

JRPP No:	2014WES001
DA No:	DA 1/2014
PROPOSED DEVELOPMENT:	The proposed development relates to the staged construction of a poultry hatchery building on Lot 2 DP 1044004 (1311 Snaidero Road) Griffith.
APPLICANT:	Bartter Enterprises Pty Ltd C/O – PSA Consulting PO Box 15339 City East, QLD 4002
REPORT BY:	Kelly McNicol, Coordinator of Planning and Compliance, Griffith City Council

Assessment Report and Recommendation

Owner: Bartter Enterprises Pty Ltd

Lodgement Date: 2 January 2014

Capital Investment Value: \$37,958,691

Land Zoning: 1(e) Rural Industry and Employment

Current Use Hatchery

EXECUTIVE SUMMARY

Proposal

Development Application 1/2014 seeks consent for the construction of a poultry hatchery building including an amenities and office block; open and covered plant areas; an internal loop road; stormwater infrastructure and a carpark on Lot 2 DP 1044004 (1311 Snaidero Road). The total GFA of the hatchery development is 20,198 m²:

1. 815 m² office and amenities

2. 16,095 m² main hatchery building (height of 7.65 m.)
3. 672 m² of enclosed plant areas and

The applicant proposes to stage the construction of the main hatchery building and the production levels of the development. In stage 1, the floor area of the structures and plant areas on site will equate to 12,645 m² with the capacity to produce 2.2 million chicks per week. In stage 2, an additional production area of 4,937 m² is proposed to be added to the main hatchery building which will increase the production capacity of the facility to 3 million chicks per week. Additional covered plant areas and open plant areas are also proposed to be provided in Stage 2.

Type of Development

1. The proposed development is considered local development requiring determination by the Joint Regional Planning Panel as its Capital Investment Value (CIV) exceeds \$20,000,000 as per Schedule 4A of the *Environmental Planning and Assessment Act 1979*.

Consultation

Prior to lodgement of the application, consultation with the NSW Department of Planning and Infrastructure occurred to verify that the proposed development was not considered State Significant development as per Schedule 1 – State Significant Development – General of SEPP (State and Regional Development) 2011. As the proposed hatchery and the processes inherent in the use of the development did not constitute “Intensive livestock agriculture” it was determined that the proposal was not considered State Significant Development.

Neighbour notification and advertising has been carried out in accordance with Council’s Notification Policy (Development Control Plan No. 25). During the notification period zero (0) submissions were received from the public. Consultation with internal divisions of Council also occurred as part of the assessment of the development application. External referrals were provided to the NSW Environmental Protection Authority (EPA) and the NSW Roads and Maritime Services (RMS) (refer to Attachment ‘C’).

Main Issues

1. The RMS and Council have required that intersection treatment works be carried out at the corner of Snaidero Road and the Kidman Way and at the accessway of the development.
2. The water demands of the development will be required to be clarified prior to the development of the site to ensure the existing Council water mains in the locality can cater for the increase in demand.

Recommendation

It is recommended that Development Application 1/2014 be approved pursuant to Section 80 of the *Environmental Planning & Assessment Act, 1979*, subject to the conditions of consent contained within Attachment ‘D’ of this report.

ASSESSMENT

Site History

Current land use	The site is presently used as a Hatchery.
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Previous approvals	<ul style="list-style-type: none"> • DA 72/1985 – Construction of Hatchery • BA 409/1989 – Construction of Dwelling • DA 74/1993 – Vehicle Storage Shed • DA 57/1993 – Internal Alterations to Hatchery • S38/2001 – Boundary Adjustment • DA 84/2004 – Additions to an existing hatchery & loading dock • DA 434/2004 – Additions to an existing building for the purpose of amenities. • DA 72/2008 – two (2) lot Torrens Title Subdivision • DA 262/2010 – Expansion of the existing hatchery – has not been acted upon.
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Timeline of Events Pertaining to the Development Application

Lodgement Date	2 January 2014
Date JRPP Notified	13 January 2014
Notification Period	17 January 2014 to 3 February 2014
Internal Referrals Sent	6 January 2014
External Referrals Sent (RMS and EPA)	13 January 2014
External Referrals Received (Attachment 'C')	3 February 2014
Draft Conditions Sent to Applicant for Review	26 February 2014
Applicant's Response to Draft Conditions and Amended Drawings Provided to Council (Attachment 'E' and 'F')	14 March 2014
Assessment Report, Draft Conditions and Attachments Sent to JRPP	20 March 2014

