of wagyu beef, and will assist in promoting locally produced food to residents and tourists in much the same way as local wineries promote their produce.

The continued use of the subject site for primary production of food is consistent with the strategies promoted by the *Kiama Rural Lands Study*.

4.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal has been reviewed having regard to applicable State Environmental Planning Policies (SEPPs). The Planning Proposal's consistency with the relevant SEPPs is summarised in Table A below:-

Table A – Applicable State Environmental Planning Policies

State Environmental Planning Policy	Consistency of Planning Proposal
Illawarra Regional Environmental Plan No.1 (deemed SEPP)	Consistent - The Planning Proposal is consistent with the provisions of IREP 1.
SEPP 55 – Remediation of Land	Consistent – The Planning Proposal will not hinder the application of the SEPP to the development process.
SEPP 71 – Coastal Protection	Consistent – The Planning Proposal is consistent with, and satisfactory when reviewed against, the matters listed in clause 8 of SEPP 71.
SEPP (Rural Lands) 2008	Consistent – The Planning Proposal seeks to promote the use of the subject site for primary production purposes and is consistent with the Rural Planning Principles of the SEPP, in particular the following specific principles:- <i>(a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas;</i> <i>(b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State; and</i> <i>(c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development.</i>

4.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal has been reviewed in the light of the Directions issued by the Minister pursuant to Section 117(2) of the Environmental Planning and Assessment Act, 1979. The Planning Proposal's consistency with the relevant Section 117 Directions is summarised in the Table in Appendix C.

4.3 Environmental, Social and Economic Impact

4.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Whilst the subject site contains some 6 hectares of vegetated lands, most of which is mapped under KLEP 2011 as biodiversity land, these vegetated areas are primarily confined to the steeper slopes at the western boundary of the subject site. All aspects of the development being put forward by the Planning Proposal will be undertaken on cleared land.

Given the absence of natural habitat within those parts of the subject site being contemplated for development, it is unlikely that any critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely impacted as a result of the Planning Proposal.

4.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

At this stage, investigations have been undertaken into issues of on-site effluent management and disposal; stock management; visual impact; traffic management; bushfire hazard; and, flooding. These investigations are summarised below and supplemented by reports attached as Appendices.

(a) Waste and Effluent Disposal

Waste products generated by the proposed restaurant and abattoir will consist of solid waste; recyclable waste; liquid waste; and, human waste products.

Based on typical waste generation rates, waste from the restaurant is expected to consist of 4,320 litres of general waste and 855 litres of recyclable materials per week. Provision will be made for an external waste bin storage area in a serviceable location adjacent to the restaurant building.

The processing of the animal and carcass through the abattoir will generate waste at various stages. Whilst the carcass and a portion of the offal will be saved for sale and consumption, solid waste in the form of animal hides, heads, and inedible offal will be a by-product of the process. It is intended that the animal hides will be sold to an off-site tanner for cleaning, processing and use in manufacturing leather and cow hide products. Other solid waste products will be collected by a licensed

contractor and taken away off-site for processing (eg at a rendering plant). Collection of solid waste will occur weekly, as required by the operation of the abattoir.

Liquid waste (eg blood, wash water) will be captured on the abattoir floor and drained to an on-site wastewater treatment and effluent re-use system. Waste from the staff amenities will also be drained to an on-site wastewater treatment system.

Pacific Environmental has conducted site investigations and analysis and has prepared a report outlining a proposal for an on-site sewage treatment and effluent re-use system to cater for wastewater generated by the abattoir and restaurant (refer to Appendix D). Flow rates of 2,400 litres per day (3 days per week) and 1,200 litres per day (3 days per week) have been adopted for the restaurant (which is to be closed one day per week), and 700 litres per day (4 days per week) for the abattoir. Overall, with flow balancing, the average flow rate for the proposal over seven (7) days is 1,943 litres per day. For design purposes a 2,200 litre per day flow rate has been adopted.

