JRPP No.	2014STH005 DA
DA No.	5.2014.6.1
Proposal	To construct and operate a new South East Livestock Exchange (SELX) with an annual throughput of approximately 150,000 cattle and 1,330,000 sheep and lambs by 2021.
Property	Proposed Lot 20 in a subdivision of Lot 2, DP1169723, Black Range Rd, Yass
Applicant	SELX Pty Ltd

Executive Summary

Reason for consideration by Joint Regional Planning Panel

The proposed SELX is classified as a 'livestock intensive industry' pursuant to the *Environmental Planning and Assessment Regulation 2000 (the Regulation)*. Specifically, the proposed SELX will be a:

"Sale yards having an annual throughput of:

(a) more than 50,000 head of cattle, or
(b) more than 200,000 animals of any type (including cattle), for the purposes of sale, auction or exchange or transportation by road, rail or ship".

Therefore, the development is categorised as 'designated' and triggers the need for a Development Application (DA) to be accompanied by an Environmental Impact Statement (EIS), which was submitted.

The development is also classified as 'integrated' by virtue of the need to secure, apart from Development Consent from the consent authority, a number of other 'approvals'.

These approvals are listed below:

- An Environment Protection License (EPL) issued pursuant to Section 48 the *Protection of the Environment Operations Act 1997*, by the Environment Protection Authority (EPA) as the SELX would be a scheduled activity (premises based);
- Water supply works approval to establish monitoring piezometers issued under Section 92 the *Water Management Act 2000* by the NSW Office of Water (NOW);
- Controlled Activity Approval issued under Section 91 of the *Water Management Act 2000* by NSW Office of Water for development affecting land defined as waterfront land.

Schedule 4A of the *Environmental Planning and Assessment Act 1979 (the Act)* identifies developments for which a Joint Regional Planning Panel (JRPP) is authorised to exercise the consent authority function of Council.

The trigger for 'general development' to be referred to the JRPP is development with a capital investment value (CIV) of more than $20 million or, where a Council related development, a CIV of $5 million.

The proposed SELX does not have a capital investment value of more than $20 million but is Council related development with a CIV exceeding $5 million.

The development is considered Council related on the basis that Yass Valley Council co-funded initial investigations relating to the South Eastern Livestock Exchange (i.e. the AEC Group's *Market*

demand Assessment and *Feasibility Study, 2012*).

Accordingly, the Southern Region JRPP has the function of determining the proposed development whilst Yass Valley Council remains the consent authority.

Permissibility

The site is zoned IN1 – General Industrial pursuant to the Yass Valley Local Environmental Plan 2013 (YVLEP).

The proposed development is categorised as 'rural industry' and is permissible in the zone with development consent.

Consultation

The application was notified in accordance with the Act and the Regulation from 24 January 2014 up until 28 February 2014 during which time 48 submissions were received from the general public. 29 of these submissions were in support of the proposal and 19 were against it. It should be noted that 11 submissions against the proposal were submitted by the same land owner/s. The objections received are discussed in detail below in this report.

The issues raised in the 19 objections received though technically unresolved are considered to be adequately addressed either through the information provided, design of the proposed development or the proposed conditions of consent.

Main Issues

The main issues arising from the assessment of the application are: -

- *Air Quality* - including odour and dust;
- *Water* – including impacts on surface water and ground water;
- *Waste Management* – including how waste (both solid and wastewater) will be minimised, managed, stored, and disposed;
- *Traffic and Transport* – including impacts on traffic routes, site access, intersection design and safety, internal roadways and parking;
- *Heritage* – including Aboriginal and non-Aboriginal cultural heritage;
- *Flora and Fauna* – including threatened species and ecological communities and the protection of remnant vegetation;
- *Noise;*
- *Soils and Land use;*
- *Animal Welfare and Disease Management;*

RECOMMENDATION

It is recommended that conditional approval be granted to Development Application 5.2014.6.1 for the construction and operation of a new South East Livestock Exchange on proposed Lot 20 in a subdivision of Lot 2, DP1169723, Black Range Rd, Yass subject to the draft conditions contained in Attachment A**.**

1. Application Overview

1.1 Site Description

The site has an area of 14.3 hectares and is located on the eastern side of Bellevale Road within a recently approved industrial subdivision (containing lots ranging in size from 1.9 to 14.3 hectares in area) that is located off Yass Valley Way to the west of Yass (see **Figure 1** below). Only one lot in this subdivision is currently built on at the present time. The land has frontage to both of the above roads and is currently part of a large grazing property.

The land is gently sloping to the north and northeast. Most of the land is treeless and supports short exotic grassland (see **Plate 1** below). Three small dams have been constructed on the land. The dams on the land support limited wetland plants, such as Tall Sedge - *Carex appressa* and Rushes - *Juncus spp*.

The majority of vegetation covering the site is almost however entirely exotic (i.e. introduced). The original woodland appears to have been cleared long ago, followed by a long period of grazing and pasture improvement. More recently, there have been earthworks along the western side of the land associated with the development of the industrial subdivision and Bellevale Road.

Scattered native and exotic trees dot the land. The main tree present is the Yellow Box - *Eucalyptus melliodor*a. All of the trees are large and old and there is no tree regeneration. There is no native understorey anywhere on the land, in fact only a few native species were identified on the whole site in the EIS prepared.

Most of the land supports pasture improved exotic grassland only. The plant species present include sown Phalaris - *Phalaris aquatica* and Subterranean Clover - *Trifolium subterraneum* as well as various pasture weeds, including thistles (see **Plate 2** below).

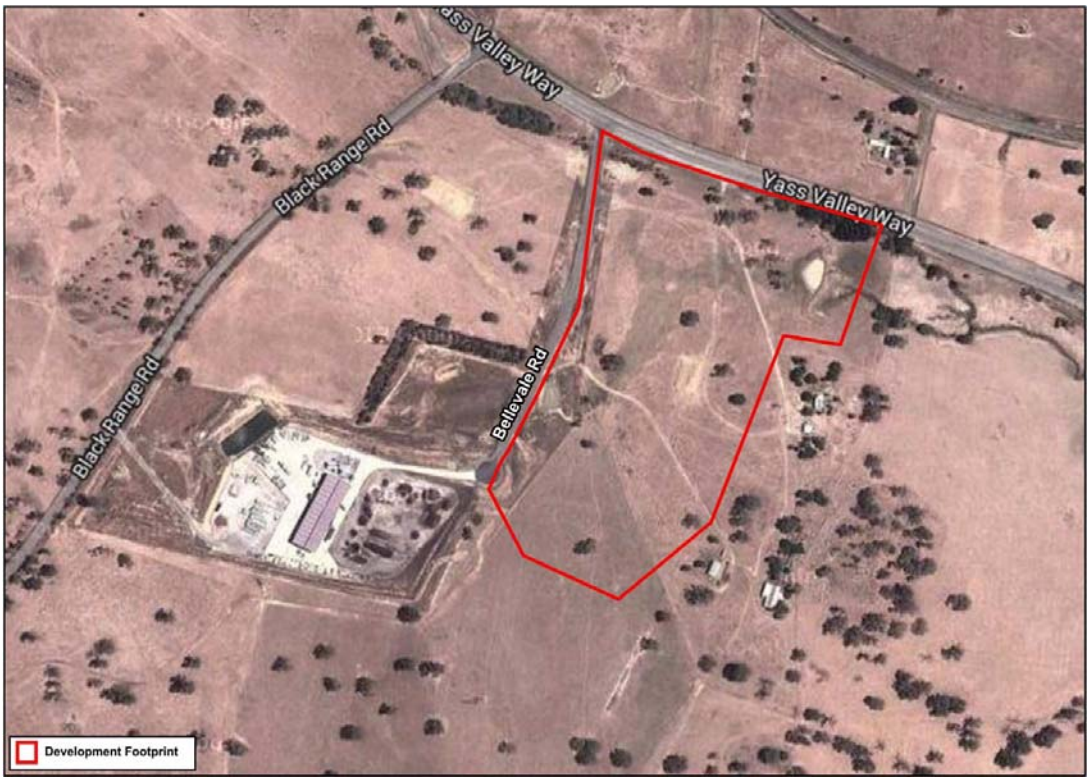

Figure 1 – Location Plan

Plate 1 – View of Site from Bellevale Rd / Yass Valley Way Intersection

Plate 2 – View of Site from Bellevale Rd

1.2 Proposal

Concept plans of the proposed development are provided below in **Figures 2 – 4**. In summary the proposed development comprises the following:

- The construction and operation of a new South East Livestock Exchange (SELX) on a 14.3 ha green field site located approximately 2.5 km west of Yass with an annual throughput of approximately 150,000 cattle and 1,330,000 sheep and lambs by 2021.

  For assessment purposes average sale sizes in the year 2021 have been adopted. That is:

  a) cattle sales of 3,005 head; and
  b) sheep sales of 25,971 head.

  Prime cattle and sheep sales would be held weekly, along with monthly store cattle and quarterly store sheep sales. Other sale events may operate opportunistically.

Figure 2 – Site Plan

- The proposed SELX is intended to incorporate design features to maximise patron safety and animal welfare including covered selling pavilions and innovative yard layouts to provide faster and safer flow through of livestock, reducing stress and improving hygiene. Walkways for auctioneers are raised to permit operators on horseback to move cattle with a minimum of stress.

Cattle Pavilion

Cattle sales are proposed to be conducted within a pavilion, under a metal roof with around 6 m clearance and minimal pitch. The roofing style would provide for ventilation and raised skylights. A nominal 200 mm soft floor (material such as sawdust) over a 150 mm compacted gravel base is proposed to provide a comfortable environment for the cattle. Misting sprays would keep the surface in a dust free condition. Drinking water would be provided in all but the drafting pens.

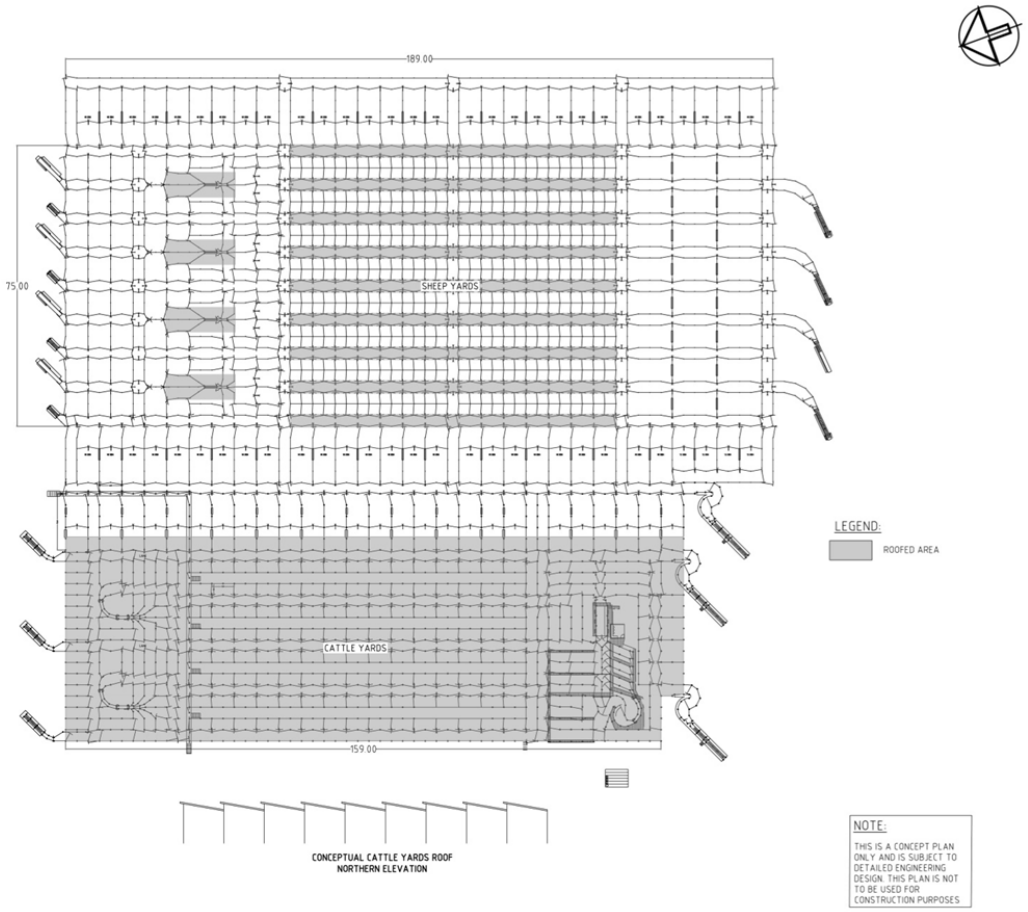

Figure 3 – Preliminary Yard Layout

Cattle would be unloaded at the northern end of the building and loaded at the southern end. Cattle would be unloaded from double deck trucks via fixed two level ramps. Cattle from smaller trucks and trailers would be directly discharged into the receiving pens. Each ramp discharges into aisles between the receiving pens. From the receiving pens cattle can be moved direct to the selling pens.

Loads of cattle requiring drafting into separate groups or classes would be discharged into open pens on the eastern side of the pavilion and drafted prior to transfer to the selling pens. Cattle would be weighed individually as they are moved from the selling pens to the dispatch pens. From the dispatch pens cattle would be loaded onto transport via loading ramps or directly onto tray trucks.

Sheep Yards

Sheep sales are proposed to be conducted in outside yards with the buyer/seller aisles covered with roofs. The sheep yards would be constructed on a compacted road base to form a durable surface.

Sheep would be unloaded at the northern end of the building and loaded at the southern end. Stock from multiple level vehicles would be discharged via ramps with electric height adjustment. Stock from smaller trucks and trailers would be directly discharged into the receiving pens. Each ramp discharges into receiving pens capable of holding a four deck B-double load. From the receiving pens sheep can be moved direct to the selling pens or be drafted and sorted into different classifications prior to transfer to the selling pens.

Additional open holding pens are provided on the western and eastern side of the pavilion for consolidation. Sheep would be moved from the selling pens to the pens and loaded via ramps into multiple deck transport or directly onto single deck transport.

Animal Welfare

The proposed facilities are to be designed to meet the following animal welfare standards:

a) Australian Model Code of Practice for the Welfare of Animals: Animals at Sale yards (SCARM Report 31).
b) Australian Model Code of Practice for the Welfare of Animals: Land Transport of Cattle (SCARM Report 77).
c) Australian Model Code of Practice for the Welfare of Animals: Cattle (SCARM Report 39).
d) Australian Model Code of Practice for the Welfare of Animals: Sheep (SCARM Report 29).

- The SELX is proposed to contain ancillary facilities including a three bay truck wash, truck driver ablution building, maintenance shed, patron amenities and agents building and car parking. In terms of servicing infrastructure, associated development works would include road construction from Bellevale Road, connection to Council's water and sewer mains, power and communication services.

Truck Wash

A three bay truck washing facility is proposed to be provided. Access to the truck wash would be provided 24/7.

Central Facilities Building

A central facilities building is proposed to be constructed which includes a site manager's office, agents' offices, operations/computer room, kitchen, dining room, truck drivers' facilities and toilets.

Maintenance Shed

A maintenance shed would provide secure, appropriately labelled facilities for the keeping of small quantities of fuel, herbicide, detergent and paint, as well as equipment and tools that would be used for routine maintenance activities at the SELX. The shed is proposed to be approximately 12 m x 9 m and located at the southern end of the exchange.

- Roofing is proposed to minimise effluent generation and reduce demand on Council's potable supply. Water for livestock and truck washing would be supplied through a

combination of rainwater harvesting and recycling of liquid wastes through appropriate treatment systems. The surface water quality modelling demonstrates that the downstream receiving environment would receive slightly more water with improved quality.

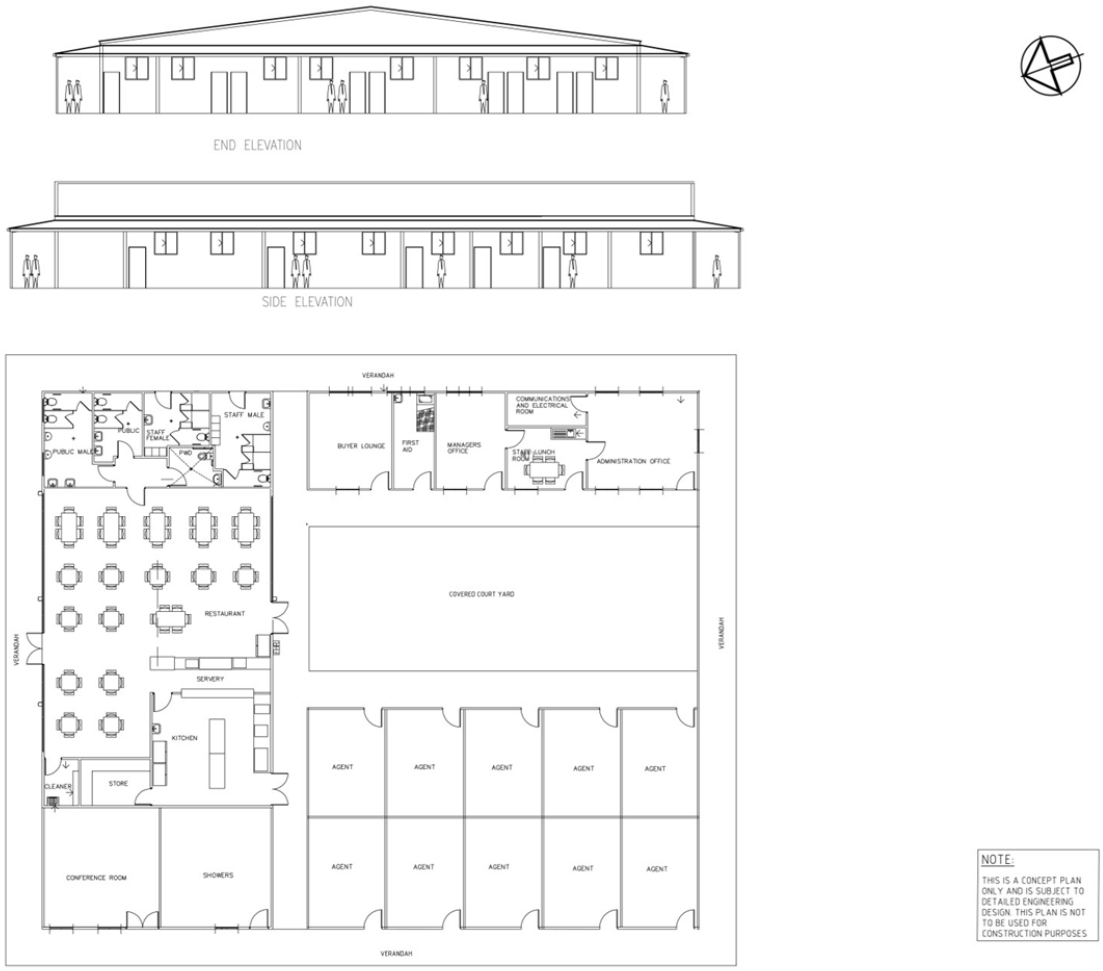

Figure 4 – Conceptual Central Facilities Building

Water Management System

The proposed SELX includes a range of ponds for water management. A rainwater pond would allow capture of the runoff from the facility's roofs and supply a significant proportion of the annual water demand. Other ponds throughout the exchange would be used to manage the liquid waste stream and manage surface water.