Site Description

The proposed site is located within Lot 2 DP 1044004 (1311 Snaidero Road) Griffith. The allotment has a roughly square shape with an area of 31.5 ha and has approximately 531 metres of frontage on the western side of Snaidero Road and 512 metres of frontage on the Kidman Way (refer to Figure 1). The site is flat with several mature trees surrounding the existing hatchery complex. The existing hatchery has a surrounding fence with a gate limiting access to the site. Two caretakers dwellings associated with the existing hatchery are located on the subject site as well. The nearest residential dwelling in the locality (not within the subject site) is 220 metres to the south east of the subject site. The lands to the east of the subject site are predominantly zoned 1(g) Rural Mixed Use which permits development for the purposes of rural industry and small trade businesses. Residential dwellings are only permitted ancillary to a non-residential use in this zone. This area presently contains small scale rural industries, horticulture and rural residential dwellings. The lands immediately to the south and west of the subject site are zoned 1(e) Rural Industry and Employment and extending further, the lands are zoned 1(i) Investigation (Industrial) and 1(d) General Expansion – Industrial (refer to Attachment 'A'). Existing land uses in this area include a juice processing facility and a rural supplies and fertiliser storage business. To the north of the subject site, the lands are zoned 5 (a) Special Uses (Saleyards) and 5(a) Special Uses (Sewerage Treatment Plant) which is the location of the municipal livestock saleyard and also the Council Sewerage Treatment Plant.

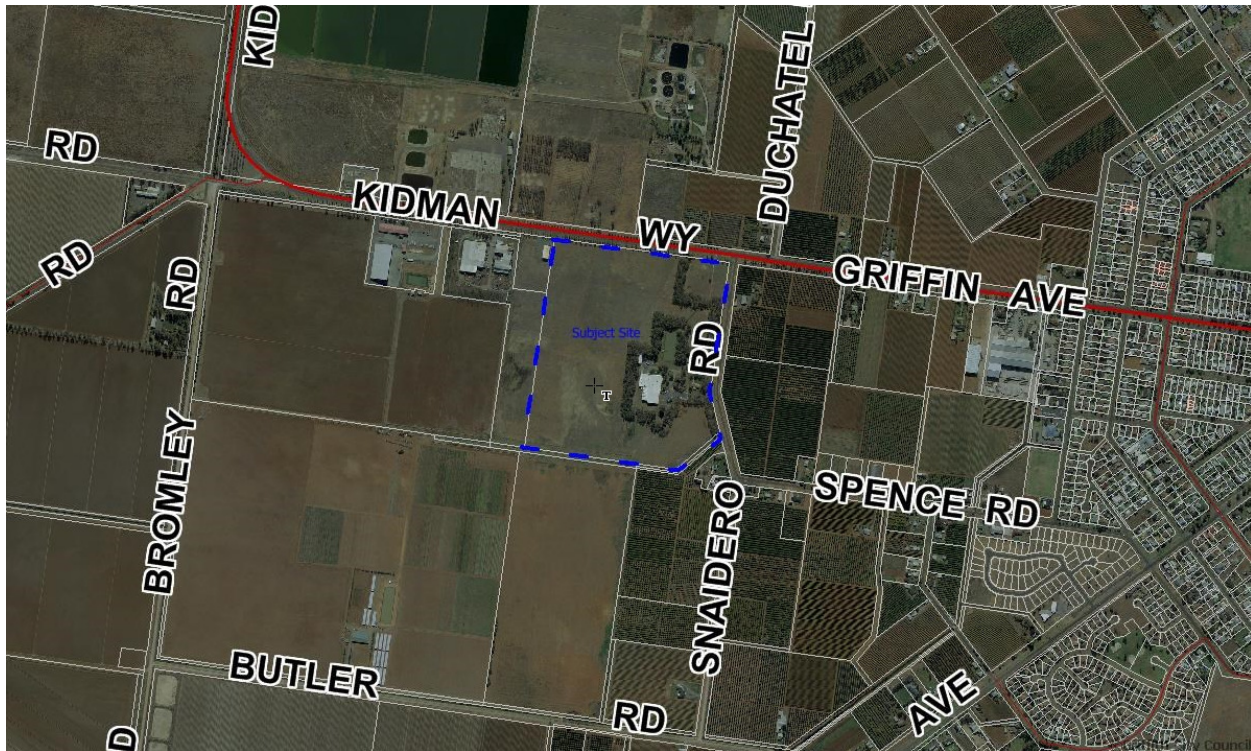


Figure 1 – Locality Plan

Proposal in Detail

Bartter Enterprises Pty Ltd proposes to construct a new hatchery building in two stages at the site of the existing hatchery complex with a Capital Investment Value (CIV) of \$37,958,691 which will increase the production capacity of the site from 750,000 chicks per week to 2.2 million chicks per week after stage 1 and from 2.2 million to 3.0 million chicks per week after stage 2. The proposal includes the construction of:

1. Hatchery Building: 16,095 m²
 - Chick Holding Room
 - Hatcher Room (2)
 - Setter Room (2)
 - Egg Processing area
 - Farm Trolley Store and Wash
 - Chick Processing area
 - Chick Dispatch area
2. Internal loop driveway connected to the existing driveway with access to Snaidero Road (9765 m²).
3. Carpark (50 spaces) (1,028 m²)
4. Office and amenities block connected to the hatchery (815 m²)
5. Enclosed Plant Areas (672 m²)

The new hatchery facility is proposed to be located to the north-west of the existing hatchery with an 80 metre setback from the Kidman Way and oriented on a north-south axis. The proposed height of the main building is 7.65 metres. The structure will be constructed of a steel frame with insulated panels, colourbond roofing and concrete floors. The applicant proposes that the facility would operate twenty four (24) hours a day seven (7) days a week which equates to the same hours of operation as the existing hatchery. However, the applicant has also suggested that the major activities on site (setting, hatching and dispatch) generally occur between the hours of 6am

to 7pm. The applicant has further suggested that the extension of the hatchery will retain the existing fifty (50) employees on site and no increase in employment numbers will result.