The report has identified that the surface irrigation of secondary treated effluent is a viable disposal option for the proposed abattoir and restaurant. The proposed effluent treatment system is to include the following elements:-

- Raw waste balance tank of 4,000 litres plus wet weather storage of 7,000 litres;
- 4,000 litre primary settlement and return sludge digestion tank;
- 5,500 litre secondary aeration;
- 500mm diameter and 1.5m deep clarifier/settlement tank;
- 1,200 litre secondary treated water irrigation tank;
- a minimum of 400 aerators, allowing for 18 hours of aeration per day; and
- transfer pumps and irrigation pumps.

Based upon the soil conditions and a hydraulic load of 2,200 litres per day, the report has recommended a dedicated disposal area of 2,200m². A disposal area, measuring 31.4m wide by 70m long, is proposed to be positioned to the east of the abattoir (and 3m east of the internal access roadway). Positioning the effluent disposal area in such a manner maintains the required separation distances to watercourses and minimises the loss of grazing land. Provided the recommendations of Pacific Environmental's wastewater treatment and effluent re-use report are implemented, there should be no adverse impacts arising from the on-site disposal of effluent generated by the restaurant and the abattoir and its amenities.

(b) Stock and Environmental Management

Agricultural consultants SBScibus have prepared a report reviewing the pasture improvement and supplementary fodder cropping practices adopted by Schottlanders, and have determined that the property is capable of sustaining a breeding herd of between 100 and 110, together with a further 180 younger cattle (from weaning to 3 years) for replacement and fattening. The proposed turn off of

120 head per year through the abattoir is able to be sustained on the property. A copy of SBScibus' report is attached at Appendix E.

As the abattoir will process a small number of animals (on average a maximum of 5 per fortnight), there is no need for a holding yard. Animals are processed one at a time and are led straight from the paddock to the 'knock box' for slaughter. The absence of a holding yard reduces stress for the animals, reduces noise, and reduces potential odour emissions.

An environmental management plan has been prepared in respect on the abattoir and is based upon a much more detailed plan used for a larger abattoir. The environmental management plan outlines the duties and obligations of each person employed by the abattoir and the potential environmental issues arising at particular stages of the process and the actions to be undertaken to properly manage these issues. A copy of the environmental management plan is attached at Appendix F.

(c) Visual Impact

Whilst the abattoir building will be located on the flatter, lower portion of the subject site, clustered together with other farm buildings. The proposed restaurant will occupy an elevated position on the subject site, to the north of the existing internal access roadway. Being in an elevated position, the restaurant will have the potential to be visually prominent within the landscape.

An analysis of the potential visual impact of the restaurant has been undertaken with the location viewed from various public vantage points along the Princes Highway and Rose Valley Road. Appendix G contains a series of photographs of the site from these locations. From viewing locations to the east and north-east, the restaurant would be viewed against the established vegetation immediately to its west, with the hillside upon which it is located rising behind it. From the south and south-east, the restaurant would sit proud of the hillside upon which it is located, but would still be viewed against the background vegetation as well as the footslopes of the much more dominant Saddleback Mountain ridgeline.

Although already having a low visual impact due to the characteristics of its siting, the visual impact of the building would be further minimised through its design which incorporates a small (18.2m by 18.2m) dodecagonal-shaped restaurant level, entirely surrounded by a 2.1m wide veranda, and with a low-pitched hipped roof. As the car parking area has been contained within the building, there is no open car parking area to catch the eye, which would be even more pronounced when occupied by vehicles. The use of darker, recessive colours for the restaurant roof and any exposed walls would be recommended to further minimise visual intrusion.

The majority of public places from where the restaurant would be visible are located at a distance of 1 to 2km. Southbound traffic descending Mount Pleasant on the Princes Highway will see the building at a viewing distance of between 1.9km and 1.4km. Northbound highway traffic will get its first view of the building from a distance of 2.2km. Traffic on the Rose Valley Road interchange is 1.1km distant

from the site. From each of these distances the proposed restaurant will be viewed as a small built element within a much broader landscape consisting of vegetated hillsides and cleared paddocks, dotted with buildings – dwelling houses, farm buildings etc. An appropriately coloured structure would not appear out of place or visually dominant within this landscape.