- The proposed SELX is intended to operate 24/7.

Hours of Operation

Sales are proposed to be restricted to daytime hours only, associated activities (loading/unloading stock, penning, truck washing, etc.) could occur at any time of the day or night. This operational flexibility has been identified as necessary to run the exchange. For example, the weekly prime cattle sale has a 10 pm Wednesday curfew for the Thursday sale.

Seasonal circumstances and market dynamics are likely to influence the frequency and type of sales conducted, as well as sale days and start times. At present, the regular sale events proposed are:

a) Weekly prime cattle Thursday morning commencing at 9 am (with Wednesday 10 pm curfew);
b) Weekly prime sheep Wednesday commencing at 9 am;
c) Monthly store cattle Friday sales commencing 11 am; and
d) Quarterly store sheep sales held on Friday commencing at 9 am. Scheduled sale events could change at the new centre and will evolve in response to the season, market and stakeholder preferences.

- Two access points to Bellevale Road are proposed to service SELX. One the northern and the other at the southern end of the road.

Traffic Management

Traffic movement around the exchange is proposed to be largely one-way. Large vehicles would enter at the northern access point and leave via the southern access point and would move around the exchange in a clockwise direction. There would be no large vehicle entry at the southern access point.

Large vehicles using the truck wash facility would enter and leave via the northern access point.

Parking for 21 heavy vehicles (accommodating vehicle sizes up to b-doubles) would be provided around the facility, with heavy and light vehicle parking being segregated.

Truck turning and parking areas have been designed to accommodate for the sweep path of a 25 m B- double truck, with reversing areas to accommodate for Austroads 25 m Articulated Vehicles.

Light vehicles for staff, agents and visitors would enter and leave primarily from the northern access point. Some light vehicle movements would occur at the southern access point. Car parking would be provided for 150 light vehicles (with 3 disabled parking spaces) adjacent to the central facilities building and a further 8 car parking spaces near the workshop.

- Significant earthworks would be required to facilitate the proposed development resulting in the loss of 6 trees from the site.

1.3 Consultation

The following stakeholders attended a Planning Focus Meeting held on 9 April 2013.

- Yass Valley Council
- Onerwal Local Aboriginal Land Council
- Environment Protection Authority
- Office of Environment and Heritage
- Department of Primary Industries
- Roads and Maritime Services
- Murrumbidgee Catchment Management Authority
- Tablelands Livestock Health and Pest Authority
- Yass Landcare Group
- NSW Office of Water was invited but could not attend.

2. S79C Assessment

2.1 Any environmental planning instrument

The following environmental planning instruments are relevant to the proposed development:

- State Environmental Planning Policy (Infrastructure SEPP) – 2007
- State Environmental Planning Policy No. 44 (SEPP 44) – Protecting Koala Habitat
- State Environmental Planning Policy No. 55 (SEPP 55) – Remediation of Land
- Yass Valley Local Environmental Plan 2013 (Yass Valley LEP 2013)

An assessment of compliance with these instruments is provided below;

2.1.1 Infrastructure SEPP

Clause 104 and Schedule 3 of SEPP (Infrastructure) 2007 relate to traffic generating developments. The SEPP is relevant if the site area exceeds 20,000 square metres (2 ha) or has capacity for 200 or more vehicles.

Given the site area of 14.03 ha and the fact that the development will add an estimated AADT of 152 to Bellevale Road (on a peak sale day traffic generated from the development is expected to be 460 vehicles per day including 308 (or 67%) heavy vehicles) the development is considered to represent traffic generating development and was referred to the RMS for comment in accordance with the requirements of the SEPP.

2.1.2 SEPP 44 – Protecting Koala Habitat

This policy applies to all local government areas (LGAs) within the known statewide distribution of the Koala, including the Yass Valley LGA.

The site is located within the Yass Valley LGA and as such State Environmental Planning Policy 44 (Koala Habitat Protection) must be considered. SEPP 44 aims to:

...encourage the proper conservation and management of areas of natural vegetation that provide habitat for Koalas, to ensure permanent free-living populations over their present range and to reverse the current trend of population decline...

The practical effect of SEPP 44 is that in consideration of a development application (DA), the consent authority must ensure that approval is not issued without prior investigation of potential and core koala habitat. The policy applies to land in relation to which a DA has been made when the site has an area of more than one hectare.

SEPP 44 defines 'potential koala habitat' as vegetation that incorporates a minimum of 15 percent of tree species in the 'upper or lower strata of the tree component' listed in Schedule 2 of SEPP 44..

Whilst core koala habitat is defined as:

...an area of land with a resident population of Koalas, evidenced by attributes such as breeding females. and recent sightings of and historical records of a Koala population...

A vegetation assessment of the site did not identify any koala feed trees as listed under Schedule 2 of SEPP 44. As such the site does not support potential koala habitat. Therefore no further assessment is required.

2.1.3 SEPP 55 – Remediation of Land

Clause 7 of SEPP 55 requires "Contamination and remediation to be considered in determining development application". It states:

"(1) A consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

(4) The land concerned is:

(a) land that is within an investigation area,

(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,

(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital land:

(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge)".

There are no indicators of any prior land use on the development site that would suggest the potential for contamination.

On this basis the requirements of SEPP 55 have been met and no further investigation is required.

2.1.4 Yass Valley Local Environmental Plan 2013 (YVLEP)

The aims of the YVLEP are to:

(a) establish planning controls that promote sustainable development,
(b) protect high quality agricultural land and encourage emerging agricultural industries,
(c) encourage housing diversity,
(d) promote employment-generating tourism,

(e) provide for commercial and industrial development,
(f) encourage the establishment of retail and professional services in urban locations,
(g) protect and enhance the character of each of the villages in Yass Valley,
(h) enhance service provision in each of the villages in Yass Valley,
(i) protect and conserve the cultural heritage and history of Yass Valley,
(j) protect and enhance the environmental and biodiversity values of Yass Valley,
(k) minimise land use conflicts.

The site is zoned **IN1 – General Industrial** pursuant to the provisions of the YVLEP (see **Figure 5**).

Figure 5 – Zoning Map

The proposed SELX is best characterised as a Rural Industry. A Rural Industry is defined in the YVLEP as:

"the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

(a) agricultural produce industries,
(b) livestock processing industries,
(c) composting facilities and works (including the production of mushroom substrate),
(d sawmill or log processing works,
(e) ***stock and sale yards,***
(f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise".

Rural Industries are permitted with consent in the **IN1 – General Industrial** zone.

Clause 2.3 of the YVLEP addresses the **Zone Objectives and Land Use Table**

In accordance with Clause 2.3 (2) - the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the **IN1 – General Industrial** zone are to:

- *provide a wide range of industrial and warehouse land uses.*
- *encourage employment opportunities.*
- *minimise any adverse effect of industry on other land uses.*
- *support and protect industrial land for industrial uses.*

The proposed development is considered to meet each of the objectives of the **IN1 – General Industrial** zone.

Specifically, the zone has been set aside to provide for "*a wide range of industrial …… uses".* The proposed use is for a rural industry, which meets this specification.

The proposed SELX will directly create additional employment on a small scale but has the potential to indirectly create employment opportunities on a much larger scale across multiple employment sectors.

The proposed development is considered unlikely to adversely affect other land uses in the vicinity and could to the contrary provide positive outcomes in terms of storm water management and value adding to an existing fertiliser business.

The proposed development by virtue of its size, scale and potential multiplier effect will "*support and protect industrial land for industrial uses"* including the proposed site and surrounding industrial land.

Clause 2.7 of the YVLEP requires "**Demolition work to receive development consent**" where a state policy does not apply.

No building demolition work is proposed to be undertaken.

Clause 4.3 of the YVLEP addresses the "**Height of buildings**"

It states that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The Height of Buildings Map does not specify a building height for this site.

Clause 4.4 of the YVLEP addresses "**Floor space ratio**"

It states that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space. The Floor Space Ratio Map does not specify an FSR for the site.

Clause 5.9 of the YVLEP addresses the "**Preservation of trees or vegetation**"

It states that a person must not ringbark, cut down, top, lop, remove, injure or willfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:

(a) development consent, or
(b) a permit granted by the Council.

Consent has been sought to remove 6 trees from the site in association with the development

Clause 5.10 of the YVLEP addresses "**Heritage conservation**"

The site is not within a Heritage conservation area however it contains the ruins of the Old Telegraph Inn. These ruins include the corner of a masonry building and numbers of earth mounds and furrows relating to the demolished building and outbuildings.

This item of heritage and archaeological significance is located in the northwestern corner of the property. It is listed at the local level of significance in *Schedule 5 of the YVLEP* as Ruins of Telegraph Inn, Item No. A303.

Under subclause (4) of clause 5.10 the consent authority must, before granting consent in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

An assessment of the potential impacts on this item of local heritage significance has been undertaken in line with the NSW Heritage Branch guidelines relating to heritage and archaeology.

This assessment indicates that in order to preserve the significance of the site it is recommended that:

- *The ruins, with a curtilage suitable to provide a protective buffer, will be fenced off prior to construction activity commencing to ensure no development impact.*
- *In the event that any relic is uncovered, works in this location will cease and the Heritage Office will be contacted.*
- *A heritage sign will be included within the fenced area. This sign will explain the significance of the Telegraph Inn, with appropriate wording developed in consultation with Council.*

As part of the assessment of the development the application was also referred to Council's Heritage Advisor for comment. In response, the following points were made:

- *A plan is required to be provided prior to the commencement of works showing the full extent of the proposed fenced area. The fenced are will need to include all disturbed areas and earth mounds an the four false Acacias;*
- *Any fencing erected will need to endure in perpetuity (beyond construction);*
- *The ruin is to be stabilised by re-pointing to shed water off the stone work;*
- *A management plan is to be prepared for the long-term management of the item and its curtilage and should allow for future excavation, stabilization and interpretation.*

Suitable conditions of consent have been drafted to reflect the above requirements.

Clause 6.1 of the YVLEP addresses "**Earthwork**s"

It states that before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:

(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
(b) the effect of the development on the likely future use or redevelopment of the land,
(c) the quality of the fill or the soil to be excavated, or both,
(d) the effect of the development on the existing and likely amenity of adjoining properties,
(e) the source of any fill material and the destination of any excavated material,

(f) the likelihood of disturbing relics,
(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
(h) any appropriate measures

The site is sloping, falling from a high point in the south down towards the north where it becomes flat near Yass Valley Way. This range in elevation will necessitate significant earthworks to establish the proposed facility.

The requirements of clause 6.1 have been considered and in this regard it is suggested that all of the impacts associated with the "earthworks" required to facilitate the development can be effectively managed through the development and implementation of separate Soil and Water Management Plans for both the construction and operational phase of the facility.

Clause 6.3 of the YVLEP addresses "**Terrestrial biodiversity**"

The site is identified on the Natural Resource Biodiversity Maps (see **Figure 6**) however it is largely devoid of native vegetation and habitats.

Subclause (3) of Clause 6.3 states that before determining a development application for development on land to which this clause applies, the consent authority must consider:

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

(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Subclause (4) continues stating that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

There are almost no native plants present on the site except for two tree species (Yellow Box *Eucalyptus melliodora* and Blakely's Red Gum *Eucalyptus blakelyi*). The remnant trees and small dams in the northeast corner are the only features of any value to native animals. The large remnant trees are the most valuable habitat on the site. The dams are of minor value as they are small and surrounded by exotic grassland.

One threatened species and one threatened ecological community were identified on the site:

- Box-Gum Woodland – The gentler topography across this part of the region supported Yellow Box *Eucalyptus melliodora* - Blakely's Red Gum *Eucalyptus blakelyi* woodland,

known as Box- Gum Woodland. The original vegetation covering the project area was of Box–Gum woodland, as demonstrated by the remnant trees that exist on and surrounding the land today. This woodland would have had a grassy understorey. The Box-Gum woodland is the listed White Box-Yellow Box-Blakely's Red Gum Woodland community listed under the TSC Act. The remnant Yellow Box *Eucalyptus melliodora* and Blakely's Red Gum *Eucalyptus blakelyi* trees are part of the listed community in NSW, even though there is no native understorey.

The stand of trees does not meet the minimum requirements for the White Box – Yellow Box - Blakely's Red Gum woodland and derived native grassland set out in the Commonwealth document White Box-Yellow Box-Blakely's Red Gum grassy woodlands and derived native grasslands (Department Environment and Heritage, 2006). This being the case, there was no need to refer the project to the Commonwealth for assessment.

- Superb Parrot – The bird surveys recorded an observation of four Superb Parrots flying around the site on 9 September 2013. This threatened parrot is well known to breed around the Yass region in spring-summer. The species uses tree hollows and is partly threatened by the loss of tree hollows in the rural environment. Although nesting was not observed on the site, the trees with hollows on the project area are potential nest sites as some of the hollows are big enough for this species.

Figure 6 – Natural Resource Biodiversity Map

The large remnant trees are the most valuable habitat on the site. The layout of the effluent treatment ponds and wetland systems was modified to retain the majority of these important trees, however 6 are still required to be removed (see **Figure 7**). The small dams would be replaced by the proposed constructed wetlands, which would eventually more than replace the wetland habitat values on the site.

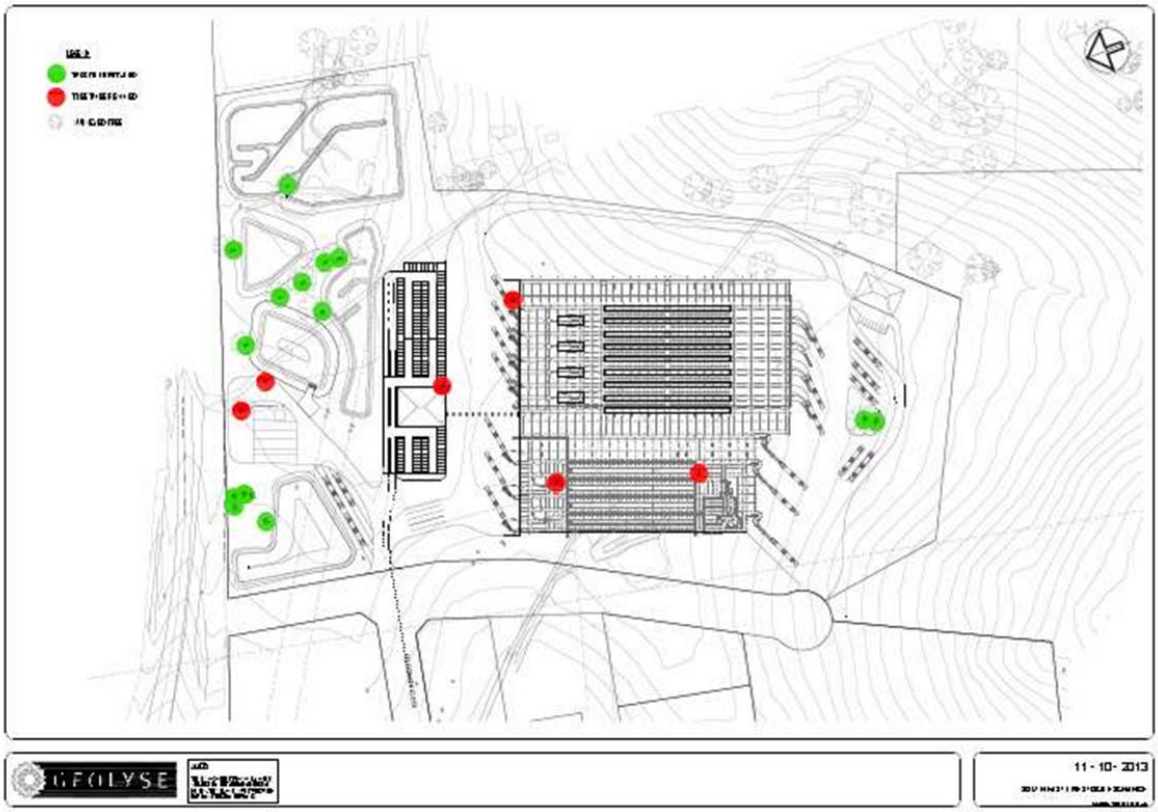

Figure 7 – Tree Removal Plan (trees to be removed shown red)

A Flora and Fauna Assessment of the subject site was undertaken to support the proposed development. This assessment confirms that the vegetation on site is almost entirely exotic (i.e. introduced from elsewhere).