The existing hatchery will be retained and used periodically to ensure that if the main plant breaks-down, there is capacity to continue to produce chicks. The applicant has stated that the amount of chicks produced per week will not exceed 3.0 million after stage two.

Background – Current Operation (750,000 chicks/week)

Fertile eggs are transported to the hatchery via vehicles with controlled environment capabilities. The eggs are contained in trolleys (3,520 / trolley) which are transported off the truck and placed in the holding area which is temperature controlled. The eggs are fumigated with formaldehyde and then transported to the setter room at which time they are placed in incubators for a period of seventeen (17) days. The eggs are then transported into the hatching room for three (3) days before hatching. Hatching occurs four (4) days a week on Monday, Tuesday, Thursday and Friday. After hatching, the chicks are graded and counted and placed in boxes, spray vaccinated and dispatched to Newcastle (Monday and Thursday) and local farms (Monday, Tuesday, Thursday and Friday). In general, chicks are dispatched between 10am and 6pm.

Wastes associated with the activities on the site, including egg shell, egg waste, fluff and mortalities are collected via a vacuum pump and held in a sealed bin for transfer to Baiada's rendering plant located at Lot 162 DP 751709 (Murphy Road) Hanwood. Waste water from washdown is collected and discharged onto the adjoining paddock via surface irrigation (refer to Attachment 'B', pg. 7 for a detailed description of the hatchery process).

The applicant has stated that the processes carried out at the new Hatchery building will be generally consistent with the existing operations.

Environmental Planning and Assessment Act 1979

In determining a development application, the consent authority must take into consideration matters referred to in Section 79C(1) of the EP&A Act 1979 which are relevant to the development.

SECTION 79C(1)(a)(i) any environmental planning instrument.

Griffith Local Environmental Plan 2002

1. Permissibility

The subject site is zoned 1(e) Rural Industry and Employment under the provisions of the Griffith Local Environmental Plan 2002. The proposed development is defined as a “**rural industry**” and is permissible development under the provisions of the Griffith Local Environmental Plan 2002 (refer to Attachment 'A').

Rural Industry means handling, treating, processing, packing or transportation of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.

2. Aims and Objectives

The aims of this plan are:

(a) to provide for urban and rural land development by implementing the Griffith Growth Strategy 2030—Urban and Rural Land Release Strategy, and

- (b) to provide a legal basis for development control plans that provide more detailed local planning policies, and*
- (c) to protect areas on which agriculture depends, and*
- (d) to protect areas that are environmentally sensitive, and*
- (e) to manage the urban areas of the local government area by strengthening retail hierarchies, promoting appropriate tourism development, guiding affordable urban form, providing for the protection of heritage items and precincts and controlling the development of flood liable land, and*
- (f) to promote ecologically sustainable urban and rural development, and*
- (g) to promote development of rural land in accordance with the aims and objectives of the MIA & Districts Community Land and Water Management Plan.*

The proposed development is considered to be consistent with the aims of the Griffith Local Environmental Plan 2002.

Clause 10 – Zone Objectives

Zone 1 (e) Rural Industry and Employment

- (a) To provide areas for a range of rural industries and employment-generating uses, and permit commercial development where it is ancillary to and associated with a rural industrial or employment-generating use of land within the zone, or it serves the convenience needs of the workforce in the area, if any such commercial development does not have an adverse impact on the continued viability of land within business zones in Griffith, and*
- (b) To provide land primarily for rural industries so as to protect existing and potential rural industries, and*
- (c) To allow accommodation that is ancillary to rural industries.*

The proposed development is considered to be consistent with the zone objectives of the 1(e) Rural Industry and Employment Zone in that it is an employment-generating rural industrial land use.

Clause 26 – Flood Liable Land

(3) Consent must not be granted to development of any flood liable land unless the consent authority has considered:

- (a) a survey identifying the level of the land relative to the 1 in 100 year flood level,*

Aerial Laser Survey (ALS) of the Griffith CBD area was conducted as part of the Griffith Floodplain Risk Management Study & Plan 2011 (Worley Parsons). The subject allotments were included in this survey and as such information was extrapolated from this documentation.

- (b) the likelihood of loss of life or property from flooding,*

The *Griffith Floodplain Risk Management Study & Plan 2011 (Worley Parsons)* indicates that the existing hatchery site located off Snaidero Road is not classified as flood liable land for the 1 in 100 year flood. As such the loss of life for the subject allotment is unlikely.

As part of the Statement of Environmental Effects a Stormwater Management Strategy Report was submitted by the applicant. This report has provided stormwater design details and hydraulic calculations to ensure that post and pre development flows are retained. As such the proposed development will not have any additional impact on the imminent and/or surrounding locality by implementing an onsite detention system and an overall stormwater design.