Closer range views of the building will be obtained from Rose Valley Road up to a distance of 510m from the restaurant (at the entry gate to the subject site). Despite being viewed from a closer perspective and at a different angle, the proposed building will remain a small element within the landscape by comparison to existing dwellings that are located closer to Rose Valley Road.

In all, the potential visual impact of the proposed restaurant building is considered to be acceptable and capable of being absorbed within the visual landscape. An appropriately finished building would be in character with the broader landscape and appear innocuous when viewed from primary viewing points along the Princes Highway and Rose Valley Road.

(d) Traffic Management

The traffic management impacts of the development proposal have been reviewed in terms of car parking, traffic generation, and on-site vehicle manoeuvring.

Chapter 9 of Kiama Development Control Plan 2012 establishes Council's car parking requirements for various forms of development. For restaurants, parking is required at the greater of 15 spaces per 100m² of gross floor area (GFA); **or** 1 space per 3 seats plus 1 space per 2 staff. The proposed restaurant has a floor area of 145.72m² and a seating capacity of 60 persons. Applying Council's car parking rates, the proposed restaurant would require 21.8 (say 22) spaces based on GFA or 23 spaces based on seating capacity and assuming 6 staff. Parking has been provided within the lower level of the restaurant building for a total of 25 vehicles, including one space for disabled persons. The car parking area has been designed to comply with the provisions of AS/NZS 2890.1-2004 and AS/NZS 2890.6-2009.

Motion Traffic Engineers have been engaged to conduct a review of the likely traffic impacts and car parking demands of the development proposal. The resultant traffic and parking impact report (Appendix H) has considered the existing road network, including the Rose Valley Road Interchange at the Princes Highway, and the additional traffic likely to be generated by the proposed development.

The report has reviewed the traffic generation demand for the restaurant and has determined a peak rate of 5 trips per 100m² based upon figures quoted in the RMS' *Guide to Traffic Generating Developments*, which translates to a project specific peak hour demand of 8 vehicles.

A SIDRA analysis of the interchange was undertaken to determine the impacts of the additional traffic generated by the development proposal on the performance of the intersection. The analysis determined that the additional vehicle trips from the proposed development can be accommodated at the Rose Valley Road

Interchange without noticeably affecting intersection performance, delays or queues.

Access along the internal roadway leading up to the restaurant site has been designed to accommodate a fully laden fire tanker and will therefore be trafficable by waste collection and delivery vehicles and coaches. A turning area is capable of being provided adjacent to the restaurant. This turning area will be sized to accommodate the manoeuvring of a coach in a single, sweeping turn as detailed in the diagram at Appendix I. Being designed to accommodate a coach, the turning area will also be suitable for use by a delivery vehicle (such as a medium rigid vehicle) which would require access to the restaurant for the making of deliveries and the collection of waste.

In terms of its likely traffic management impacts, having regard to the above, the development proposal is considered to be satisfactory and will not have an adverse impact on traffic flows or volumes along Rose Valley Road.

(e) Bushfire Hazard

Whilst the majority of the subject site is comprised of cleared pastures, the vegetated areas over the upper slopes of the subject site are mapped as bushfire prone land – specifically Category 2 vegetation. The proposed restaurant is to be sited near an existing vegetated area and, accordingly, a bushfire hazard assessment of this aspect of the proposal has been undertaken.

Control Line Consulting has conducted an assessment of the proposal with reference to *Planning for Bush Fire Protection* (2006) and AS 3959-2009 *Construction of buildings in bushfire prone areas* and prepared a bushfire hazard assessment report to accompany the Planning Proposal (refer to Appendix J). Having regard to the slope of the land, the separation distance to the vegetation and the category of bushfire attack, the bush fire hazard assessment has determined that the risk of bushfire attack to the restaurant is 'moderate'.

The bushfire hazard assessment has made a number of recommendations that will guide the future siting, design and construction of the restaurant, including:-

- the provision and maintenance of a 20m wide Asset Protection Zone (APZ) in all directions around the restaurant;
- construction of the restaurant to BAL 19 standards in accordance with AS 3959-2009; and
- provision of a minimum 20,000 litre static water supply to be reserved for firefighting purposes.

The full assessment and list of recommendations is contained within the bushfire hazard assessment report (Appendix J).