The Flora and Fauna Assessment makes the following recommendations:

(i) *It is **recommended** that the group of native trees in the northeast of the land be retained and managed for their continued existence. This has largely been achieved in the design of the ponds in that area (four trees will be lost).*

(ii) *It is **recommended** that the area around the new wetland ponds in the northeast, in association with the adjacent retained remnant trees, be developed into a habitat area through native tree plantings, wetland plantings and appropriate management.*

(iii) *It is **recommended** that the edge of the site facing Yass Valley Way be planned out with native trees to form a screen for the site and improve habitat values. If Council agrees, such plantings could be undertaken within the road reserve instead or as well as on the project area.*

The Flora and Fauna Assessment has determined that the impact of the proposed SELX development on native flora and fauna is minimal and the tests of significance undertaken under section 5A of the Act indicate that the proposed SELX is not considered likely to have a significant effect on threatened species, populations or communities listed under the Threatened Species Conservation Act 1995 and the Fisheries Management Act 1994, or their habitats, and the preparation of a Species Impact Statement (SIS) is not warranted.

Clause 6.4 of the YVLEP addresses "**Groundwater Vulnerability**"

The site is identified on the Natural Resource Maps in relation to "Groundwater Vulnerability" (see **Figure 8**).

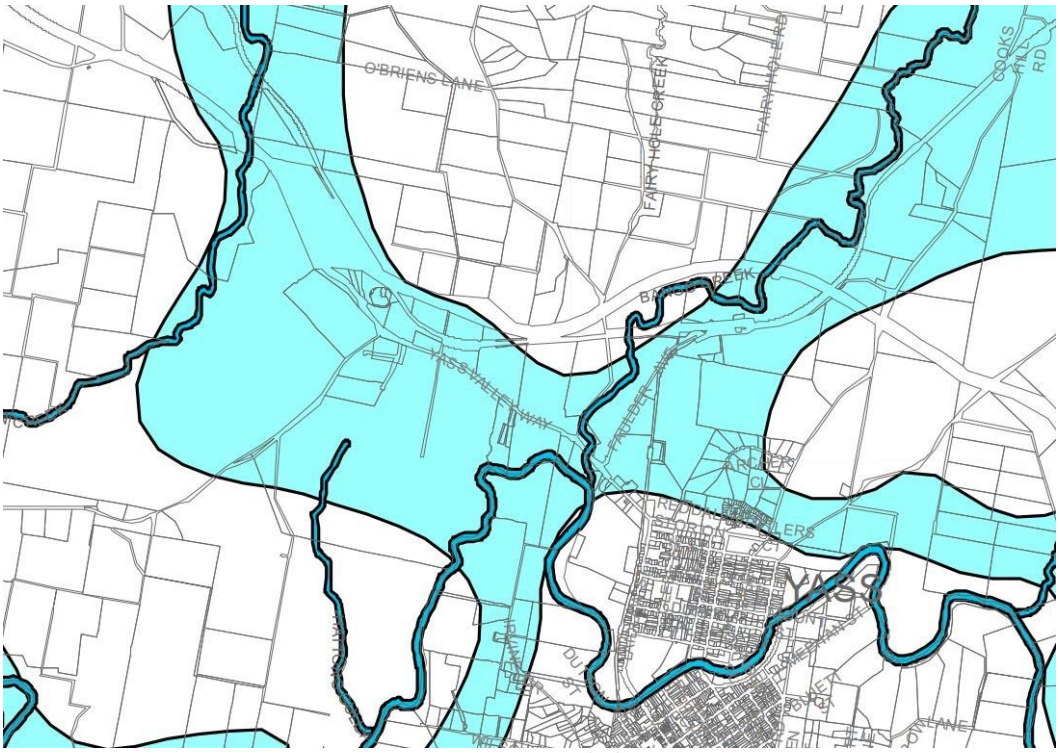

Figure 8 – Riparian Lands, Watercourses & Groundwater Vulnerability Map

Subclause (3) of Clause 6.4 states that before determining a development application for development on land to which this clause applies, the consent authority must consider the following:

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

Subclause (4) continues stating that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The potential for on or off-site groundwater contamination is proposed to be managed by:

- Controlling runoff from the site in the surface water management system that includes

treatment and recycling;
- Constructing the cattle pavilion (soft floor) and sheep pens on a compacted gravel base;
- Lining the effluent treatment ponds in the system with a suitable clay or synthetic liner; and
- Implementing a groundwater-monitoring program.

Groundwater contamination could occur if effluent ponds and effluent collection components are not constructed in a manner that prevents seepage.

Despite the low risk to groundwater, a monitoring program would be implemented. The groundwater-monitoring network would include:

- one groundwater monitoring piezometer on the up gradient side of the treatment ponds; and
- two groundwater-monitoring piezometers on the down gradient side of the site.

These would be constructed and screened to monitor the upper most aquifer. Groundwater levels would be recorded monthly for the first two years of operation, after which it would reduce to every three months and be reviewed the following five years.

Groundwater quality is proposed to be monitored every three months for the first two years and then every six months.

Any groundwater quality monitoring should include pH; electrical conductivity; exchangeable cations; nitrate; nitrite; ammonia; TKN; total nitrogen; total phosphorus and inorganic phosphorus.

On this basis it is considered that the proposed development will be managed to mitigate any potential impacts.

Clause 6.5 of the YVLEP addresses "**Riparian Land**"

Subclause (3) of clause 6.5 states that before determining a development application for development on land to which this clause applies, the consent authority must consider:

(a) whether or not the development is likely to have any adverse impact on the following:
  (i) the water quality and flows within the watercourse,
  (ii) aquatic and riparian species, habitats and ecosystems of the watercourse,
  (iii) the stability of the bed and banks of the watercourse,
  (iv) the free passage of fish and other aquatic organisms within or along the watercourse,
  (v) any future rehabilitation of the watercourse and riparian areas, and
(b) whether or not the development is likely to increase water extraction from the watercourse, and
(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Subclause (4) continues stating that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The drainage line traversing the site is ephemeral and is not significant in terms of fish or aquatic organism passage.

The watercourses and riparian environments identified in the YV LEP (see **Figure 8**) are located on land adjacent to the subject site.

The surface water management strategy discussed in the EIS details that the constructed surface water wetland system adequately controls surface water flows and surface water quality. Stating that the development would result in lower peak flows and slightly more yield from the site of better quality water. It is important to note that modelling of the constructed surface water wetland system demonstrates that:

- *surface water would continue to discharge from the site. This discharge would occur in the same location as it currently does;*
- *the peak flow and velocity of the discharge would be less than existing conditions;*
- *the average annual volume of the site discharge would be slightly increased from 6.5 ML/year to 6.8 ML/year; and*
- *the water discharged from the site would be better quality than the existing site runoff.*

Given the proposed controlled discharge, it is not anticipated that the development would lead to any adverse impacts on the riparian environment.

Clause 6.6 of the YVLEP addresses "**Salinity**"

The site is identified on the Natural Resource Maps in relation to "Salinity" (see **Figure 9**).

An area of salinity is limited to the northern extent of the subject with no other instances of salinity occurring on the site.

Subclause (3) of Clause 6.6 states that before determining a development application for development on land to which this clause applies, the consent authority must consider the following:

(a) whether the development is likely to have any adverse impact on salinity processes on the land,
(b) whether salinity is likely to have an impact on the development,
(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Subclause (4) continues stating that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Processes of salinity involve mechanisms of salt mobilisation and accumulation. In short:

- Salts are dissolved and mobilised by surface water and groundwater
- Rising groundwater remobilises salts previously stored at depth in the soil
- Salts are concentrated at, or near, the earth's surface by evaporation.

Land use practices such as clearing and overgrazing specifically contribute to this phenomenon.

There were no obvious signs of saline affected land during the various field investigations completed as part of the EIS prepared in relation to the development.

The ecological assessment prepared in respect of the subject site confirms that the proposed development of the site, by virtue of proposed mitigation measures, is likely to lead to an overall improvement in habitat by comparison to current levels. Improvements to habitat value (tree planting) and better control of the water cycle resulting from the development would minimise and reduce the impacts of salinity.

The proposed effluent management ponds located in the saline affected area (map based and not shown on the ground) would be lined to prevent seepage and would therefore not contribute to rising groundwater and therefore salinity.

Figure 9 – Natural Resources Land Map

Clause 6.7 of the YVLEP addresses "**Highly Erodible Soils**"

The site is not identified on the Natural Resource Maps in relation to "Highly Erodible Soils".

A site inspection has revealed that when a good vegetative cover is maintained soil erosion is minimal. The site has an area of gully erosion downstream of the farm dam in the northeast corner and it is considered likely that this resulted from soils being exposed.

Soil erosion risk can be effectively managed through the development and implementation of Soil and Water Management Plans for both the construction and operational phases of the facility.

The general soil profile is suitable for the proposed works and would provide sound founding conditions for the proposed structures. Detailed geotechnical investigations would however need to be undertaken during the detailed design stage to confirm design parameters.

Clause 6.8 of the YVLEP addresses "**Essential services**"

It states:

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

(a) the supply of water,

(b) the supply of electricity,

(c) the disposal and management of sewage,

(d) storm water drainage or on-site conservation,

(e) suitable vehicular access,

(f) connection to a communications network with voice or data capability (or both)".

All essential services are either available for the proposed development onsite or can be extended to the site boundary. The extension of these services will be subject to detailed design prior to the commencement of construction.

2.2 Any draft planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

No draft-planning instrument applies to the proposed subdivision.

2.3 Any development control plan

2.3.1 Yass Shire Council Development Control Plan – Community Consultation

The Yass Shire Council Community Consultation DCP applies to the proposed development. The notification requirements in this plan are less prescriptive than those in the Act and the Regulation.

Given that the application is for "designated development" it was formally notified in accordance with the Act and the Regulation from 24 January 2014 up until 28 February 2014 during which time 48 submissions were received from the general public. 29 of these submissions were in support of the proposal and 19 were against it. It should be noted that 11 submissions against the proposal were submitted by the same land owner/s. The objections received are discussed in detail below in this report.

The issues raised in the 19 objections received though technically unresolved are considered to be adequately addressed either through the design of the proposed development or the proposed conditions of consent.

2.4 Any planning agreement that has been entered into under section 93f, or any draft planning agreement that a developer has offered to enter into under section 93f

There are no planning agreements entered into or any draft agreement offered to enter into under S93F, which affect the development.

2.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph) that apply to the land to which the development application relates

There are no matters specified in the regulations (with the exception of public notification), which require specific consideration in the assessment of this application.

2.6 The *likely impacts of that development*, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

2.6.1 Context and setting

The site is sloping - falling from a high point in the south down - towards the north where it becomes flat near Yass Valley Way. The land is zoned IN1 General Industrial and is part of a relatively new industrial subdivision containing lots ranging in size from 1.9 to 14.3 hectares in area. Only one lot in this subdivision is currently built on at the present time (see **Figure 1**).

In a broader landscape context the site sits in a valley as illustrated in the **Plate 3** below.

Plate 3 – View of Site from Yass Service Centre

This limits vantage points to those primarily from the north along Yass Valley Way and to the east along Bellevale Rd. The only public point to view the site from an elevated position is the car parking area at the Yass Service Centre to the north west of the site.

Given the scale of the proposed development it cannot be screened to remove it completely from the landscape. The key question is whether or not the visual impact is acceptable. Given that the proposed development will sit on a valley floor it is considered unlikely that the scenic qualities, character and features of the broader landscape will be adversely impacted. This impact can also be lessened by the planting of screening along the Bellevale Rd and Yass Valley Way frontages of the land. The planting used should be consistent with that described in the Flora and Fauna report and should include the following tree species: Yellow Box - *Eucalyptus melliodora* and Blakely's Red Gum - *Eucalyptus blakelyi.*

The scale (bulk, height, mass) of the development is large however it is well setback from the street and although dominant is not considered to be visually out of context with other development (Martins Fertilisers) in the locality.

On this basis, the proposed development is not considered likely to have an adverse impact on context and setting of the locality and will present a reasonable planning outcome when viewed from a range of vantage points.

2.6.2 Access, transport & traffic

Access to the proposed saleyards will be via Bellevale Road, which in turn accesses directly onto Yass Valley Way. Two new accesses to the site will be constructed onto Bellevale Road to allow the safe access and egress of heavy vehicles and to promote efficient movement of vehicles around the site.

The proposed development is anticipated to generate an additional 152 average vehicle movements per day onto Bellevale Road. On a peak sale day traffic generated from the development is expected to be 460 vehicles per day including 308 (or 67%) heavy vehicles. Peak hourly traffic volumes have been estimated at 38 light vehicles combined with 3 heavy vehicles on a Wednesday morning between 7am and 8am, and a peak of 16 heavy vehicles per hour combined with 15 light vehicles per hour is expected on a Wednesday afternoon between 1pm and 5pm.

Yass Valley Way and Bellevale Road are capable of catering for the increased traffic volumes without major upgrades to these roads. It is not expected that the overall level of service provided by these roads will be reduced by the proposed development provided suitable arrangements are made to cater for turning vehicles both at the Yass Valley Way / Bellevale Road intersection, and at the proposed access locations.

As a result of the significant volume of heavy vehicles generated by the development, the Yass Valley Way / Bellevale Road intersection will require upgrading to ensure the road network can continue to operate safely and effectively. Proposed conditions of consent have been drafted requiring an upgrade to the following standards:

- Right turn into Bellevale Road from Yass Valley Way to be a constructed as a full CHR(L) intersection;
- Left turn out of Bellevale Road onto Yass Valley Way to be constructed as a BAL with acceleration lane.
- Left turn into Bellevale Road from Yass Valley Way, designed, constructed and line marked to accommodate a B Double sized heavy vehicles.
- The intersection to be constructed with an asphalt surface, designed to accommodate the anticipated traffic volumes and loadings.

In addition to the works on Yass Valley Way, the developer will also be required to upgrade Bellevale Road at the northern proposed access to provide an AUL turning treatment to the site. This will need to be designed and constructed to accommodate B-Double sized vehicles, with gateways set back a minimum of 30m from the edge of Bellevale Road.

Internally, roads and parking areas will need to be constructed with an asphalt or concrete pavement surface, designed to accommodate the anticipated traffic volumes and loadings for such a development. Light vehicle parking will need to comply with AS 2890.

2.6.3 Utilities

Potable water and firefighting capacity will be provided to the site via the installation of a new water main along Bellevale Road, which will be required to be constructed by the developer as part of this proposal. The new main will be connected to the existing Council water main on the northern side of Yass Valley Way and will be designed in accordance with Council's water supply standards. The anticipated potable water consumption is 350kL/year, and this will require additional Section 64 contributions to be paid due to the demand being in excess of 1 Equivalent Tenement (ET).

Sewer disposal from the site shall be gravity fed and connected into the Council sewer network, which will be constructed by Council along Yass Valley Way. The developer proposes to manage effluent generated by the saleyards, and runoff from the site, via wetlands and internal treatment ponds and only domestic wastewater from the kitchen, toilets and showers is proposed to be discharged to Councils sewer.

Based on the estimated potable water consumption at the site of 350kL/year, it is estimated that the volume of sewage that would be discharged to the sewerage system is 333kL/year. Any future proposal to connect additional facilities to this system would require separate approval from Council.

Stormwater will be managed via the construction of diversion drains to minimise the flow of "clean" water through the site, and by collecting, treating and reusing stormwater generated from within the site.

The proposed diversion drains would divert stormwater from the upstream catchment around the site via drains constructed on the eastern side of Bellevale Road, and conveyed to the natural low point east of the site via an additional open drain along Yass Valley Way. These open drains will need to be designed to cater for a 1 in 100 year rainfall event.

2.6.4 Heritage

The proposed development was assessed for its impact on both Aboriginal and non-Aboriginal cultural heritage and included investigations of relevant databases recording Native Title agreements, Aboriginal sites, objects and places.

The development history of the property along with its landscape and ecological description was also reviewed in conjunction with a site survey undertaken by a consultant archaeologist and representatives of the Onerwal Local Aboriginal Land Council.

This assessment also addressed the historical archaeology of the property, which relates to the ruins of the Old Telegraph Inn. These ruins include the corner of a masonry building and numbers of earth mounds and furrows relating to the demolished building and outbuildings. This item of heritage and archaeological significance is located in the northwestern corner of the property.

It is listed at the local level of significance on the *Yass Valley Way Local Environmental Plan 2013, Schedule 5*, as Ruins of Telegraph Inn, Item No. A303. The assessment of impacts on this item of local heritage significance has been undertaken in line with the NSW Heritage Branch guidelines relating to heritage and archaeology.

The assessment in relation to Aboriginal cultural heritage concludes that there were no previously identified Aboriginal objects, sites or places listed within the property or within its vicinity.

Stating that the site inspection noted a landscape, which did not incorporate elements likely to retain objects of Aboriginal cultural heritage and did not have places of Aboriginal cultural heritage significance. No sites of Aboriginal heritage were recorded from the field survey.

The Onerwal Local Aboriginal Land Council, who were consulted as part of this assessment and took part in the site survey, indicated no further requirements for the planned development of the property.

The assessment in relation to non-Aboriginal cultural heritage concludes that the development site does not contain any items listed in the State Heritage Inventory, nor is there any Interim Heritage Order applicable to the site. The 'Ruins of Telegraph Inn' are listed as an archaeological site under Schedule 5 of the *Yass Valley Local Environmental Plan 2013*.