- (c) the likelihood of increase demand for flood mitigation measures and emergency services,*

The Griffith Floodplain Risk Management Study & Plan 2011 (Worley Parsons) indicates that the existing hatchery site located off Snaidero Road is not classified as flood liable land for the 1 in 100 year flood.

(d) *any impediments to the operation of floodway systems in times of flood,*

The subject site is not an impediment to any floodway. The subject site is not located in a floodway where significant volumes of water flow during floods.

(e) *the effect of proposed development on adjoining land in times of flood,*

The proposed development will result in additional structures and hardstand areas being constructed and will increase stormwater discharge, however the drainage discharge will be directed to a proposed onsite storage dam. The drainage design for the subject site incorporates all hardstand areas being directed to grassed swale drains into the stormwater detention dam to be constructed onsite.

The Stormwater Management Strategy Report has provided stormwater design details and hydraulic calculations to ensure that post and pre development flows are retained. As such the proposed development will not have any additional impact on the immediate and/or surrounding locality by implementing an onsite detention system and an overall stormwater strategy. This is to ensure that the existing and proposed development does not impact on adjoining land in times of flood.

Considering the proposed stormwater design strategy to be implemented onsite and that the site is not flood liable for the 1 in 100 year event, the construction of the proposed hatchery and associated infrastructure will not create an impact on adjoining land in times of flood for the 1 in 100 year event.

(f) *limits on the intensity of development of urban flood liable land,*

The proposed development is for the increase in the Hatchery production on an existing developed site located off Snaidero Road. The proposed development is not considered to be an over intensification of the site. The drainage design for the site incorporates stormwater detention onsite as a result of the proposed stormwater strategy to be constructed which includes an onsite detention system. Considering the proposed stormwater design strategy to be implemented onsite and that the site is not flood liable for the 1 in 100 year event, the proposed development will not create an impact on adjoining land in times of flood for the 1 in 100 year event.

(g) *the provision of services and facilities appropriate to the flood liability of the land,*

Adequate services relating to the development can be provided and can be appropriately protected from flood waters. A condition shall be imposed on the development that the floor height for any future buildings be constructed a minimum of 410 mm above the surrounding ground level. Therefore services and facilities will be protected.

(h) *the effect of the proposed development on the watertable of that land or of land in its immediate vicinity.*

As part of the stormwater design, an onsite detention system will be constructed on the site. In addition, waste water from the site which is generated as a result of sanitation and wash down procedures will be collected by internal drains and discharged to a centralised catch pit. The waste water is then disposed on the adjoining paddock by irrigation in accordance with the *Protection of Environment Operations (Waste) Regulation 2005 – The Effluent Exemption 2008*. As per the

existing operation onsite, the applicant has stated that the irrigation discharge point will be moved regularly and regular soil testing undertaken to ensure application rates are not exceeding the carrying capacity of the fields. Therefore, regular monitoring of the soil will be conducted to ensure any changes to the watertable are documented.

Clause 29 – Development in Zones 1(e) and 4(a) adjacent to existing and proposed residential zones and rural small holding zone.

Consent may be granted for development on land within Zone 1 (e) and 4 (a) that is adjacent to land within Zone 1 (c), 1 (h), 2 (a) or 2 (v) only if, in the opinion of the consent authority, it would be compatible with the character and amenity of the adjacent land in terms of:

- (a) its design, siting and landscaping, and*
- (b) its methods and hours of operation, traffic generation and car parking, and*
- (c) any noise, light, dust or odour nuisance that may arise from carrying out the proposed development, and*
- (d) privacy and overshadowing.*

Although the proposed development is located within a 1(e) zone, it is not located adjacent to any residential or rural small holdings zones or any lands to be zoned residential.

Clause 57 – Availability of Essential Services

- (2) Consent must not be granted to the carrying out of development on any land unless;*
- 3. a potable water supply and facilities for the removal or disposal of sewage and drainage water are available to that land, or*
 - 4. arrangements satisfactory to the Council have been made for the provision of that supply and those facilities, if the proposed use of the land will, in the opinion of the consent authority, generate a need for such a supply or for those facilities.*

A Council owned 100mm diameter potable water main exists along Kidman Way north of the subject site. A Council owned 180mm diameter, potable water main exists along Snaidero Road east of the subject site.

The subject site has an existing potable water meter connected to Council's potable water main located on Snaidero Road to service the subject development. The applicant has stated an increased potable water demand will be required as part of the development expansion proposed. However, the applicant has not provided an indication as to whether the existing potable water meter is required to be upgraded as a result of the development. Annual water demand values have been provided by the applicant, however prior to the issue of the Construction Certificate additional details are to be provided to Council for the water demand required by development. The additional information is to include the maximum daily demand and instantaneous demand required for potable water for the development to ensure Council's water main located along Snaidero Road and Kidman Way can provide adequate flow rate and pressure to supply the development. Should Council's existing potable water main not be able to provide the water demand required for the development, then the applicant will be required to upgrade Council's water main infrastructure.

The drainage design for the site incorporates stormwater detention onsite as a result of the proposed stormwater strategy which includes the construction of an onsite detention system. The Stormwater Management Strategy Report has provided stormwater design details and hydraulic calculations to ensure that post and pre development flows are retained.