(f) Flood Impact

The 1% AEP flood event affecting the subject site is RL15.05m AHD, with the extent of the flood-affected area being located some 53m from the proposed abattoir. The lowest point of the existing ground at the abattoir site is around RL16.15m AHD, and the main working floor level of the abattoir will be set at RL16.85m AHD.

Both of these levels are well above the 1% AEP flood level and, as the abattoir site is located clear of the flood affected portion of the subject site, the proposed abattoir will not be impacted by flood waters or debris and will not impact upon the storage capacity of the flood plain.

The proposed effluent irrigation area is located on the eastern side of the internal farm access road, adjacent to the site of the proposed abattoir, and is entirely above the 1% AEP flood level.

Notwithstanding the investigations outlined above, Kiama Council or the DPE may require additional technical reports to verify the impacts of the Planning Proposal. The nature and scope of these technical reports is to be determined in conjunction with Kiama Council.

4.3.3 Has the planning proposal adequately addressed any social and economic effects?

(a) Social Impacts

The NSW EPA guidelines for abattoirs are designed to apply to abattoirs with a processing capacity of more than 3,000kg live weight per day. By comparison the proposed abattoir will process 3,000kg live weight per fortnight (an average of five animals every two weeks). Whilst the proposed abattoir is too small to be affected by the NSW EPA guidelines, the potential amenity issues have been considered by the proposal as follows:-

Waste Disposal

Waste disposal arrangements have been detailed in 4.3.2 (a) above and the wastewater treatment and effluent re-use report in Appendix D.

Noise and Odour Emissions

Buffer zones are a useful means of ensuring that sufficient distances are maintained between potentially conflicting land uses to ensure emissions (eg odour, noise etc) do not impact upon the amenity of sensitive land uses (such as residential land uses). The nearest residences, on non-associated land, to the proposed abattoir are located:-

- o 357m to the south-west;

- o 278m to the south;
- o 380m to the south-east; and
- o 873m to the north-east.

Given the small-scale nature of the proposed abattoir, and the existence of a number of much more intensive dairies in the immediate area, these existing buffers zones are considered to be adequate. Furthermore, to ensure the potential amenity impacts of the abattoir are kept to a minimum, the following practices and procedures will be observed:-

- the abattoir will only operate between 6am and 6pm;
- a maximum average of five (5) animals per fortnight will be processed by the abattoir; and
- the majority of the abattoir processes will be undertaken within the confines of the masonry structure to minimise noise and odour emissions.

As the property is an operational farm, pedestrian movement around the property by people visiting the restaurant or associated with tours and farm gate sales will be prohibited. Restaurant patron parking is provided at the restaurant, with direct internal access, thus avoiding any need for patrons to walk near or through paddocks. Tour groups will be strictly supervised and will be transported along routes selected by the property operators that best suit the operational needs of the farm at the time.

(b) Economic Impacts

The Planning Proposal will result in direct economic benefits to the proponent through the ability to utilise the subject site for all aspects of the wagyu beef production process – from grazing and rearing cattle, to slaughtering, processing and packaging – which will reduce production costs. A total of 25 animals are currently sent off-site for slaughtering each year, at a cost of \$1,768 per animal. If the proposed expansion to 120 animals per annum were to be processed using the current off-site slaughtering arrangements the yearly cost would be \$212,160. Whilst the construction and fitting out of the abattoir is expected to cost in the order of \$350,000, the costs per animal for on-site slaughtering are reduced significantly to \$515, with the opportunity to generate income through the sale of hides etc. A comparison of the off-site slaughtering costs and the on-site costs has been undertaken by GKJ business advisor and chartered accountant (see Appendix K) and reveals an annual saving of \$162,950 based on a processing figure of 120 animals per year.

The restaurant, farm gate sales, and educational tours will provide a supplementary source of income for the proponent.

Economic viability projections for the restaurant have been prepared by GKJ business advisor and chartered accountant (see Appendix K). The projections

have been based on conservative assumptions that the restaurant would be open for lunch five (5) days a week and for two (2) dinner sessions per night for three (3) days per week, with operating costs based upon actual costs incurred by a currently operating successful restaurant. The economic viability projections have estimated a net operating income of \$176,400 for the restaurant.