No approval is required pursuant to s.57 of the *Heritage Act 1977* in relation to this item and impacts to the Old Telegraph Inn can be avoided through the adoption of mitigation measures.

The following mitigation measures have been proposed in relation to both Aboriginal and non-Aboriginal cultural heritage:

- *If any objects are found which are suspected of being Aboriginal, work on that part of the site will cease. The project or site supervisor will immediately contact the Environment Protection and Regulation Group of the Office of Environment and Heritage (OEH) for advice on how to proceed.*
- *The ruins, with a curtilage suitable to provide a protective buffer, will be fenced off prior to construction activity commencing to ensure no development impact.*
- *In the event that any relic is uncovered, works in this location will cease and the Heritage Office will be contacted.*
- *A heritage sign will be included within the fenced area. This sign will explain the significance of the Telegraph Inn, with appropriate wording developed in consultation with Council.*

Further comments in relation to Heritage Impacts can be found in relation to Clause 5.10 of the YVLEP above.

2.6.5 Water

Water for the South East Livestock Exchange (SELX) would be provided through a combination of roof water and surface water harvesting, recycling and connection to reticulated water supply. There is the potential for both surface and groundwater to be adversely impacted by the proposed development. As such the developments impact on both surface and groundwater was specifically addressed in the EIS submitted.

The surface water management philosophy proposed as part of the development is to:

- Direct upslope runoff around the site. This would include runoff from the proposed industrial subdivision located on the western side of Bellevale Road, which would be diverted around the proposed SELX development.
- Capture all site runoff in a system of grass swales.
- Harvest roof water and minimise the interaction of surface water with stock wastes.
- Treat the balance of surface flows emanating from site runoff through a grass swale and wetland system prior to discharge.
- Limit peak discharge from the site to pre-development levels using surcharge storage in the wetland system.
- Limit post development runoff volume to pre-development levels by reusing water from the wetland system.
- Pass runoff from the irrigation area through grass swales prior to entering the wetland.

The proposed surface water management system is based on separating catchments and treating runoff according to level of potential contamination present. The surface water catchments are:

- *clean water* - roof catchment (cattle and office/amenities building). Run-off from these catchments would be collected in the rainwater pond and used to supply non-potable demand.
- *dirty catchments* - these areas include the sheep pens and external cattle pens. Run-off from these areas would be collected in a first flush basin and be transferred to the effluent treatment system.
- *minor contaminants* - these areas include the sealed trafficable areas, car park areas and the balance of the open space. Likely contaminants are limited to sediments and minor stock wastes. Run-off from these catchments would be collected in a system of grass swales and

be directed to the constructed surface water wetland system, which would provide treatment before discharging off-site.

This creates a controlled drainage area and the management of surface water within this area can be undertaken according to the contaminant level described above.

The water management concept was broken down into its various components and the inflows and outflows were modelled for each section as described below:

Storage Inflows

- *Rainwater pond* – receives runoff from the roof of the livestock exchange facility and receives top up water from the wetland and reticulated potable supply;
- *Facultative effluent treatment pond* – receives wastewater from the truck wash and scale wash down and pumped transfer from the first flush pond. This pond also collects runoff from the solids stockpile area;
- *Aerobic wetland* – receives all water from the facultative effluent treatment pond;
- *First flush pond* – receives runoff from the sheep yards and a pump transfers this to the effluent treatment system;
- *Constructed surface water wetland* – the wetland system catches surface water runoff from the site (hardstand and trafficable areas; balance of the open areas; and first flush system by-pass) and treats the water before reuse or discharge off-site; and
- All open storages receive direct rainfall input.

Storage Outflows

- *Rainwater pond* – livestock drinking water;
- *Aerobic wetland* – water for the truck wash, dust suppression and scale wash down;
- *Constructed surface water wetland* – provides top up water to the rainwater pond and aerobic wetland system. Excess water spills to existing drainage; and
- Evaporation from the pond surface.

The linkages between these water cycle components are best described in **Figure 10** below.

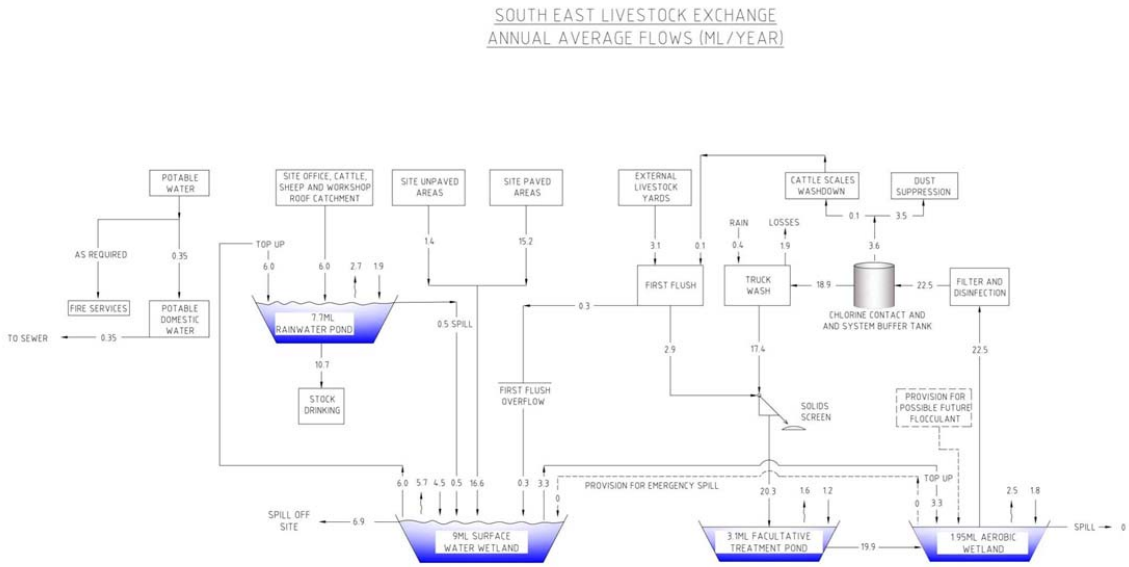

Figure 10 – SELX Water Cycle

Water quantity and quality modelling based on this philosophy using XP-RAFTS and MUSIC demonstrates that:

- *Surface water would continue to discharge from the site. This discharge would occur in the same location as it currently does;*

- *Peak discharge would be reduced by providing storm water retention and controlling discharge via a pipe and spillway outlet arrangement. This would lower the peak discharge and hence flow velocity of water discharged from the site to less than currently being experienced. A level spreader would be used below the spillway and discharge point to ensure the flow from the wetland is converted to sheet flow. It would then discharge from the site at the eastern boundary. The discharge would be at the same point where surface water currently discharges from the site.*

- *The average annual site yield would be managed by providing a harvesting and recycling point. Currently about 6.5 ML/year of surface runoff leaves the site. This would increase slightly to an average of about 6.9 ML/year with the proposed development, with about 6 ML/year drawn from the surface water wetland for reuse.*

- *The average annual load of suspended solids is reduced by 49% from 163 kg/year to 83 kg/year. A portion of this is attributed to the water recycled for use in the facility. However further analysis of the modelling results show the average suspended solids concentration in the water discharged from the site falls from 22 mg/L to 1 mg/L.*

- *The average annual load of phosphorous is reduced by 54% from 1.3 kg/year to 0.6 kg/year. A portion of this is attributed to the water recycled for use in the facility. However further analysis of the modelling results show the average phosphorous concentration in the water discharged from the site falls from 0.18 mg/L to 0.08 mg/L.*

- *The average annual load of nitrogen is reduced by 9% from 7.7 kg/year to 7.0 kg/year. A portion of this is attributed to the water recycled for use in the facility. However further analysis of the modelling results show the average nitrogen concentration in the water discharged from the site falls from 1.0 mg/L to 0.08 mg/L.*

On this basis it is argued that the water discharged from the site would be of a better quality than the existing site runoff.

The potential for on or off-site groundwater contamination is proposed to be managed by:

- Controlling runoff from the site in the surface water management system that includes treatment and recycling;
- Constructing the cattle pavilion soft floor and sheep pens on a compacted gravel base;
- Lining the effluent treatment ponds in the system with a suitable clay or synthetic liner; and
- Implementing a groundwater-monitoring program.

Groundwater contamination could occur if effluent ponds and effluent collection components are not constructed in a manner that prevents seepage. The cattle pavilion soft floor and sheep pens would be constructed on a compacted gravel base, which would prevent any groundwater contamination from these sources.

Despite the low risk to groundwater, a monitoring program would be implemented. The groundwater-monitoring network would include:

- one groundwater monitoring piezometer on the up gradient side of the treatment ponds; and

- two groundwater-monitoring piezometers on the down gradient side of the site.

  The existing on-site bore would be used as the up gradient monitoring point if deemed suitable.

  Groundwater levels would be recorded monthly for the first two years of operation, after which it would reduce to every three months and be reviewed following five years.

  Groundwater quality would be monitored every three months for the first two years and then every six months.

  Any groundwater monitoring undertaken should include pH; electrical conductivity; exchangeable cations; nitrate; nitrite; ammonia; TKN; total nitrogen; total phosphorus and inorganic phosphorus.

On this basis the potential for groundwater contamination is considered to be unlikely.

Additional comments in relation to potential impacts on the water cycle can be found in relation to Clauses 6.4 and 6.5 of the YVLEP above.

2.6.6 Soils

The site lies on the Binalong soil landscape as defined on the *Soil Landscapes of the Goulburn 1:250 000 Map* Sheet.

This soil landscape occurs on undulating low hills between Yass and Boorowa typically with a slope of between 3-10% and local relief between 30 and 90 m.

The Binalong soil landscape includes stoney earths (red and yellow earths) on crests side slopes and colluvial podzolic soils on foot slopes.

The red and yellow earths typically have fine sandy loam topsoil's overlying red or yellow clay loam sub soil tending to grey mottled clay at depth. Depth to bedrock is typically 50 to 100 cm. These soils are well drained with high permeability. Topsoil's and subsoil's have high erodibility when exposed.

The podzolic soils occur on foot slopes and drainage lines. These soils have a deeper profile, generally greater than 200 cm and have impeded drainage. Topsoil's have high erodibility and subsoil's low erodibility when exposed.

The general soil profile is considered to be suitable for the proposed works and would provide sound founding conditions for the proposed structures. Detailed geotechnical investigations would however be required to be undertaken during the detailed design stage to confirm design parameters.

The soil profile depth in the lower parts of the site is expected be greater than 2 m which is adequate for the proposed effluent treatment ponds and wetland systems which would be required to be lined to prevent seepage. Geotechnical investigations during the detailed design stage would investigate if the clay material can be compacted to achieve a maximum hydraulic permeability of 1 x 10-9 m/s. If the on-site soil is not suitable (or economic) a HDPE liner would be used. In this case, the minimum liner thickness would be 1.5 mm.

Potential impacts on soil resources are limited to the construction phase and include soil erosion and contamination. Once construction is complete and areas stabilised, there would be minimal to no risk to the soil resource.

Additional comments in relation to potential impacts on soils can be found in relation to Clauses 6.6 and 6.7 of the YVLEP above.

2.6.7 Air & microclimate

The proposed development is intended be operated in a manner that would effectively limit potential sources of dust.

There would be few potential dust sources and each of these would be controlled either through design features or operational controls. Potential sources and their management are described below.

- Prior to each sale, moisture conditioning of the soft floor system would be undertaken so that livestock movement in the cattle pavilion will not generate dust or particulates.
- The external sheep yards would have the provision for watering as required to control dust generation.
- Sheep yards would be regularly cleaned to remove manure.
- All traffic movements would be undertaken on sealed pavement or trafficable gravel at regulated low speeds.

Potential odour sources from the SELX would include:

- Soft floor material within the cattle pavilion;
- Manure on the sheep floor;
- Temporary stockpile of recovered organics, including manure from the sheep pavilion and solids from the truck wash solids screen and screenings;
- The facultative pond treating truck wash and wash down wastes; and
- Livestock.

Section 129 of *Protection of the Environment Operations Act, 1997* will require that the SELX licensee not cause or permit the emission of an offensive odour from the premises.
An offensive odour is defined as an odour that, by reason of its strength, nature, duration, character or quality, or at the time at which it is emitted, or any other circumstances:

- *is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or*
- *interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or*
- *that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.*

An odour assessment was undertaken in relation to the development in accordance with NSW EPA guidelines and odour impact assessment criterion (IAC). The guideline specifies an IAC based on population density of between two and seven odour units at the nearest sensitive receptor for 99% of the time with a one second nose response time. The appropriate IAC for this development is seven odour units.

The odour assessment adopted a conservative approach as follows:

- Odour emission rates for the pen areas assumed that stock would be present throughout the week and year. That is, no allowance was made for varying stock numbers or the absence of livestock on the site during non-sale days.
- An odour emission rate for cattle pens was assumed for both the cattle and sheep yard areas. Previous measurements have shown that odour emission rates from cattle pens are higher than sheep pens.

A cumulative odour assessment was also undertaken to include the potential interaction of the nearby Martins Fertiliser operations.

The modeling demonstrates that the impact assessment criterion of seven odour units should not be exceeded beyond the SELX boundary or cumulate excessively with the emissions from Martins Fertiliser.

Furthermore, assessment of the two odour unit contour, which represents the strictest urban criteria, shows compliance with the nearest sensitive receptors for both the non-cumulative and cumulative scenarios.

Therefore it can be concluded that no adverse non-cumulative or cumulative odour impacts will arise as a result of the proposed development.

2.6.8 Flora & fauna

The vast majority of the site supports closely grazed exotic grassland. Three small dams on the land provide minor habitat for wetland native plants and animals. The large old trees found on the site are the main habitat feature. Hollows are relatively common in these trees.

The main tree identified on the site is the Yellow Box - *Eucalyptus melliodora*, with two Blakely's Red Gum - *Eucalyptus blakelyi*, remnants of the original woodland. Five exotic deciduous trees occur near the old stone house wall near Yass Valley Way. In the southwest, there is a small copse of planted native trees, none of which is very large.

The proposed development involves the removal of 6 existing eucalypts. In this regard the Flora and Fauna assessment undertaken in relation to the proposal states:

"The survey recorded 21 trees in the project area; all but five of these are large, old remnant native trees. The 16 native trees contain 30 tree hollows and two stick nests were observed in two trees. These trees are likely to be heavily utilised by native birds for breeding because of the good number of hollows present. A pair of Crimson Rosellas was observed at one hollow and as noted below a high percentage of the bird species recorded use hollows for breeding.

Of the 21 trees identified on the site, six trees will be removed; these are trees 9, 10, 11, 12, 13 and 14, four of these have seven (7) hollows. These trees lie under the footprint of the proposed building".

The main trees identified on the site form part of a threatened ecological community and the only other threatened species found on the site uses this ecological community as a nesting and forage resource. Both of these are discussed below:

- Box-Gum Woodland – The gentler topography across this part of the region supported Yellow Box *Eucalyptus melliodora* - Blakely's Red Gum *Eucalyptus blakelyi* woodland, known as Box- Gum Woodland. The original vegetation covering the project area was of Box–Gum woodland, as demonstrated by the remnant trees that exist on and surrounding the land today. This woodland would have had a grassy understorey.

  The Box-Gum woodland is the listed White Box-Yellow Box-Blakely's Red Gum Woodland community listed under the TSC Act. The remnant Yellow Box *Eucalyptus melliodora* and Blakely's Red Gum *Eucalyptus blakelyi* trees are part of the listed community in NSW, even though there is no native understorey.

  The stand of trees does not meet the minimum requirements for the White Box – Yellow Box - Blakely's Red Gum woodland and derived native grassland set out in the Commonwealth document White Box-Yellow Box-Blakely's Red Gum grassy woodlands and derived native

grasslands (Department Environment and Heritage, 2006). This being the case, there was no need to refer the project to the Commonwealth for assessment.

- Superb Parrot – The bird surveys recorded an observation of four Superb Parrots flying around the site on 9 September 2013. This threatened parrot is well known to breed around the Yass region in spring-summer. The species uses tree hollows and is partly threatened by the loss of tree hollows in the rural environment. Although nesting was not observed on the site, trees with hollows are potential nest sites as some of the hollows are big enough for this species.

Accordingly, the factors of assessment set out under Section 5A of the EPA Act were applied as part of the flora and fauna assessment to determine whether the proposed development is likely to have a significant effect on species, populations and communities (and their habitats) listed under the TSC Act and FM Act. The assessment undertaken was interpreted and applied in accordance with the Department of Environment and Climate Change's "Threatened Species Assessment Guidelines; the Assessment of Significance".

This assessment concludes that:

"the development of the proposed South East Livestock Exchange (SELX) at Yass is not likely to have a significant effect on threatened species, populations or communities listed under the Threatened Species Conservation Act 1995 and the Fisheries Management Act 1994, or their habitats, and the preparation of a Species Impact Statement (SIS) is not warranted".

The Flora and Fauna Assessment does however make the following recommendations:

*(i) It is **recommended** that the group of native trees in the northeast of the land be retained and managed for their continued existence. This has largely been achieved in the design of the ponds in that area (four trees will be lost).*

*(ii) It is **recommended** that the area around the new wetland ponds in the northeast, in association with the adjacent retained remnant trees, be developed into a habitat area through native tree plantings, wetland plantings and appropriate management.*

*(iii) It is **recommended** that the edge of the site facing Yass Valley Way be planned out with native trees to form a screen for the site and improve habitat values. If Council agrees, such plantings could be undertaken within the road reserve instead or as well as on the project area.*

These recommendations have been included in draft conditions of consent.

Additional comments in relation to potential impacts on Flora and fauna can be found in relation to Clause 6.3 of the YVLEP above.