State Environmental Planning Policies

The following SEPPs apply to this development:

SEPP (Rural Lands) 2008.

As the subject site is located within a rural zone, the above mentioned SEPP applies to the proposed development. In particular, the “Aims of Policy” and the “Rural Planning Principles” apply to the development:

Clause 2 Aims of Policy

The aims of this Policy are as follows:

- (a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,*
- (b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,*
- (c) to implement measures designed to reduce land use conflicts,*
- (d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.*

The proposed development is considered to be rural related development which is not contrary to the orderly and economic development of lands in the locality and within the City of Griffith as a whole. Measures designed to reduce the land use conflicts between the proposed and existing development and sensitive uses within the locality will be discussed later in this report, but include noise and odour attenuation measures and landscaping. It appears that the proposed development is consistent with the aims of *SEPP (Rural Lands) 2008*.

Clause 7 Rural Planning Principles

The Rural Planning Principles are as follows:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,*
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,*
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,*
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,*
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,*
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.*

The proposed development does not appear to be inconsistent with the Rural Planning Principles outlined above.

SEPP (Infrastructure) 2007

Under the provisions of Schedule 3 of the SEPP, the proposed development is considered to be a “Traffic generating development” requiring a referral to the NSW Roads and Maritime Services as the proposed development is a type of “industry” on a site with a size or capacity in excess of

20,000 m². The RMS have provided a letter dated 3 February 2014 which states that they raise no objection to the development subject to Council ensuring the conditions of consent provided in Attachment 'D' are complied with. The contents of these conditions will be discussed later in this report.

SEPP (State and Regional Development) 2011

The proposed development is not considered a type of development which would be declared a State Significant Development under Schedule 1 – State Significant Development – General. In discussions with Chris Ritchie from the NSW Department of Planning and Infrastructure it was determined that the proposed hatchery was not considered to be either of the following types of development listed in Schedule 1:

- *Intensive livestock agriculture*

Development for the purpose of intensive livestock agriculture that has a capital investment value of more than \$30 million.

- *Agricultural produce industries and food and beverage processing*

Development that has a capital investment value of more than \$30 million for any of the following purposes:

(a) abattoirs or meat packing, boning or products plants, milk or butter factories, fish packing, processing, canning or marketing facilities, animal or pet feed production, gelatine plants, tanneries, wool scouring or topping or rendering plants,

(b) cotton gins, cotton seed mills, sugar mills, sugar refineries, grain mills or silo complexes, edible or essential oils processing, breweries, distilleries, ethanol plants, soft drink manufacture, fruit juice works, canning or bottling works, bakeries, small goods manufacture, cereal processing, margarine manufacturing or wineries,

(c) organic fertiliser plants or composting facilities or works.

“Intensive livestock agriculture” is defined in the standard instrument as:

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

(a) dairies (restricted),

(b) feedlots,

(c) piggeries,

(d) poultry farms,

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

The proposed development is not considered a “poultry farm” as the chicks are not raised or fed within the site and are immediately removed once hatched. Nor is the proposed development considered an “agricultural produce industry” as a hatchery is not listed within the definitions contained in Schedule 1 (3) and cited above. As such the proposed development is considered “local” development.

SECTION 79C(1)(a)(ii) any draft environmental planning instrument.

The Draft Griffith Local Environmental Plan 2013 has been publically exhibited for a period of 40 days and Council has lodged a Planning Proposal with the Department of Planning and Infrastructure and requested that the plan be gazetted. At the time of lodgement of this application, the draft Plan had not been gazetted. Clause 1.8A "Savings provisions relating to development applications" states that "*If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.*" As such, this development application can only be assessed based on the Griffith Local Environmental Plan 2002.

SECTION 79C(1)(a)(iii) any development control plan.

Development Control Plan No. 1: Non urban development

The proposed development is located within a 1(e) Rural Industry and Employment zone and therefore Development Control Plan (DCP) No. 1: Non-Urban Development applies:

Bulk, Scale, Setbacks and General Amenity

1. N/A
2. N/A
3. *for allotments exceeding 0.3 hectares a 10 metre setback is required from all boundaries.*

The proposed development is setback in excess of ten (10) metres and it appears that the proposed development will have an 80 metre setback from the Kidman Way.

Landscaping

1. *The required setback area in subclause (a) to all boundaries is to be soft landscaped to a minimum of 90% of that part of the lot.*
2. *No more that 10% of the front yard is to be paved or sealed*

The applicant has suggested that the proposed development will not alter the approved and existing landscape buffers along Snaidero Road and the existing hatchery area. However, the new structure will be built in a vacant area of the subject site adjacent to the heavily treed existing hatchery development. The applicant will be required to provide Council with a Landscape Plan which provides for the planting of native vegetation within the ten metre setback similar to the existing vegetation on the site.