The Planning Proposal will also have an economic benefit to the broader community through the creation of jobs associated with the operation of the abattoir, and the staffing of the farm gate sales and restaurant. The increase in local tourism attributable to the Planning Proposal is also expected to have a positive multiplier effect for local businesses and operators.

4.4 State and Commonwealth Interests

4.4.1 Is there adequate public infrastructure for the planning proposal?

The subject site is currently connected to Sydney Water's reticulated water supply system which supplies the existing dwelling house. The Sydney Water supply will be used to service the proposed restaurant and will also be used in the abattoir for the washing of carcasses. In order to minimise town water usage, water used in the cleaning of the abattoir and in the staff toilets, and in the restaurant toilets will be collected from roof water run-off and stored in tanks.

Water for firefighting purposes will also be collected from the roofs of buildings and stored in tanks fitted with Storz outlets. A minimum 20,000 litre static water supply (SWS) has been recommended as a reserved firefighting supply for the restaurant.

The subject site is not connected to Sydney Water's reticulated sewerage system, with the existing development on the site being self-sufficient in terms of its ability to manage and dispose of effluent on-site. The different components of the proposed development will also need to be self-sufficient in terms of their on-site effluent management and disposal. The issue of on-site effluent disposal has been addressed in 4.3.2 (a) above.

The subject site is currently connected to Endeavour Energy's electricity grid and this supply can be extended to service all aspects of the proposal.

Access to the subject site is already provided via a bitumen sealed public road, Rose Valley Road. Rose Valley Road is a Council-controlled public road which services a number of rural and rural-residential and connects with the Princes Highway, which is currently being upgraded to a dual carriageway standard on behalf of the NSW Roads and Maritime Service. The traffic impact assessment has not identified any need for road upgrading.

4.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

At this stage, the gateway determination has not been issued by the Minister and the relevant State and Commonwealth public authorities to be consulted have not

yet been confirmed. It is expected that the following State and Commonwealth agencies (as a minimum) will be formally consulted:-

- Department of Planning and Environment;
- Department of Primary Industries;
- National Parks and Wildlife Service;
- Rural Fire Service; and
- Endeavour Energy.

5.0 COMMUNITY CONSULTATION

Although the development application for the establishment of an abattoir on the subject site was notified in late 2013, no formal public consultation has been undertaken in relation to this Planning Proposal. The gateway determination will identify the level of public consultation required for the Planning Proposal, and may require:-

- notification of the Planning Proposal in a newspaper circulating in the locality;
- notification on Kiama Council's website; and
- notification in writing to affected and adjoining landowners.

The DPE's '*A guide to preparing local environmental plans*' outlines the consultation required for different types of planning proposals depending on whether or not they can be classified as "*low impact proposals*". It is not expected that the Planning Proposal for the subject site will be classified as "low impact", and therefore a 28 day exhibition period is anticipated.

6.0 CONCLUSION

The Planning Proposal seeks to consolidate the agricultural use of the subject site for the production of wagyu beef. At present, the subject site is used for the rearing and grazing of wagyu cattle and contains a meat processing plant which allows the carcasses of those cattle to be processed and packaged. The only stage in the production process that is not undertaken on the subject site is the slaughtering of the cattle. The Planning Proposal will allow this missing step to be undertaken on the site, thus improving the efficiency of the farm by reducing transport and slaughter costs and improving the quality of the meat produced by avoiding any potential for cross-contamination. Maintaining the use of the subject site for primary production purposes is consistent with Council's long-term strategies for the rural areas of the Municipality.

The restaurant, farm gate sales, and farm tours components of the Planning Proposal are all subservient to the principal use of the subject site for the production of wagyu cattle, and are geared towards promoting education and awareness of the local farming community; promoting tourism; and, promoting locally-produced foods. These outcomes are consistent with local initiatives such as the weekly Kiama Farmers' Market, the monthly Kiama Produce Market, and the South Coast Farm Gate Trail.

The Planning Proposal is recommended to Council for referral to the Department of Planning and Environment for Gateway Determination.



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Director

18th March 2015