2.6.9 Waste

As part of normal operations the proposed SELX would generate both liquid and solid wastes.

The liquid waste proposed to be treated onsite would be generated from the truck wash, wash down of the cattle weighing areas and the external pen first flush system whilst domestic effluent would be discharged to the sewer.

The proposed liquid waste management system would include:

- Primary solids removal in a trafficable solids trap or solids removal screen.

- Treatment in a 3.1 ML mechanically aerated facultative pond, which would reduce the organic (BOD) and suspended solids content. This pond would provide 55 days hydraulic retention time (HRT). The aeration system creates a facultative pond with an oxygenated upper layer, which reduces odour and a deeper anaerobic layer. The system delivers a cost effective means of achieving breakdown of organic material, biological sludge removal and odour control.
- Treatment in a 1 ML passively aerated pond that would provide a further 18 days HRT.
- Treatment in a 0.95 ML aerobic wetland system, which would provide further aerobic treatment of the effluent stream, further reducing BOD and suspended solids, oxidising microbiological loads and removing nutrients. The hydraulic residence time in this pond is an average of 17 days. Effluent may be dosed with a flocculent to promote settling in this system if required.
- A filter (appropriate sand or media filtration system) and disinfection system (chlorine) and associated chlorine contact tank.

All ponds would be constructed as turkey nest dams and would not receive any surface runoff. Only direct rainfall would add to the pond volume and evaporation and reuse would extract water.

The solid wastes generated from the operation of the development would include:

- Solids removed from the effluent treatment system (manure and organic matter from the solids removal system treating the truck wash effluent).
- Manure recovered weekly from within the sheep yards.
- General waste and refuse.
- Stock mortalities. □

Less frequently the SELX would generate two other solid wastes, including:

- Spent soft floor material (sawdust or similar) from the cattle pavilion when replaced; assumed an annual occurrence.
- Solids emptied from the facultative treatment pond. It is assumed this could be required every three to five years.

It is important to note that recovered solids from the truck wash effluent treatment system (settling pit and screens) would be temporarily stockpiled next to the truck wash, within a controlled drainage area, with runoff draining into the facultative treatment pond. There is no intent to utilise solid organic wastes on-site.

The duration of stockpiling prior to removal off-site would be monitored and determined by site conditions and the operational objective of minimising the potential for offensive odours from this source. It is intended to make this material available for collection by individuals and commercial parties for off- site use for composting and soil conditioning. □Quantities would be monitored by recording the amount of material taken off-site (truck numbers and weight estimate).

The sheep yards would be cleaned weekly post sale. Sheep manure would be recovered by a bob cat mounted scraper (or similar) and transported to the solids stockpile pad. It is proposed to manage this material in exactly the same manner as the screened organics

The soft floor in the cattle pavilion would be turned (essentially lightly scarified) after each sale to incorporate manure through the sawdust or equivalent. This post-sale treatment would maintain aerobic conditions and moisture control within the soft floor. This is an odour control measure.

Over time (assumed a year), the floor is progressively soiled and would be replaced. This material would be a valuable source of organic matter and nutrients. It is proposed to manage this material in

exactly the same manner as the screened organics from the truck wash and sheep manure from the pavilion.

On this basis it is considered that the liquid and solid waste management models proposed in relation to the development are adequate in order to prevent any adverse impact on surrounding environments.

2.6.10 Noise

The construction, operational and traffic noise impacts due to the proposed SELX facility development were assessed in accordance with the NSW Environment Protection Authority (EPA) documents including the *Industrial Noise Policy (INP)*, the *NSW Road Noise Policy (RNP)* and the *Interim Construction Noise Guideline (ICNG).*

The noise impact assessment sets operational noise level criteria for the SELX facility in accordance with the NSW Industrial Noise Policy (INP). Operational noise was also assessed against 'sleep disturbance' criteria outlined in EPA's Road Noise Policy (RNP). In addition, traffic noise was assessed in accordance with the RNP and construction noise criteria in accordance with the Interim Construction Noise Guideline (ICNG).

Background noise measurement and consideration of relevant policies has established the project specific noise levels at the nearest potentially affected residence as:

- 47 dBA for daytime (7 am – 6 pm);
- 42 dBA for evening (6 pm – 10pm); and
- 41 dBA for night time (10 pm – 7 am).

A sleep disturbance screening criteria of 51dBA was also established.

These goals apply to all noise produced on the site including fixed mechanical equipment, trucks, truck wash, car park and livestock noise.

Construction activities associated with earthworks were identified as having potentially the highest noise impacts on surrounding receivers as it involves a greater number of mobile plant.

An assessment of a range of equipment undertaken as part of the EIS demonstrates that noise levels due to construction activities are predicted to be within acceptable criteria at all receptors.

A model with no noise mitigation measures was also prepared to determine if operation of the proposed SELX facility met the relevant noise criteria. Predicted noise levels based on typical daytime, evening and night time operation scenarios indicate that operational noise levels would satisfy the relevant time period criteria on all occasions.

Truck loading/unloading activity during night time period (between 10.00pm and 7.00am) was assessed and is expected to comply with the sleep disturbance screening criteria of 51dBA at all residential receptors.

Noise impacts due to the minimal amount of extra traffic on Yass Valley Way were found to be negligible and within the RNP "Allowance Criterion".

In summary, predicted noise levels meet the derived noise goals under neutral and adverse weather conditions and therefore no significant noise impact from the development is expected.

2.6.11 Animal Welfare and Disease Management;

As stated above facilities at the proposed SELX would be designed to meet animal welfare standards, including:

- Australian Model Code of Practice for the Welfare of Animals: Animals at Sale yards (SCARM Report 31).
- Australian Model Code of Practice for the Welfare of Animals: Land Transport of Cattle (SCARM Report 77).
- Australian Model Code of Practice for the Welfare of Animals: Cattle (SCARM Report 39).
- Australian Model Code of Practice for the Welfare of Animals: Sheep (SCARM Report 29).

Sale yards have a mixture of animal statuses, including varying disease statuses; varying ages from young to old; varying stages of pregnancy; varying levels of immune tolerance and varying levels of stress. These factors cause a volatile mix, which can weaken the animal's immune system, causing them to shed pathogens into the environment or in turn be infected from pathogens in the environment.

The operators of the SELX would therefore need to meet all legislative obligations under the Exotic Diseases of Animals Act 1991, Stock Disease Act 1923 and Stock Disease Regulation 2004.

This includes the obligation to notify an inspector as soon as possible after becoming aware of or suspecting that an animal is infected by an exotic disease and, as far as is practicable, keeping that animal separate from animals not so infected. The introduction of certain diseased stock to sale yards is an offence and parties who fail to comply with legislative requirements can be prosecuted.

The EIS submitted in support of the proposed SELX indicates that operators would continue to monitor and implement, where appropriate, developments in best industry practices as identified in the Australian Code of Practice for the Selling of Livestock (Sale yard Operators Australia, 2007).

This standard includes design features for infrastructure and allocates various responsibilities to stakeholders relevant to disease prevention and management. Consistent with recommendations of the Standard, the proposed development would:

- Provide for a separate and designated area for the receipt and sale of livestock from properties quarantined or affected with diseases that are permitted to be sold.
- Obviously sick animals delivered to the sale yard would be placed in a designated suspect pen, in close proximity to a loading ramp, before the commencement of the sale. A veterinary officer/inspector, or sale yard manager, may approve the stock for sale.
- Ensure that any dead animal is removed and disposed of after it has been established that anthrax is not involved. Where a significant or unusual mortality has occurred, a veterinary diagnosis would be sought.
- Maintain a written/electronic record of dead stock and the circumstances associated with the death. Such a record shall include the category of stock; NLIS identification number; date and time of death; cause of death; agent/owner and contact number; whether a veterinarian was present/consulted; and method of disposal.

In terms of disease management, AUSVETPLAN provides the national planning structure for the management of animal disease emergencies in Australia. Detailed guidelines for the control and eradication of emergency diseases are contained in the AUSVETPLAN Disease Strategies, Operational Procedures Manuals, Management Manuals and Enterprise Manuals. Authority for the development and maintenance of AUSVETPLAN rests with Animal Health Australia.

The purpose of AUSVETPLAN is to provide policy and guidelines for the consistent management of animal disease emergencies. At a state/territory level animal health authorities are responsible for

developing operational plans consistent with AUSVETPLAN, within the legislative framework of that jurisdiction, for the implementation of the accepted national strategy. These plans are made in conjunction with the relevant state emergency management organisation and support agencies so a whole-of-government response occurs.

At a local level, animal health officials in conjunction with local emergency management officials are responsible for developing plans to contain the initial outbreak of an emergency disease while the state control plans are being put into effect.

A draft condition of consent will require an Emergency Response Plan (ERP) to be prepared.

2.6.12 Natural Hazards

The site is identified as being bushfire prone on mapping prepared by the NSW Rural Fire Service.

In such an instance section "79BA - Consultation and development consent—certain bush fire prone land" of the Act must be considered. This section states:

"(1) Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land unless the consent authority:

*(a) is satisfied that the development conforms to the specifications and requirements of the document entitled Planning for Bush Fire Protection, ISBN 0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (**the relevant specifications and requirements**), or*

(b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.

(1A) If the consent authority is satisfied that the development does not conform to the relevant specifications and requirements, the consent authority may, despite subsection (1), grant consent to the carrying out of the development but only if it has consulted with the Commissioner of the NSW Rural Fire Service concerning measures to be taken with respect to the development to protect persons, property and the environment from danger that may arise from a bush fire.

(1B) This section does not apply to State significant development.

(1C) The regulations may exclude development from the application of this section subject to compliance with any requirements of the regulations. The regulations may (without limiting the requirements that may be made):

(a) require the issue of a certificate by the Commissioner of the NSW Rural Fire Service or other qualified person in relation to the bush fire risk of the land concerned, and

(b) authorise the payment of a fee for the issue of any such certificate.

(2) In this section:

***special fire protection purpose** has the same meaning as it has in section 100B of the Rural Fires Act 1997".*

A special fire protection purpose means any of the following:

(a) a school,
(b) a child care centre,
(c) a hospital (including a hospital for the mentally ill or mentally disordered),
(d) a hotel, motel or other tourist accommodation,
(e) a building wholly or principally used as a home or other establishment for mentally incapacitated persons,
(f) seniors housing within the meaning of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004,
(g) a group home within the meaning of State Environmental Planning Policy No 9—Group Homes,
(h) a retirement village,
(i) any other purpose prescribed by the regulations".

The proposed development is not for a Special Fire Protection purpose and therefore the consent authority must be satisfied that the development conforms to the specifications and requirements of the document entitled Planning for Bush Fire Protection, ISBN 0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning.

This can be achieved in the detailed design of the proposed development and is reflected in the draft conditions of consent.

2.6.13 Social impact in the locality

No social impacts are considered likely to occur as a result of the proposed development.

2.6.14 Economic impact in the locality

The proposed development would contribute to growth in the region including providing an estimated three full-time jobs, part-time jobs and an expanded livestock selling facility to support agents.

Although the proposed SELX will directly create additional employment on a small scale it has the potential to indirectly create employment opportunities on a much larger scale across multiple employment sectors.

The proposed development by virtue of its size, scale and potential multiplier effects is considered likely to stimulate further economic development in the approved industrial subdivision adjacent to the site and on this basis is supported.

2.6.15 Design and construction

The proposed SELX is intended to incorporate design features to maximise patron safety and animal welfare including covered selling pavilions and innovative yard layouts to provide faster and safer flow through of livestock, reducing stress and improving hygiene. Walkways for auctioneers are raised to permit operators on horseback to move cattle with a minimum of stress.

A central facilities building is proposed to be constructed which includes a site manager's office, agents' offices, operations/computer room, kitchen, dining room, truck drivers' facilities and toilets.

A maintenance shed would provide secure, appropriately labelled facilities for the keeping of small quantities of fuel, herbicide, detergent and paint, as well as equipment and tools that would be used for routine maintenance activities at the SELX. The shed is proposed to be approximately 12 m x 9 m and located at the southern end of the exchange.

The construction information provided with the application is conceptual and therefore detailed design information will be required to be provided prior to construction commencing. This will need to

indicate how the proposed development complies with the Building Code of Australia and relevant performance standards including the "premises standard".

2.7 The suitability of the site for the development

The site is currently zoned **IN1 General Industrial** under the provisions of the **YVLEP**. The applicant's proposal is considered to be in keeping with the objectives of this zone and with surrounding development.

It is considered that the attributes of the site are generally conducive to the proposed development. There are no constraints preventing the orderly development of the site in the manner proposed or its ability to subsequently function as residential allotments.

Therefore, in view of its merits and the absence of any significant adverse effects, the proposed development is considered worthy of approval.

2.8 Any submissions made in accordance with this Act or the Regulations

2.8.1 Public Submissions

As discussed earlier in the report, the development application was formally notified in accordance with the Act and the Regulation from 24 January 2014 up until 28 February 2014 during which time 48 submissions were received from the general public (see **Attachment B**). 29 of these submissions were in support of the proposal and 19 were against it. It should be noted that 11 submissions against the proposal were submitted by the same land owner/s. The issues raised in the objections received are discussed in detail in **Table 1** below:

Table 1 – Issues Raised in the Objections Received

Issue	Comment
1. Proximity to Yass / Future Planning and Development "The site is a similar distance to Yass than the existing sale yards and the light industrial zoning isn't an appropriate mix". "No foresight in relation to the planning for Yass". "Yass will outgrow the proposed development". "Yass is in the top ten Councils for growth if this development goes ahead what will happen in the future". "This is the thin edge of the wedge. If approved the development will encourage feed lots, abattoirs, grain handling faciities etc. These will exacerbate environmental issues". "Extra land will be required for holding paddocks, which will cause unconsidered environmental impacts". "No consideration has been given to the more intensive grazing and feed lot operations which will accompany the development".	The site is located within a recently approved industrial subdivision that is 3km to the west of Yass. The site is formally zoned IN1 General Industrial which provides for an extensive range of industrial land uses. The existing sale yards are surrounded by rural residential development and a proposed residential subdivision, which extends the town boundary to the southeast. The existing sale yards are zoned R1 General Residential. The location of the proposed SELX is not considered to be within the town boundary and its context and setting is not similar to the existing sale yards. It should be noted that the future planning for Yass was a key consideration in the preparation of the YVLEP (Gazetted 19 July 2013). Growth and development across the Yass Valley in terms of housing, employment and industry was projected up until 2031 consistent with the Sydney Canberra Corridor Regional Strategy. The strategic planning work in relation to the preparation of the YVLEP took nearly 10 years and clearly identified the land surrounding the Yass Service Centre as an Industrial hub that was close to established road transport links and isolated from the existing town. On this basis future residential development was planned to the south of Yass well away from the site in question. The proposed development is likely to be a driver for further industrial development in the locality. Any additional development will however be required to be considered on

"Wrong location for large industrial development".	its own merits and will be subject to separate development applications. If the proposed SELX is approved as submitted any amendment or modification to it will also be required to be assessed on its merits as part of a separate application.
2. Access "Such a large scale livestock centre requires direct connection to the freeway. The entry to Yass and the Service Centre almost beyond capacity now". "The weekly sales will bring so many trucks off the freeway, which will create problems". "The volume of B-double trucks and other vehicles associated with the development will encounter serious difficulties accessing from a single lane into Bellevale Rd". "The exit off the freeway has recorded a number of hazardous accidents. It is a single lane and totally inadequate". "Increased traffic will occur through the man street". "What intersection treatments are proposed". "The proposed SELX is said to be based on 'Carcoar', which has far better traffic management facilities in place and is accessed off the mid-western highway".	A detailed 'Traffic Assessment' was submitted in support of the proposed development. This report including the Access, Transport and Traffic arrangements proposed in the relation to the development have been considered by both the RMS and Yass Valley Council's Engineering Services Section. Neither assessment has raised any objection in relation to the volume of traffic generated or the traffic management arrangements proposed in the application. This however is subject to the imposition of conditions requiring existing intersection upgrades. Additional comments in relation to Access, Transport and Traffic are provided in section 2.6.2 above.
3. Water Provision "Calculations have been based on past rainfall records. If the capacity does not meet the developments requirement what provisions have been made". "Buying potable water will be a high input cost. This water is designated for domestic use and hence future housing not industrial development".	A detailed water balance model has been provided in support of the proposed development. This model has been reviewed by both the NSW EPA and NOW (required to licence the development) who have raised no objection to the proposal. During the commissioning phase of the development the SELX will be reliant on potable water and this supply could be used in the event that rainfall does not meet the predicted levels. Any purchase of potable water will be at the expense of the operator and is an operational cost that they must consider. In this regard it should be noted that the Yass Dam Wall raising project did not designate all stored water for domestic/residential purposes. The water captured as part of this project was intended to be for all land uses within the designated supply area, which includes the subject site. Additional comments in relation to water are provided in section 2.6.5 above.
4. Effluent Management "Calculations have been based on past rainfall records. If the capacity does not meet the	A detailed liquid and solid waste management model has been provided in support of the proposed development. These models were been reviewed by the NSW EPA (required to licence the development) who have raised no

requirement what provisions have been made". "Effluent will be held in ponds on a watercourse where in wet seasons high flows occur into the Yass River". "Even the best planning design cannot stop natural events".	objection to the proposed development. During the commissioning phase of the development the SELX will be reliant on effluent discharge to the sewer and this could be used in the event of an emergency where there was an issue with the onsite treatment system. It should be noted that currently approximately 6.5 ML/year of surface runoff leaves the site. This would increase slightly to approximately 6.9 ML/year as a result of discharge from the surface water wetland. This discharge would eventually enter the Yass River 1.5km away. The catchment was modelled for the 10 and 100yr Average Recurrence Interval (ARI) design storms. Design rainfall intensity/frequency/duration (IFD) data and storm temporal patterns were derived using the procedures set out in Australian Rainfall and Runoff. Design storm durations from 30 minutes to 12 hours were modelled to determine the critical storm duration (i.e. the storm that produced the highest peak flow) for both the undeveloped and developed cases. Based on these calculations the wetland system has been designed to reduce the peak discharge by providing storm water retention and controlling discharge via a pipe and spillway outlet arrangement. This would lower the peak discharge and hence flow velocity of water discharged from the site to less than that currently being experienced. A level spreader would be used below the spillway and discharge point to ensure the flow from the wetland is converted to sheet flow. It would then discharge from the site at the eastern boundary. The discharge would be at the same point where surface water currently discharges from the site. Importantly, as a result of treatment onsite, the average annual load of suspended solids will be reduced by 49% from 163 kg/year to 83 kg/year. A portion of this is attributed to the water recycled for use in the facility. However further analysis of the modelling results show the average suspended solids concentration in the water discharged from the site falls from 22 mg/L to 1 mg/L. The average annual load of phosphorous will be reduced by 54% from 1.3 kg/year to 0.6 kg/year. A portion of this is attributed to the water recycled for use in the facility. However further analysis of the modelling results show the average phosphorous concentration in the water discharged from the site falls from 0.18 mg/L to 0.08 mg/L. The average annual load of nitrogen is reduced by 9% from 7.7 kg/year to 7.0 kg/year. A portion of this is attributed to the water recycled for use in the facility. However further analysis of the modelling results show the average nitrogen concentration in the water discharged from the site falls from 1.0 mg/L to 0.08 mg/L. Additional comments in relation to water and waste management are provided in sections 2.6.5 and 2.6.9 above.
5. <u>Effluent Irrigation and the Yass River</u> "Effluent will be irrigated onto adjoining hills before seeping back into the Yass River". "The site extends to the Yass River where	No effluent irrigation is proposed on any land in relation to the proposed development.