Site Access

1. *Where the access way connects to a sealed road, the access way and suitable tapers are to be bitumen sealed or equivalent hard surface between the property boundary and the road carriageway.*
2. *Where the access connects to a gravel road, the access way and suitable tapers are to be constructed to gravel road standard, between the property boundary and the road carriageway.*
3. *Concrete pipe culvert with standard headwalls is to be constructed at a suitable location relative to the table drain and clear of the edge of the road carriageway. Design and construction is to be to Council's standard.*

4. *Existing channel crossings are to be used to service all existing and proposed structures on the allotment. Only one channel crossing per road frontage shall be permitted to be used to access allotments. Where additional channel crossings are proposed consent shall be obtained from Murrumbidgee Irrigation and Council prior to construction.*
5. *In 1(a) Rural and 1(b) Rural Agricultural Protection zones, where the access connects to a sealed Council road (except arterial roads) and there is no change to the agricultural utilisation and/or no additional access points to existing dwellings and the access ways are well constructed and maintained, bitumen sealing will not necessarily be imposed. (Note: Should the development change, then the situation should be reviewed.)*
6. *Driveways shall be a minimum of six (6) metres wide between the edge of the road carriageway and the property boundary. Internal driveways shall be a minimum of three (3) metres wide.*

The existing access which will service the proposed development connects to Snaidero Road and is sealed. The accessway and tapers are appropriately sealed between the property boundary and the road carriageway. The internal driveway is presently seven (7) metres wide and permits two (2) way travel. The proposed internal loop road will allow for two (2) way travel of vehicles and is eight (8) metres wide.

Non Residential Amenity/character

Non-Residential Development in Zones 1(e) and 1(g)

1. *Amenity/character: The non-residential use does not result in a detrimental impact on surrounding amenity and character.*
2. *Statement of Environmental Effects for any development shall demonstrate that*
 1. *The scale and character of buildings are compatible with the nature of the locality.*
 2. *The level of noise and volume of traffic and machinery does not exceed those normally relating to the urban area.*
 3. *The hours of operation are restricted to normal business hours or as otherwise approved by the consent authority*
 4. *The proposed development will be located and positioned in such a manner that overlooking of nearby adjoining uses are avoided.*
 5. *Buildings will be positioned well away from sensitive nearby adjoining uses to allow for ample buffers from possible sources of noise, odour, light and air emissions, dust generating uses and potential pollutants.*
 6. *Generous landscaping will be established between the buildings and any adjoining sensitive land use.*
 7. *Adequate off-street parking is provided in accordance with Council's policy – DCP No. 20 – Off-Street Parking.*

The proposed development will have the appearance of an industrial warehouse similar to the existing hatchery. As the locality includes predominantly rural industries contained within large sheds, the proposed appearance of the hatchery is not considered to detract from the character of the locality. With the exception of truck noise associated with the delivery of eggs and the shipment of newly born chicks, the operation of the new facility will be similar to other industrial uses in the urban / rural fringe areas. During two site visits which included periods in which deliveries were occurring, noise associated with the existing hatchery was minimal and was limited to truck movements. The dispatch of chicks largely takes place during normal business hours which lessens the potential impact on receptors in the area.

The existing hatchery is presently screened from the residential dwelling located 220 meters to the south east by mature trees. The location of the new hatchery building will be further away from the dwelling (431 metres from the dwelling across Snaidero Road at corner of Kidman Way). As such, it appears that the applicant has attempted to locate the building away from sensitive uses. Generous landscaping exists around the present hatchery building. As a condition of consent, the applicant will be required to establish similar landscaping in the form of native tree species around the new hatchery building and ring road.

In summary, it would appear that the proposed development is able to meet the requirements of DCP No. 1.

Development Control Plan No. 3: Industrial Development

As the proposed use is considered a 'rural industry', the provisions of DCP No. 3 apply to the proposed development. The relevant standard requirements outlined in Attachment 'A' of DCP No. 3 have been reviewed based on the applicant's proposal.

1. *Buildings are to be setback a minimum of 10 metres from the front boundary and 25% of the area is to be landscaped.*

The proposed facilities are setback well in excess of 10 metres and adequate landscaping will be required as a condition of consent.

2. *Access, carparking, loading and unloading facilities, drainage and external construction works are to comply with Council's Development Manual*

The applicant will be required to construct the driveways to the requirements specified in Council's *Engineering Guidelines – Subdivisions and Development Standards 2008* as a condition of consent.

3. *Vehicular Access with a minimum of 3.5 metres for one way movement and 6.5 metres for two way movement is to be provided.*

The existing access meets this requirement.

4. *On-site parking is to be provided in the ratio of 1 space for each 100 square metres of the building and 1 space per employee.*

Parking requirements have been calculated as per Development Control Plan No. 20 below.

5. *The design of the building is to be functional for its intended purpose.*

It appears that the applicant has taken into consideration all of the required processes associated with a hatchery in the design of the proposed building.

6. *Side or rear walls where not brick are to be pre-coloured metal cladding and should provide satisfactory appearance when viewed from the street.*

The proposed development will have an industrial appearance to match the existing hatchery which will incorporate pre-coloured metal cladding.