effluent is planned to be irrigated". "The adjoining land is unsuitable for effluent irrigation – it has rocky outcrops and substantial trees".	
6. Location / Visual impact "The location is considered to be an unsuitable environment for the proposed development beside Yass Valley Way and within the town limits". "The location is undesirable aesthetically". "Aesthetic approach to Yass will be impacted considerably". "Is the overall position in the landscape considered". "The stock yards at the entrance to town creates visual distaste".	The proposed development will be able to be viewed from Yass Valley Way, particularly at its intersection with Bellevale Rd. In a local context however the site does not offer any unique scenic quality. Some of the surrounding landscape includes very large industrial sheds and buildings and there is a large service centre located off Yass Valley Way to the northwest of the site. Existing roadside and site vegetation along Yass Valley Way allows for only partial exposure of the site in most instances. The buffer distances, topography and existing vegetation would ensure that the facility does not intrude on the public domain. The impact of the development can also be lessened by the planting of screening along the Bellevale Rd and Yass Valley Way frontages of the land. The planting used should be consistent with that described in the Flora and Fauna report and should include the following tree species: Yellow Box - *Eucalyptus melliodora* and Blakely's Red Gum - *Eucalyptus blakelyi.* The scale (bulk, height, mass) of the development is large however it is well setback from the street and although dominant is not considered to be visually out of context with other development (Martins Fertilisers) in the locality. The locality in question is not considered to be the entrance to Yass but rather an industrial satellite on the outskirts of the town. On this basis the likely visual impact is considered to be acceptable.
7. Provision of Services "What financial outlay has Council given to the private company and what forward commitment is expected including the connection to the services required to be provided". "No notification was given in relation to the Developer Servicing Plan prepared for the Black Range Rd area".	Yass Valley Council has provided no direct financial outlay to any company involved in the proposed SELX development. To stimulate economic development in the Yass Valley LGA - Yass Valley Council did however publicly co-fund initial investigations relating to the development of a regional Livestock Exchange. These investigations were undertaken by the AEC Group who prepared a *Market Demand Assessment* and a *Feasibility Study*. All services within the Bellevale Rd Industrial subdivision and for the SELX development will be required to be provided by the developer. Additional comments in relation to services are provided in section 2.6.3 above.
8. Livestock Projections "Will the projected livestock numbers be achieved".	The projected livestock numbers are a maximum total up until 2021. They have been used as a worst case scenario for the assessment of impact and if they are not achieved it will not affect the environmental performance of the development as proposed.

9. Site Geology "The treatment ponds will be located in a loam creek bed from which leaking will occur".	The soil profile depth in the lower parts of the site is expected be greater than 2 m which is adequate for the proposed effluent treatment ponds and wetland systems which would be required to be lined to prevent seepage or leaking. Geotechnical investigations during the detailed design stage would investigate if the clay material onsite can be compacted to achieve a maximum hydraulic permeability of 1 x 10-9 m/s (to stop leaking). If the on-site soil is not suitable (or it is uneconomic) a HDPE liner would be used. In this case, the minimum liner thickness would be 1.5 mm. Additional comments in relation to soils are provided in section 2.6.6 above.
10. Existing Sale Yards "Is there confirmed support and agreement in relation to the future of the existing sale yards". "It will be profitable for Council if the existing yards are sold and the land were to be developed for residential purposes".	The future of the existing saleyards and any future development is a separate matter to the merits or otherwise of the submitted proposal. No decision has been made by Council in this regard.
11. Conflict of Interest "The establishment of a very large complex on land owned by Mr and Mrs Abbey has a very opportunistic look. Has Council been used - ratepayers are not happy". "The public needs to know what monetary extent Council expects to gain". "Yass Council heavily supported and invested in a private company why the special treatment for some". "What are the long term benefits to Council". "Yass Council has been influenced by the developer and the conflicted interests of the current Mayor favouring one very large business because the Mayor and her husband own the land along with the adjacent industrial subdivision".	The conflict of interest for Council stems from its contribution toward the funding of the feasibility investigation into a new saleyards complex. This was a decision made by the Council prior to the 2012 Local Government Elections (and when the current Mayor Cr Abbey was not a sitting Councillor). Following the lodgement of the Development Application Council determined (26 February 2014) that it has a conflict of interest as it co-funded the initial investigation. Three Councillors declared an interest and left the meeting while the matter was considered and did not participate in the decision making. Council (and Councillors) are not making any decision in relation to the planning merits or otherwise of the proposal. Councillors with a 'pecuniary interest' or 'significant non-pecuniary interest' have made the appropriate declarations throughout the process and these are on the public record. Any concerns with such declarations should be taken up through the appropriate channels under the Local Government Act 1993
12. Environment "What environmental protection plans will be put in place to ensure there are no impacts beyond the development boundary".	An Environmental Management Plan would be prepared in consultation with relevant government agencies and would be required to be approved prior to operations commencing. The EMP would provide a reporting framework for managing environmental impacts and performance. The EMP would outline procedures and responsibilities for environmental monitoring; incident reporting and complaint handling; and

"If ownership were to change who remains responsible and accountable to prevent environmental impact". "What monitoring will take place to ensure that contamination does not occur". "Will monitoring continue past 2021 – Yass Council is responsible". "Is work on the riparian zone below the site part of the development". "What water testing will be carried out and will it be public on an ongoing basis". "Who is legally responsible for down-stream impacts".	environmental performance reporting. Procedures would detail specific performance objectives, include operational protocols and documented work practices, and allocate responsibilities for undertaking all identified activities. The scope and format of the EMP would be structured to cover requirements in the Environment Protection Licence and Conditions of Consent. Any development consent issued in relation to the proposed development would be bound against the land. Therefore the owner and operator of the development would be bound to comply with any development consent issued and any licence issued by a Government agency. As a minimum surface water and groundwater monitoring will need to be undertaken to include: pH; electrical conductivity; exchangeable cations; nitrate; nitrite; ammonia; TKN; total nitrogen; total phosphorus and inorganic phosphorus. Additional monitoring may be required by the NSW EPA as part of the issues of an Environment Protection Licence. The monitoring described above will continue for the life of the development and will be publicly available. No riparian work will occur on private land below the site as this land does not form part of the development application. The owner and operator of the SELX will be legally responsible for all down-stream impacts. Further details in relation to the Environmental Management Plans required to be prepared for the development can be found in the draft conditions of consent in **Attachment A.**
13. <u>Storm Water from Industrial Subdivision</u> "Runoff from the "industrial" sub-catchment adjacent to the site has not been considered". "Runoff from this development would be considerable once car parks, buildings etc have been developed. This runoff may effect water quality in the Yass River". "Has industrial runoff been considered as part of this development".	The surface water management philosophy proposed as part of the development includes directing upslope runoff around the site. This would include all runoff from the approved industrial subdivision located on the western side of Bellevale Road. On this basis all storm water from any industrial development on adjoining land would be diverted around the proposed SELX. Storm water generated by any additional industrial development would therefore be required to be considered on its own merits and would be subject to separate development applications.
14. <u>Odour, Noise and Dust</u> "How will odour and dust be managed during construction and operation of the facility". "Yass has predominantly northwesterly winds during dry summer periods which will send odour and dust over Yass". "Will odour and flies affect the operation of the Service Centre".	The modelling undertaken in support of the proposed development, demonstrates that the impact assessment criterion of seven odour units (rural / industrial criteria) should not be exceeded beyond the SELX boundary or cumulate excessively with the emissions from Martins Fertiliser. Furthermore, assessment of the two odour unit contour, which represents the strictest urban criteria, shows compliance with the nearest sensitive receptors for both the non-cumulative and cumulative scenarios. Therefore it can be concluded that no adverse non-cumulative or cumulative odour impacts will arise as a result of the proposed development.

"Noise pollution will easily reach north Yass given the wind direction and topography".	Dust would be managed on the site as follows: • Prior to each sale, moisture conditioning of the soft floor system would be undertaken so that livestock movement in the cattle pavilion will not generate dust or particulates. • The external sheep yards would have the provision for watering as required to control dust generation. • Sheep yards would be regularly cleaned to remove manure. • All traffic movements would be undertaken on sealed pavement or trafficable gravel at regulated low speeds. A detailed noise assessment report was provided in support of the proposed development. In summary, the predicted noise levels established in this report meet all derived noise goals under both neutral and adverse weather conditions. Therefore no significant noise impact from the proposed development is expected on any receiver. Additional comments in relation to odour, dust and noise are provided in sections 2.6.7 and 2.6.10 above.

The submissions received during the notification period have been considered as part of the assessment of the application and were forwarded to all Government agencies. All issues identified in the submissions have been addressed through either the information provided, re-design of the development or recommended conditions of consent.

2.8.2 Submissions from Public Authorities

The proposed development is 'integrated' for the purposes of the Act by virtue of the need to secure, apart from Development Consent from the consent authority, a number of other 'approvals'.

These approvals are listed below:

- An Environment Protection Licence (EPL) issued pursuant to Section 48 the *Protection of the Environment Operations Act 1997*, by the Environment Protection Authority (EPA) as the SELX would be a scheduled activity (premises based);
- Water supply works approval to establish monitoring piezometers issued under Section 92 the *Water Management Act 2000* by the NSW Office of Water (NOW);
- Controlled Activity Approval issued under Section 91 of the *Water Management Act 2000* by NSW Office of Water for development affecting land defined as waterfront land.

Comments have been received from each of these agencies as well as NSW DPI and NSW OEH. For the avoidance of doubt, notwithstanding the obligation that exists by virtue of Clause 104 and Schedule 3 of the Infrastructure SEPP that the application was also referred to the RMS for comment this referral requirement is not an integrated development trigger.

The comments provided by each agency are contained in **Attachment C** and are summarised in **Table 2** below:

Table 2 – Government Agency Responses

Government Agency	Comment
NSW EPA	The EPA reviewed the information provided by the applicant and determined that an Environment Protection Licence was able to be issued for the proposed development. General Terms of Approval (GTA's) were issued on 17 April 2014 (No. 1521155). The GTA's were modified by the EPA on 9 May 2014 to permit the operating hours of the development as proposed in the EIS. The GTA's issued have been included in the draft conditions of consent.
NSW Office of Water	The NOW reviewed the information provided by the applicant and determined that licences under the *Water Management Act 2000* were able to be issued for the proposed development. General Terms of Approval (GTA's) were issued on 25 March 2014 (No. 40 ERM2013/0338). The GTA's issued have been included in the draft conditions of consent.
NSW DPI	The NSW DPI has no objections to the proposed development but considers that in order to ensure that best management practices are carried out for the various aspects of the proposal an environmental management plan should be developed. The conditions requested by the NSW DPI have been included in the draft conditions of consent.
RMS	RMS assessed the development application and supporting information provided and raises no objection to the proposed development subject to the imposition of various conditions of consent. The conditions requested by the RMS have been included in the draft conditions of consent.
NSW OEH	OEH strongly criticised the Flora and Fauna Assessment undertaken and indicated that it underestimated the impact of the proposed development on threatened species. OEH recommends mitigating the loss of hollow bearing trees by establishing an offset area as outlined in OEH's DGRs. As conditions of consent OEH specifically recommends the following: *1. That habitat loss is to be offset consistent with OEH's threatened species guidelines. OEH are to be consulted on the appropriate calculation of the offset requirements and the adequacy of the proposed offset.* *2. During the construction period, native trees identified to be retained are to be fenced off around the root zone consistent with AS 4970-2009 "Protection of Tree on development sites".* OEH also strongly criticised the Heritage Assessment undertaken indicating that it may not be sufficient to characterise the Aboriginal archaeological heritage of site and suggested that a further archaeological assessment be undertaken. In spite of this criticism the OEH specifically recommended the following condition of consent: *1. Under section 89A of the National Parks and Wildlife Act 1974 it is an offence for a person not to notify OEH of the location of any Aboriginal object the person becomes aware of, not already recorded on the Aboriginal Heritage Information Management System (AHIMS). An AHIMS Site Recoding form should be completed and submitted to the AHIMS Registrar for each Aboriginal site found during excavations.* The conditions requested by the NSW OEH have been included in the draft conditions of consent.

2.9 The public interest

Matters of the "*Public Interest*" refer to specific Government (Federal, State and Local) and Community Interests. These interests arise if the proposal does not comply with relevant legislation/policy.

In this particular instance there are no matters of the public interest that require specific comment in relation to the proposed development that have not been discussed in the preceding report with the exception of the Sydney Canberra Corridor Regional Strategy.

2.9.1 Sydney Canberra Corridor Regional Strategy

The Sydney Canberra Corridor Regional Strategy seeks to promote provision of both housing and employment within the Sydney-Canberra corridor, whilst also seeking to protect the natural and social environment.

One of the aims of the strategy is to ensure an adequate supply of land to support economic growth and provide capacity to accommodate a projected 27 800 new jobs, particularly in the areas of manufacturing, transport and logistics, business services, health, aged care and tourism.

The proposed development would contribute growth in the region including providing an estimated three full-time jobs, part-time jobs and an expanded livestock selling facility to support agents.

The Strategy also aims to limit development in places constrained by important primary industry resources and significant scenic and cultural landscapes.

The site has been zoned for use for industry and therefore is considered an appropriate location for the proposed development.

3. Conclusion

Development Application 5.2014.6.1 has been lodged to construct and operate a new South East Livestock Exchange (SELX) with an annual throughput of approximately 150,000 cattle and 1,330,000 sheep and lambs by 2021. This application has been assessed having regard to the relevant matters for consideration prescribed by Section 79C(1) of the Environmental Planning & Assessment Act 1979.

The site is zoned IN1 – General Industrial pursuant to the Yass Valley Local Environmental Plan 2013. The proposed development is categorised as 'rural industry' and is permissible in the zone with development consent.

The submissions received during the notification period and an assessment of the application, have been considered within the report and all issues identified have been addressed through either the information provided, re-design or recommended conditions of consent.

There being no outstanding issues or unreasonable additional impacts identified in relation to the proposal, it is recommended that the application be approved pursuant to Section 80 of the Environmental Planning & Assessment Act 1979, subject to the conditions tabled in Attachment A.

DEVELOPMENT APPLICATION NO. 5.2014.6.1

Applicant name:	SELX Pty Ltd
Applicant address:	c/- Geolyse Pty. Ltd. PO Box 1963 ORANGE NSW 2800
Land to be developed:	Proposed Lot 20 Part Lot 2 DP 1169723 1653 Yass Valley Way YASS 2582
Proposed development:	Regional Livestock Selling Centre

SCHEDULE OF CONDITIONS

PART 1. GENERAL CONDITIONS

1. The development is to be carried out generally in accordance with the plans and documentation (including Environmental Impact Statement) submitted with the application except where varied by the following conditions of Consent.

ADVISING:
No advertising signs are approved as part of this Development Consent.

The design of any advertising signs is to be reflective of and complementary to the design of the facility.

Advertising signs shall not be higher than the building roofline.

Advertising signs shall meet the requirements of the Roads & Maritime Services as detailed in their letter dated 28 February 2014.

2. All engineering design and construction work shall be undertaken in accordance with Yass Valley Council's *Road Standard Policy (RD-POL-09)*, Council's *Design and Construction Specification – Ausspec#1*, *Australian Standards*, *AustRoads*, the *Water Reticulation Code of Australia* and the *Sewerage Code of Australia* current at the time of the Construction Certificate being issued

3. As the proposed development affects the access to the adjoining dwelling to the east of the subject land alternative access arrangements shall be made for this dwelling.

ADVISING:
This could be achieved by providing:
- A carriageway easement through the subject land benefiting the existing dwelling
- An alternate access driveway around the subject site to Bellevale Road
- Incorporating the dwelling into the development site for use as a manager's/caretaker's dwelling

PART 2. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

4. Evidence to be submitted prior to the issue of a Construction Certificate demonstrating that the development site has been created via a registered plan of subdivision.

ADVISING:
Development Consent 127/2013 applies to the subdivision.

5. Plans and details shall be submitted with any application for a Construction Certificate which show compliance with the relevant conditions of this Consent including the requirements of agencies detailed in Part 7 of this Consent.

6. The provision of engineering infrastructure will require detailed investigation and design. Three copies of detailed engineering plans prepared by a suitably qualified and experienced civil engineering professional are to be submitted to Council. These plans must be approved by Council prior to the issue of the Construction Certificate and shall comply with the conditions of Consent.

7. A Construction Certificate shall be obtained for all engineering and building works prior to any works commencing on site. Council's fee for providing a Construction Certificate is levied in accordance with Council's Management Plan relevant at the time of payment.

8. Any surface modification such as cut and fill is to be kept to a minimum and must be approved by Council prior to issue of the Construction Certificate. This approval does not allow widespread cut and fill of the land. Plans showing cross sections (scale 1:200) are to be taken at appropriate positions to determine the extent of cut and fill and to ensure compliance with AS/NZ 2890.1:2004 Parking Facilities – Off Street Car Parking (i.e. vehicle entrance grades to and within the properties need to comply with this standard) to be submitted to Council with the Construction Certificate application. Each cross section and plan shall indicate the extent of fill and excavation as compared to the existing ground level as determined by a registered surveyor.

9. A Soil and Water Management Plan shall be submitted to Council's Engineering Department for approval in accordance with Council's *Design and Construction Specification – Ausspec#1*. The plan shall include construction techniques to minimise site disturbance and the potential for soil erosion by wind or water, erosion control on any watercourse on the property, revegetation of disturbed areas and any other matters that are deemed necessary by Council.

ADVISING:
An indicative plan may be prepared to complement the design plans, however, the final plan for approval shall be prepared in consultation with the construction contractor;

10. Engineering drawings for the provision of access, the internal road network and parking areas shall be submitted to Council's Engineering Department for approval in accordance with Council's *Roads Standards Policy RD-POL-09* and Council's *Design and Construction Specification – Ausspec#1*

    The design shall be include the following:
    - The northern property access on Bellevale Road is to be designed to an AUL Type intersection as per *AustRoads Guidelines*
    - The intersection of Bellevale Road, Telegraph Close and the proposed driveway is to be reconstructed to include a BAR style intersection in conjunction with the AUL for the property access. The intersection shall be designed to suit the anticipated traffic volumes and loadings and shall have an asphalt wearing course
    - Driveways are to accommodate B Double vehicle entering and exiting the site in a forward direction
    - Safe Sight Distance Requirements in accordance with Section 7 of Council's *Roads Standards Policy RD-POL-09*
    - Access points are to be located to achieve Safe Intersection Sight Distance (SISD) in accordance with Austroads standards. Consideration will be given to accepting Approach Site Distance (ASD) on difficult sites subject to additional facilities such as BAR right turn treatment and/or BAL left turn treatments being provided as appropriate

- Property accesses are to be constructed of reinforced concrete or asphalt designed and constructed to suit the anticipated traffic volumes and loadings
- Gate to be set a minimum of 30m from the edge of the road
- The finished surface of any earthworks required for the driveway shall be graded to a maximum of 1 in 4 in cut, and 1 in 2 in fill
- Reinforced concrete pipes and headwalls (grout pipe to headwall) are to be provided through the table drain (or modified drain to ensure at least 2m from the road)
- Pipe are to be installed in accordance with the AS 3725 to ensure sufficient cover and a suitable pipe class to cater for the expected vehicle loadings
- Pipe sizes shall be designed using the methods outlined in Australian Rainfall and Runoff (AR&R) or determined as follows:

Catchment Size	Less than 0.5Ha	Less than 1Ha	Less than 2Ha	Less than 3Ha	3+Ha
Pipe Size	300mm	375mm	450mm	600mm	AR&R 1 in 5 year storm event

Where the pipes form part of the diversion drain to divert water around the proposed site, they are to be designed to cater for a 1 in 100 year flow

- Any damage to Councils road or other assets caused by the construction is to be repaired
- The surrounding soil shall be made flush with the new driveways and reseeded
- All internal roads and parking areas shall be designed and constructed with a suitable pavement and asphalt or concrete wearing course. Details of this design are to be submitted to Council for approval to ensure it is suitable for the anticipated traffic volumes and loadings
- The design plans are to include details of internal traffic facilities including line marking, signage and delineation to manage vehicle movement and parking within the site. Particular attention is required to ensure that heavy vehicles movements are restricted to a one way flow utilising the northern driveway as an entrance and the southern driveway as an exit

ADVISING:
All disturbed surfaces adjacent to the works, either natural or manmade, will be required to be rehabilitated to a suitable state at the end of works.

Direct access to Yass Valley Way is prohibited.

11. Engineering drawings associated with the drainage of sewer shall be submitted to Council's Engineering Department for approval in accordance with the *Sewerage Code of Australia*.

These drawings shall detail the proposed connection into Council's sewer network along Yass Valley Way

The proposed development shall be designed to ensure that only domestic sewage is discharged into Council's sewer network along Yass Valley Way.

12. Engineering drawings associated with the drainage of stormwater shall be submitted to Council's Engineering Department for approval in accordance with Council's *Stormwater Policies and Design and Construction Specification – Ausspec#1*.

Drawings are to include details of the proposed diversion drain around the site designed to cater for a 1 in 100 year storm event, and details of all proposed internal drainage networks.

The design is to include calculations showing the estimated flows, sizes of all structures, grades, depths, and capacities of all open drains and other drainage structures.

13. Engineering drawings associated with the supply of water shall be submitted to Council's Engineering Department for approval in accordance with the *Water Code of Australia*.

ADVISING:

1. Proposed water reticulation mains shall be laid across the Yass Valley Way in close proximity to the existing 200mm Council Water Main. Connection to the Council Water Main shall be carried out by the Council at full cost to the developer (noted on plans).
2. Water main shall be continuous along Bellevale Road as well as making provisions for the neighbouring subdivision.
3. All reticulation mains shall be of MPVC, PN 12, S2 except at road crossings. Road crossings shall be constructed using DICL pipe class PN 35. Minimum diameter shall be 100 mm.
4. All valves shall be anti-clockwise close and shall conform to Council standards.
5. All mains shall be tested in accordance with Yass Valley Council requirements.
6. All property services shall be with copper pipes as per plumbing standards. Long services shall be with 25 mm and short services shall be with 20 mm.
7. All meter cocks of each property service shall be installed at 200 mm – 300 mm below finished ground level and shall be covered with meter boxes. Meter boxes will be supplied by the Council.
8. Tapping saddle, main cock and meter cock shall meet Yass Valley Council requirements.
9. Hydrants for firefighting purposes shall be installed as required by building regulations;

14. Engineering drawings associated with the upgrade of the Yass Valley Way and Bellevale Road intersection shall be submitted to Council's Engineering Department for approval in accordance with Council's *Roads Standards Policy RD-POL-09* and Council's *Design and Construction Specification – Ausspec#1*.

ADVISING:
The intersection shall be upgraded to the following standard:

- Right turn into Bellevale Road from Yass Valley Way, a full CHR (L) in accordance with Austroads standards
- Left turn out of Bellevale Road onto Yass Valley Way, a BAL treatment in accordance with Austroads to cater for B-Double sized vehicles, with an acceleration lane provided in a westerly direction
- Right turn out of Bellevale Road onto Yass Valley Way, no change to existing
- Left turn into Bellevale Road from Yass Valley Way, designed, constructed and line marked as a minimum to a BAL standard to accommodate a B Double sized heavy vehicle with sufficient shoulder width to ensure safe access
- The entire Intersection is to be reconstructed and line marked as per the design
- Intersection to be constructed with a suitable asphalt wearing surface; with pavement design to suit the anticipated traffic volumes and loadings

15. A Design Certification Report relating to all civil engineering design work shall be submitted to Council as per Council's *Design Specification - AusSpec #1, Annexure DQS-A*.

ADVISING:
This Design Report shall provide evidence that suitably qualified designers have designed each component of the engineering works for the development

16. An erosion control bond of **$10,000** shall be lodged with Council.

ADVISING:
The bond shall be refunded at the completion of the project subject to the erosion control measures being satisfactorily maintained onsite during the construction and revegetation phases. In the event that Council considers that ineffective or insufficient measures are being taken to control wind or water erosion or sediment loss from the site, the bond may be used to construct such structures as deemed necessary;

17. A bank guarantee, or cash bond, equivalent to 5% of the value of the whole of the engineering works shall be lodged with Council as a performance bond.

ADVISING:
This bond shall be held for a period of 12 months from the later of the date of Construction Certificate/linen plan release from Council or the practical completion of the engineering works

18. An overland flow path to accommodate the discharge from a 1 in 100 year storm event shall be provided. Details are to be submitted with the Construction Certificate application.

19. Details of the arrangements for surface water controls (including outlet arrangements) to control discharge to the existing drainage lines are to be submitted with the Construction Certificate application.

20. Detailed engineering design of the storage ponds and wetlands are to be submitted to the Engineering Department with the Construction Certificate application.

    The lining of the anaerobic treatment pond and wet weather effluent holding pond to provide a permeability of 1 x 10^{-9} m/s or less. This would be achieved with clay or synthetic lining as required.

21. Plans and specifications demonstrating compliance with the Building Code of Australia are to be submitted with the application for a Construction Certificate.

ADVISING
If Council is the nominated Principal Certifying Authority (PCA)**,** the builder or applicant is to ensure compliance with the following Codes and Standards and parts of the Building Code of Australia. Plans, details and specifications, which show compliance with the Building Code of Australia, are to be submitted with the application for a Construction Certificate.

- Part C of the BCA – Fire Resistance
- Part D of the BCA – Access and Egress and Access for People with a Disability
- Part E of the BCA - Services and Equipment
- Part F2 of the BCA – Sanitary Facilities including Disabled facilities
- Part J of the BCA – Energy Efficiency. A report showing compliance with all parts of this section is to be provided with the application for a Construction Certificate.
- AS 1288 - Glazing Materials
- AS 3660.1 - Termites
- AS 1668 - Mechanical Ventilation

22. Details of storage and treatment/removal of used sawdust flooring in accordance with the appropriate industry standard shall be submitted prior to the issue of a Construction Certificate

23. Proof of compliance with the Environmental Protection Authority and Office of Water requirements (3 copies) shall be submitted with the application for a Construction Certificate.

ADVISING
The application for Construction Certificate shall include plans and details addressing conditions of Environmental Protection Authority letter dated 17 April 2014 and Office of Water letter dated 25 March 2014. Refer to Part 7 of this Consent.

24. Detailed geotechnical investigations are to be undertaken and submitted to the Principle Certifying Authority prior to the issue of a Construction Certificate confirming engineering design of the facility (e.g. structural design aspects, suitable construction materials, construction methods, foundations).

25. Structural Engineers details of the footings, floor slab and structural components of the buildings (including site office/central amenities building, workshop and saleyard complex) must be submitted to the Principal Certifying Authority prior to the issue of a Constructions Certificate.

26. Hydraulic Engineers details of the effluent disposal systems (including grease trap facility and arrestors), stormwater drainage systems, rainwater tanks and fire services, are required to be submitted to and approved by Council prior to issue of the Construction Certificate

    The application is to include manufacturer's plans and details of the facility and drainage plans based on the maximum seating capacity and maximum wastewater production.

27. Details of the kitchen fit out which show compliance with the *requirements AS 4674-2004, Design, Construction and Fit-out of Food Premises* are to be submitted with the application for a Construction Certificate. Particular attention is drawn to the provision of solid wall construction (eg masonry, hebel blocks) within food preparation areas.

28. Lighting is required to provide security to the facility. Details of any external lighting within the site are to be submitted and approved by the Principal Certifying Authority prior to issue of the Construction Certificate. For the purpose of amenity any external lighting is not to adversely impact adjacent properties by way of excessive light. The intensity of the lighting should be able to be redirected if excessive to adjacent properties.

29. Details of a brief traffic management plan, hoarding and alternate pedestrian paths shall be submitted to the Council's Engineering Department for approval prior to issue of the Construction Certificate. All care shall be taken to safeguard both contractors and the public while the works are being carried out. The traffic management plan should endeavour to minimise disturbance to pedestrian/vehicle traffic in the vicinity of the site during the construction works. Details to be submitted to the Council prior to issue of the Construction Certificate.

30. Detail of the provision of waste storage facilities within the building sufficient to hold the likely maximum waste accumulation between collections in order to maintain public health and amenity. Details to be indicated on plan to the satisfaction of the Principal Certifying Authority before the issue of a Construction Certificate for the development.

ADVISING
Consideration should be given to the development incorporating materials recycling facilities for glass, plastics and paper packaging products generated by the development, to minimise the need for solid waste from the complex having to be directed to landfill disposal

31. Details of the colour, finish and substance of all external materials are to be submitted to Council for approval prior to issue of the Construction Certificate. Samples of all external materials, finishes and colours to be submitted for approval by the Principal Certifying Authority prior to issue of the Construction Certificate. Colours to be non-reflective

natural/earthy tones that fit with the landscape of the locality. New materials shall be sympathetic and compatible to adjoining properties.

32. The roof finish shall not be highly reflective and must be compatible with the surrounding environment. Detail to be submitted to and accepted by the Principal Certifying Authority prior to issue of the Construction Certificate.

33. A detailed landscaping plan is to be submitted with the application for a Construction Certificate. This plan is to indicate species, height and location of plantings.

ADVISING:
All planting is to take place in suitably prepared plant beds. Preparation is to include weed removal and cultivation of the soil. All plants are to be planted at appropriate centres so that when mature a continuous cover of the ground is provided.

All plant beds are to be mulched with organic or gravel mulch to a minimum depth of 75mm.

An edge is to be provided between garden areas and grassed areas to facilitate maintenance and plant establishment. Suitable materials include timber, concrete, brick, PVC.

The landscaping plan is to incorporate the requirements of the Office of Environment & Heritage as detailed in Section 7 of this Consent.

34. The vegetation protection fences for trees to be retained on site are to be installed prior to commencement of any works on site and maintained in good order for the full construction period. The purpose of the fences is to protect the root zone of the trees. No materials, including soil and building rubble to be stored, no cleaning of equipment e.g. cement mixers etc, no temporary structures be erected, no circulation of vehicles including earth moving equipment, to take place within the drip line of the trees to be retained.

PART 3. PRIOR TO COMMENCEMENT OF WORKS

35. Nominate a Principal Certifying Authority (PCA) and the PCA is to notify the Consent Authority and Council of their appointment, two (2) days prior to commencing work.

36. Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.

37. A sign is to be erected on the development site, which shows the Builder's name and contact details and the Principal Certifying Authority for the development.

38. A Construction Environmental Management Plan (CEMP) be prepared with relevant agencies and approved prior to construction commencing. The CEMP would include, but not limited to, procedures for:

- Meeting consent and licence conditions
- Minimising noise and dust
- Protecting water quality
- Access management and traffic safety
- Training and awareness
- Communication and complaint handling
- Responsibilities for implementation and reporting requirements

The CEMP would include the following sub-plans:

- Soil and Water Management Plan
- Traffic Management Plan
- Heritage Management Plan

- Construction Noise Management Plan
- Flora and Fauna Management Plan
- Other sub-plans as required to meet conditions of Consent or licence conditions

39. Run-off and erosion controls must be implemented in accordance with the approved Soil and Water Management Plan to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land as follows:
    - Divert uncontaminated run-off around cleared or disturbed areas, and
    - Erect a silt fence to prevent debris escaping into drainage systems or waterways, and
    - Prevent tracking of sediment by vehicles onto roads, and
    - Stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.

40. An inspection and test plan for all civil engineering works shall be submitted to Council's Engineering Department for approval in accordance with Council's *Construction Specification – Ausspec#1, Annexure CQS-14*

41. In accordance with s138 *Roads Act 1993* any contractor undertaking works in an existing Council road reserve shall submit the following details and be recognised by Council as an "Approved Contractor" for such works:

    (a) A current public liability certificate with a minimum cover of $20M
    (b) Current Plant / vehicle insurances
    (c) A certified traffic control plan for the proposed works

42. Prior to any construction taking place the Old Telegraph Inn area is to be protected by:

    - A permanent fence to provide a 2m buffer to the ruins
    - Stabilisation of the ruin by suitable re-pointing to shed rainwater off the stone work
    - The preparation of a Management Plan including provision of future excavation, stabilisation and interpretation

PART 4. DURING CONSTRUCTION

43. All building and engineering work is to be undertaken in accordance with the Construction Certificate issued for the facility.

44. To ensure that the development is carried out in such a manner to ensure that the environmental, social and economic assets of the Shire are protected all construction waste associated with any demolition and construction work shall be separated into components of:

    (a) Asbestos
    (b) Clean fill
    (c) Bricks, tiles, concrete
    (d) Steel
    (e) Other metals
    (f) Timber & vegetation
    (g) Other material

    Any asbestos shall be handled, removed and wrapped in accordance with relevant regulations and WorkCover directions and taken to Murrumbateman Landfill. Two days notice of delivery is required

    Fill and other bulk waste materials shall be taken to a licensed Landfill facility. Other waste materials may be taken to one of Council's Transfer Station facilities and deposited in the appropriate separated pile.

45. The Local Aboriginal Land Council be informed at least 4 weeks prior to construction commencing at the site so that they can arrange to monitor the topsoil removal for the presence of artefacts at the site.

46. If any Aboriginal archaeological material is located during the course of the construction, works are to cease in the area of the find and the Cultural Heritage Division of the Office of Environment & Heritage (OEH) and the Local Aboriginal Land Council shall be contacted to determine a course of action.