Development Control Plan No. 20: Off Street Parking Policy

DCP No. 20 provides for car parking standards relating to different forms of development within the City of Griffith. DCP No. 20 suggests for a "rural industry" that a comparative analysis be carried

out using similar types of uses in the LGA to determine an adequate number of parking spaces. However, there are no other hatchery developments or similar types of development in Griffith. Therefore, an analysis of the existing parking arrangements based on the production of 750,000 chicks per week was carried out. The existing hatchery has parking facilities for approximately 55 vehicles. The site was visited at varying times during the day between 8 am and 6 pm to determine if the present parking facilities are sufficient for the existing hatchery. The amount of vehicles within the car park varied from 5 to 22. It also appears that the existing car park will be retained for use. The applicant has proposed to provide an additional 50 parking spaces adjacent to the proposed ring road and the office and amenities block. The provision of over 100 parking spaces on site for an intended 50 employees is seen as more than adequate for the intended use. The proposed development will be required to provide two (2) accessible parking spaces for persons with disabilities as a condition of consent.

Development Control Plan No. 25: Public Notification of DA's

The proposed development is considered 'Specified Development' under Council's DCP No.25 requiring notification to adjoining and adjacent landowners and landowners within approximately 500 metres of the proposed development and the placement of an advertisement in the local newspaper. The application was placed on notification on 17 January 2014 and submissions were received up until 3 February 2014. No submissions or objections were received in relation to this application.

SECTION 79C(1)(a)(iiia) any planning agreement.

There are no planning agreements which apply to this development.

SECTION 79C(1)(a) (iv) the regulations.

The regulations (Sections 92, 93 and 94 of the EP&A Reg) have been considered as part of this development.

Council's building surveyor has assessed the proposed development and has included several draft conditions of consent which would need to be met prior to the issue of a Construction Certificate to appease Sections 92 – 94 of the EP&A Reg.

SECTION 79C(1)(b) the likely impacts of the development.

Context and setting

The subject site is in a locality typified by rural agricultural uses, rural industries and rural residential dwellings. The scenic qualities of the landscape are not expected to be negatively affected by the proposed development as there are similar structures and uses existing in the area. The proposed landscaping of the Kidman Way frontage will mitigate the obtrusiveness of the building from the street frontage. Presently, with the inclusion of heavily treed landscaping, the hatchery is not visible from the majority of the sites frontage. The continued use of the subject site as a hatchery is considered to be compatible with adjacent land uses.

Access, traffic and transport

Existing driveways/accessways

There is an existing accessway which services the Hatchery site along Snaidero Road.

The accessway is approximately six (6) metres wide and is bitumen sealed. The accessway has been constructed satisfactorily and is in a condition acceptable to Council (see photo below).



Photo 1: Looking west at the accessway off Snaidero Road to subject site.

It is recommended that the intersection of the access way into the site off Snaidero Road is upgraded to consist of a Basic Right Turn (BAR) and Basic Left Turn (BAL) intersection. This is due to the size and number of vehicles accessing the site.

Existing road network – The Hatchery site is located on the western side of Snaidero Road which is classified as a “Residential Access Road” as specified on Council’s Road Hierarchy Plan. Snaidero Road is a bitumen sealed road approximately 6.5 metres in width. The road pavement along Snaidero Road is in an acceptable condition. (See photo below.)



Photo 2: Looking south along Snaidero Road.

The Roads and Maritime Services (RMS) have stated in their referral to Council in relation to the development, “the majority of traffic generated by the development will access the site via the intersection of Snaidero Road with the Kidman Way. Given the proposed capacity of the facility and the subsequent increase in heavy vehicle generation, the Roads and Maritime Services considers that the proposal will increase the peak flows through this intersection. Whilst the mid

block capacity of the travel lanes on the Kidman Way has the capacity to accommodate the expected peak flows, as outlined in the submitted documentation, the existing intersection treatment needs to be further considered. The intersection of Snaidero Road with the Kidman Way currently provides a basic T-intersection. However given the current traffic volumes along the Kidman Way and the increase in turning traffic it is considered appropriate that the intersection be upgraded to accommodate the potential traffic generation of a facility of the scale proposed. Therefore the intersection should be constructed to provide for a Basic Right Turn (BAR) and Basic Left Turn (BAL) intersection treatment as a minimum.” (refer to Attachment ‘C’)

Council believes that the Kidman Way/ Snaidero Road intersection will need a Rural Auxiliary Left Turn (AUL) treatment as oppose to the Basic Right Turn (BAR) treatment suggested by RMS. This is due to the large number of heavy vehicles turning left onto Snaidero Road and the high traffic flows along the Kidman Way through the intersection. Council does however support the RMS statement above in regards to the Basic Right Turn (BAR) treatment. As such, Council shall provide a condition on the development that the intersection of the Kidman Way/Snaidero Road is upgraded to consist of a Basic Right Turn (BAR) and Rural Auxiliary Left Turn (AUL) intersection treatment. Photo of the current intersection is provided below:



Photo 3: Looking west along Kidman Way showing intersection of Kidman Way/Snaidero Road.

Type of traffic to the site – The applicant has specified that the type of traffic accessing the subject development would range from Standard Passenger Vehicles to B-Double Vehicles. However, as Snaidero Road has not been Gazetted as a B-Double route the largest vehicle permitted to access the site at this time is a semi-trailer.