ADVISING:
Under s89A *National Parks & Wildlife Act 1974* it is an offence for any person not to notify OEH of the location of nay Aboriginal object the person becomes aware of, not already recorded on the Aboriginal Heritage Information Management System (AHIMS). An AHIMS Site Recording form should be completed and submitted to the AHIMNS Registrar for each Aboriginal site found during excavations

47. The property vehicular accesses from the road to the property boundary and the car park area and internal accessways shall be constructed in accordance with the approved Construction Certificate drawings.

48. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

49. In accordance with s109E(3) *Environmental Planning & Assessment Act 1979* and Clause 162A *Environmental Planning & Assessment Regulation 2005* the following Mandatory, Critical Stage Inspections need to be carried out by the Principal Certifying Authority. (PCA)

Forty-eight (48) hours notice is required prior to these inspections.
- Following any excavation and before the placement of any footings; and
- Prior to covering any stormwater drainage connections; and
- After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

ADVISING
If Council is the nominated Principal Certifying Authority**,** Council requires the following extra stages of construction to be inspected. Forty-eight (48) hours notice is required prior to these inspections.
- Steel reinforcing before pouring of concrete slab.
- Framework before cladding or lining is fixed.
- Sealing of the wet areas before wall linings are fixed and before floor and wall tiling is fixed.

50. The construction of the kitchen is to comply with the requirements *AS 4674-2004, Design, Construction and Fit-out of Food Premises*.

51. All construction work shall be carried out only between the hours of 7.00am and 6.00pm Mondays to Fridays inclusive and on Saturdays between 7.00am and 1.00pm if inaudible on residential premises, otherwise 8.00am to 1.00pm.

No construction work shall take place on Sundays or Public Holidays. A written application shall be made to the Council if a variation of these hours is required. The application shall indicate the reasons for the variation. The Council shall, if it so desires, grant any variation in writing.

52. Activities occurring at the site must be carried out in a manner that will minimise emissions of dust from the premises. Trucks entering and leaving the premises that are carrying excavated dusty materials, including clays, sands and soils, must be covered at all times, except during loading and unloading.

53. To preserve and enhance the natural environment, all soil erosion and sediment control measures must be inspected following each storm event and any necessary maintenance work shall be undertaken to ensure their continued proper operation. Sediment shall be removed from soil erosion and sediment control measures when no more than 40% capacity has been reached and appropriately disposed of. These measures shall continue in proper operation until all development activities have been completed and the site is fully stabilised.

54. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

55. To prevent the loss and transport of sediment from the development site and deposition into waterways, for the protection of the environment sediment controls shall be provided along the downhill drainage side(s) of the development and construction sites. The controls may consist of hay bales or sediment fencing and must be installed prior to the commencement of any work involving the disturbance of the ground surface. The controls are to remain in place until all disturbed ground surfaces are rehabilitated/revegetated and stabilised to prevent erosion or sediment loss.

56. Topsoil shall be stripped from areas to be developed and stockpiled within the site. Stock-piled topsoil on the site and be protected from run-on water by suitably positioned diversion banks. Where the period of storage will exceed 14 days stockpiles are to be sprayed with an appropriate emulsion solution or seeded to minimise particle movement.

57. Any stock-piled topsoil on the site must be located outside drainage lines and where the period of storage will exceed 14 days stock-piles are to be sprayed with an appropriate emulsion solution, seeded to minimise particle movement or appropriately covered to minimise particle movement.

58. No heavy vehicles and equipment associated with the development are to access the site outside of the specified construction hours, that is, between the hours of 7.00am and 6.00pm Mondays to Fridays inclusive and on Saturdays between 7.00am and 1.00pm if inaudible on residential premises, otherwise 8.00am to 1.00pm. No work Sundays and Public Holidays without written approval of Council.

59. Vehicles and equipment associated with the construction are to be located to ensure there is no adverse impact on existing residences in the locality.

60. The construction works are to be supervised by a suitably qualified and experienced civil engineer on a daily basis (or as agreed to with the Principal Certifying Authority). This supervising engineer is to ensure compliance with the requirements of the specification, adherence to design plans and quality control of the works.

61. Appropriate measures are to be implemented to ensure no dirt or sediment is deposited on the road from vehicles and equipment associated with the development.

62. Building materials must NOT be placed or stored on the road or footpath.

63. No fill permitted to change existing ground levels at the property boundary. Any proposed fencing is to be on existing ground level.

64. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them being dangerous to life or property in accordance with WorkCover requirements. It will necessary to ensure that the excavation is not within the zone of influence on the footings of buildings on the adjoining properties.

65. In the erection or demolition of a building, if the soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided and adequate provision for drainage must be made. Approval is required for any retaining walls over 600mm in height.

66. The applicant or developer will be required to pay the full cost of restoration to the road, swale/kerb and gutter, concrete footpath and/or street trees, should any damage occur during construction.

67. No part of the civil works or building works (including eaves or guttering and retaining walls) is to encroach over the boundaries. The proposal is to be set out by a Registered Surveyor and a Survey Report is to be submitted to the Principal Certifying Authority to ensure compliance with the Development Application.

68. Subterranean termite control is to be provided to the buildings in accordance with the Building Code of Australia. This shall include the permanent fixing to the building of a durable notice in a prominent location such as the meter box or the like, which indicates the following:
    - The method of protection; and
    - The date of installation of the system; and
    - Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
    - The installer's or manufacturer's recommendations for the scope and frequency of future inspections for termite activity.

69. All plumbing and drainage work is to be undertaken in accordance with the provisions of the P*lumbing Code of Australia* and the *Plumbing & Drainage Act 2011*

ADVISING
The tradesman must submit a standard Notice of Work form (as developed by the Office of Fair Trading) to Council prior to the commencement of plumbing or drainage works.

70. The following works are to be inspected by Council as the Water and Sewer Authority.

    Forty-eight (48) hours notice is required prior to these inspections.

    - Plumbing and Drainage before backfilling.
    - Pressure testing or waterpipes within the building prior to fixing of linings.
    - Final inspection of water plumbing and sewage drainage.

ADVISING
Inspections fees must be paid prior to commencing any plumbing and drainage work. If Council is not the nominated Principal Certifying Authority (PCA) it will be necessary to pay plumbing and drainage fees.

71. All new hot water installations shall deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50 degrees Celsius in accordance with AS 3500.

72. The top level of the sewage service yard gully shall be located a minimum of 150mm below the lowest fixture level and a minimum of 75mm above ground level.

Where it is not practicable to locate the top of the yard gully 150mm below the lowest fixture level or 75mm above the surrounding ground level then a reflux valve shall be fitted to the sewer drainage system so as to prevent the backflow from the sewer entering the building.

73. Security fencing to Yass Valley Way and Bellevale Road shall be located behind or integrated within the landscape area. Side and rear security fencing shall be black coloured cyclone chain mesh.

PART 5. PRIOR TO OCCUPATION

74. The facility and building shall not be occupied or used until an Occupation Certificate is issued by the Principal Certifying Authority.

75. In accordance with s94 *Environmental Planning & Assessment Act 1979* and the *Yass Shire Council Section 94 Contributions Plan 2000 for Rural Roads*, a monetary contribution of **$217,664** shall be paid to Council prior to the issue of an Occupation Certificate for the upgrading of rural roads in the locality.

The applicable contribution rate is reviewed annually and new rates, if applicable, become payable from 1 July each year. All contributions shall be paid at the rate determined at the most recent review.

ADVISING:
The contribution figure of $217,664 is based on the 152 additional equivalent vehicle movements which will be generated by this development.

76. A Certificate of Compliance shall be obtained, and relevant contribution fees paid, under s305 *Water Management Act 2000*, in relation to augmentation of Council's water supply system.

ADVISING
The fee for the Certificate of Compliance under s305 *Water Management Act 2000*, with regard to water service augmentation, is $5,001.60 being the total for 0.4 unit increases in demand, calculated on a base rate of $12,504 per unit. It should be noted that:

(a) The base rate utilised above was the rate applicable at the time the application was determined
(b) The amount payable will be calculated on the rate applicable at the time of payment, rather than at the time the application was determined
(c) The base rate per connection may vary over time
(d) Compliance under s305 does not include the physical installation of any infrastructure

77. A Certificate of Compliance shall be obtained, and relevant contribution fees paid, under s305 *Water Management Act 2000*, in relation to augmentation of Council's sewerage supply system.

ADVISING:
The fee for the Certificate of Compliance under s305 *Water Management Act 2000*, with regard to sewerage system augmentation, is $1,911.36 being the total for 0.33 unit increase(s) in demand, calculated on a base rate of $5,792 per unit. It should be noted that:

(a) The base rate utilised above was the rate applicable at the time the application was determined;
(b) The amount payable will be calculated on the rate applicable at the time of payment, rather than at the time the application was determined
(c) The base rate per connection may vary over time

(d) Compliance under s305 does not include the physical installation of any infrastructure

78. A detailed commissioning plan shall be developed for the liquid waste management system. This would include:
- Staged actions to ensure the biological processes come on-line
- Planting and maintenance of the wetland systems
- Monitoring of system performance
- Details of water and sewerage discharge requirements during commissioning

This plan would be prepared and prior to operations commencing.

ADVISING:
A Trade Waste Approval will be required prior to any liquid waste discharge to the sewerage system.

79. One complete set of "Work as Executed" (WAE) drawings, indicating all details of new engineering works constructed, shall be submitted to Council.

The WAE Drawings shall be supplied to Council in the following format:

- AutoCAD LT 2011 on MGA 94 Zone 55 coordinates; and
- PDF; and
- A1 Hard Copy; and

and shall include the following details:

(a) Water – Location, Depth, Size, Material, Easement;
(b) Sewer – Location, Depth, Size, Material, Easement, Invert Level, Grades, Pit Details and tie details;
(c) Stormwater - Location, Depth, Size, Material, Easement, Invert Level, Grades, Pit Details and tie details;
(d) Landscaping Details;
(e) Other Utilities – Gas, Telstra, Electricity, Fibre Optic Cable locations, Depths, Easements and heights in comparison to the roads centre line.
(f) Survey Mark Details – Marker Numbers and AHD.

80. A Constructed Asset Information shall be supplied for all assets dedicated to Council. The required information shall include:

(a) Stormwater Drainage
(i) Pipe type, length and cost
(ii) Pit type, number and cost
(iii) Headwalls, number and cost
(iv) Rockwork area and cost
(v) Stormwater quality improvement features, type, number and component costs

(b) Sewerage Infrastructure
(i) Pipe type, length and cost
(ii) Pit type, number and cost

(c) Water Supply Infrastructure
(i) Pipe type, length and cost
(ii) Valve type, number and cost
(iii) Hydrant type, number and cost

(d) Other Assets
(i) Description, dimensions and cost

81. An Emergency Response Plan is to be prepared to contain any initial outbreak of an emergency disease in consultation with local animal health officials.

82. In order to detail management methods, maintenance and monitoring and reporting requirements the site is to be managed and maintained an Operational Environmental Management Plan (OEMP) is to be prepared for all aspects of site management.

The OEMP is to be prepared in consultation with relevant agencies and approved prior to operations commencing. The OEMP would provide a reporting framework for managing environmental impacts and performance. The OEMP would outline procedures and responsibilities for environmental monitoring; incident reporting and complaints handling; and environmental performance reporting.

Procedures would detail specific performance objectives, include operational protocols and documented work practices, and allocate responsibilities for undertaking all identified activities. The scope and format of the OEMP would be structured to cover requirements in the Environment Protection Licence and Conditions of Consent.

The OEMP would include, but not be limited to, procedures for:
- Meeting consent and licence conditions
- Liquid waste management
- Water system monitoring
- Surface water quality
- Solid waste management
- Minimising noise and dust
- Groundwater monitoring
- Disease management
- Mass carcass disposal
- Access management and traffic safety
- Soil and water management
- Weed and pest management
- Emergency response
- Pollution incident response management
- Training and awareness
- Communication and complaint handling
- Responsibilities for implementation and reporting requirements

83. A street number is to be displayed on the site so that it may be readily seen from the road and is to be undertaken in accordance with the rural addressing requirements of the Geographical Names Board. The number shall be in place at the time of final inspection of the building.

84. Prior to the issue of an Occupation Certificate it will be necessary to submit to the Principal Certifying Authority, a Fire Safety Certificate in respect of the fire safety measures installed within the building.

A Fire Safety Certificate is to state, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated:
- That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and
- That, as at the date of the assessment, the measure was found to be capable of performing to a standard not less than that required by the schedule to the relevant approval.

85. All landscaping work is required to be in place in accordance with the approved plan prior to commencement of the use.

PART 6. ONGOING OPERATION

86. The owner of the building shall ensure that the building is maintained in a clean and tidy manner at all times.

87. The development is to be conducted in a manner to ensure the development does not create a nuisance and that the environment of the surrounding locality is not adversely affected, disturbed or disrupted.

> **ADVISING**
> A nuisance consists of interference with the enjoyment of public or private rights in a variety of ways. A nuisance is 'public' if it materially affects the reasonable comfort and convenience of a sufficient class of people to constitute the public or a section of the public

88. Groundwater is to be monitored every three months for the first 2 years then every 6 months after this time.

The groundwater-monitoring network would include:

- One groundwater monitoring piezometer on the up gradient side of the treatment pond
- Two groundwater-monitoring piezometers on the down gradient side of the site

Groundwater quality monitoring it to include pH; electrical conductivity; exchangeable cations; nitrate; nitrite; ammonia; TKN; total nitrogen; total phosphorus and inorganic phosphorus

Corrective action is to be taken should groundwater quality indicators exceed acceptable levels.

89. The operation of the facility shall be undertaken in accordance with:

- Operational Environmental Management Plan
- The Australian Code of Practice for the Selling of Livestock
- AUSVETPLAN Disease Strategies, Operational Procedures Manuals Management Manuals and Enterprise Manuals for the ongoing management of animal disease emergencies

90. All vehicles entering and exiting the property should do so in a forward direction.

91. There is to be no parking of traffic along Yass Valley Way. All parking is to be undertaken onsite.

92. All landscaping at the site is to be maintained in accordance with the approve landscape plan.

93. The owner of the building shall:

- Furnish to the Council an Annual Fire Safety Statement in respect to each essential service installed in the building
- Ensure that essential services installed within the building are performing to a standard no less than to which the measure was originally designed
- Ensure the safety of fire exits
- Ensure doorways and paths of travel are not obstructed
- Ensure that offences relating to fire exits do not occur within the building

The owner of the building shall:

- Cause a copy of the Certificate to be furnished to the NSW Fire Brigades
- Cause a further copy of the certificate to be kept at the building

PART 7. AGENCY CONDITIONS

94. **Environmental Protection Authority – (Refer to Schedule 1)**
The applicant shall comply with all the General Terms of Approval of the Environmental Protection Authority as detailed in the Authority's letter dated 17 April 2014.

95. **NSW Office of Water (Refer to Schedule 2)**
The applicant shall comply with all the General Terms of Approval of the NSW Office of Water as detailed in the Office's letter dated 25 March 2014.

96. **Office of Environment & Heritage**
The following requirements of the Office of Environment & Heritage shall be met:

- The group of native trees in the north east of the land to be retained and managed for their continued existence
- The area around the proposed wetland ponds in the north east, in association with the adjacent remnant trees to be developed into a habitat area through native tree planting wetlands planting and appropriate management
- The edge of the site facing Yass Valley Way to be planted out with native trees to form a screen for the site and improve habitat values

ADVISING:
Planting along Yass Valley Way may be permitted provided it does not interfere with traffic line of sight or present a hazard to motorists

97. **Roads & Maritime Service**
To ensure appropriate access to the site and management pf traffic generated by the proposal the following Roads & Maritime Services requirements are to be met:

- The intersections of the Yass Valley Way with Bellevale Road and Black Range Road and the roadside is to be maintained so as to provide the required Safe Intersection Sight Distance (SISD) in either direction along the Yass Valley Way in accordance with the Austroads Publications for the prevailing speed limit. Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the works.
- As a minimum the intersection of the Yass Valley Way with Bellevale Road is to be constructed to provide a sealed Channelised Right Turn (CHR) and Auxiliary Left Turn - Short (AUL(s)) treatment in accordance with the Austroads Guide to Road Design for the prevailing speed limit and to cater for largest size vehicle likely to access the site.
- Vehicular and pedestrian access directly between the development site and the road reserve of the Yass Valley Way is denied. Any existing driveways or gates to the Yass Valley Way are to be removed and the road reserve is to be reinstated to match the surrounding roadside landform in accordance with Council requirements.
- Stormwater run-off from the subject site onto the adjoining road reserve as a result of the proposed development is not to exceed the existing level of run-off from the subject site.
- Suitable provision should be made to retard any increased storm water run-off from the site.
- Any road works shall be designed and constructed to prevent water from proceeding onto, or ponding within, the carriageway of the road. If a culvert is to be located within the clear zone for the prevailing speed zone it is to be constructed with a traversable type headwall.
- Any Damage or disturbance to the road reserve (other than the driveway) is to be restored to match surrounding landform in accordance with Council requirements.
- A construction management plan, to address construction activity, access and parking, is to be prepared to ensure that suitable provision is available on site for all vehicles

associated with the construction of the development to alleviate any need to park within, or load/unload from the road reserve. Appropriate signs and fencing is to be installed and maintained to effect this requirement.

- Any works associated with the proposed development shall be at no cost to Roads and Maritime Services.

98. **Department of Primary Industries**
In order to detail management methods, maintenance and monitoring and reporting requirements an Operational Environmental Management Plan shall be prepared in consultation with the Department of Primary Industries for all aspects of site management including:

- Dust
- Disease
- Mass Carcass disposal
- Weed and pest management
- Emergency responses
- Surface water quality
- Liquid and solid waste
- Soil and water management