Increase in traffic to the site – As part of the Development Application, the applicant has submitted a Traffic Impact Statement which provides the following data:

Table 2: Proposed Vehicle Movements (Weekly)

PURPOSE	VEHICLE TYPE	TRIPS / WEEK
Delivery of eggs and removal of day old chicks	Heavy vehicle	50
Waste removal services	Heavy vehicle	10
Staff and Contractor Vehicles	Private vehicles	210
Totals	Heavy vehicles	60
	Private vehicles	210

Table 4: Proposed Traffic Counts for Type of Vehicles and Frequency

MOVEMENT	VEHICLE	EXISTING MOVEMENTS (750,000 Chicks/Week)	APPROVED MOVEMENTS (1,8 Million Chicks/Week)	STAGE 1 MOVEMENTS (2,2 Million Chicks/Week)	STAGE 2 MOVEMENTS (3 Million Chicks / Week)
Delivery of Eggs	Truck	3 per day (Daily)	7 per day (Daily)	9 per day (Daily)	12 per day (Daily)
Chick Dispatch (Regional)	Truck	1 per day (Mon, Tue)	3 per day (Mon, Tue)	4 per day 2 Days / Week	5 per day 2 Days / Week
Chick Dispatch	Truck	10 per day	10 per day	10 per day (4 Days /	10 per day

The applicant has stated in the Traffic Impact Assessment that the figures above do not warrant the upgrade of the existing access intersection off Snaidero Road or the intersection of Kidman Way/Snaidero Road. The RMS and Council do not support this statement and recommend that the following upgrades are required to the intersections stated above.

As such the existing intersection of Kidman Way/Snaidero Road is to be upgraded to a Basic Right Turn (BAR) and Rural Auxiliary Left Turn (AUL) intersection treatment. In addition, the intersection of the access way into the development site off Snaidero Road is to be upgraded to consist of a Basic Right Turn (BAR) and Basic Left Turn (BAL) intersection treatment.

Loading/Unloading – The applicant has stated that heavy vehicles accessing the subject site will load/unload from the existing sealed designated loading areas onsite. Additional internal driveways, car parking and loading/unloading areas are proposed to be constructed onsite and it shall be conditioned that this infrastructure is bitumen sealed and line-marked to Councils requirements.

Utilities

Water – The subject site has an existing potable water meter connected to Councils potable water main located on Snaidero Road. The applicant has stated that an additional potable water demand will be required as part of the proposed hatchery development. No details have been provided by the applicant as to whether the existing potable water meter and main will be required to be upgraded as a result of the development. Annual water demand values have been provided by the applicant, however prior to the issue of the Construction Certificate, additional details are to be provided to Council outlining the water demand required as a result of the development. The additional information is to include the maximum daily demand and instantaneous demand required for potable water for the development to ensure Council's water main located along Snaidero Road and Kidman Way can provide adequate flow rates and pressure to supply the development. Should Council's existing potable water main not be able to provide the water demand required for the development, then the applicant is to upgrade Council's water main infrastructure to Council's satisfaction.

Sewerage – Council's sewer main infrastructure does not service the site. An existing onsite sewer management system is located onsite to service the existing amenities onsite.

The applicant has stated that liquid wastes as a result of sanitation and wash-down procedures will be collected onsite and disposed on the adjoining paddock via irrigation. Solid waste is collected onsite and transported to a rendering plant off site for processing.

Drainage – The drainage design for the site incorporates stormwater onsite detention. The Stormwater Management Strategy Report submitted by the applicant has provided stormwater design details and hydraulic calculations to ensure that post and pre development flows are retained (refer to Attachment 'B'). As such, a condition shall be imposed on the development which states that the stormwater design for the subject development is constructed in accordance with the Stormwater Management Strategy Report.

Gas, Electricity and Telecommunications - The applicant is to make their own arrangements with the service provider to service the development.

Heritage

No heritage items will be impacted by the proposal. There are no heritage items or conservation areas within the locality of the subject site.

Other land and Resources

The proposed development is not envisaged to impact upon any valuable land resources subject to appropriate management being employed during construction and operation of the facility.

Water

Water usage records of the existing development were ascertained from Council's Water Billing Department for the period of 2006-2010. The existing hatchery presently uses, on average, 18.5 ML of water per annum, has a floor area of 4160 m² and produces 750,000 chicks a week. The existing hatchery mainly uses this water to wash down equipment to ensure industry hygiene standards are met. The proposed facility will allow the hatchery to produce approximately 3.0 million chicks a week and the structure will have an area of 17,500 m². To estimate the amount of water the hatchery will use after the construction of the proposed facility the following formulas were used:

As the water demand of the facility is largely based on wash down of production areas it is appropriate to use the amount of chicks produced per week to estimate the future water demand of the new hatchery. The applicant proposes to triple the production of chicks in Stage 1 which would entail an estimated water usage of 53.6 ML and 74 ML for Stage 2. However, the existing facilities are aging and it is expected that should new water saving mechanisms and equipment be used a substantial reduction of water usage would be evident.

The applicant has suggested that due to the modern hatching, sanitisation and wash down equipment, there will be a significant reduction in water use per egg compared to the current operation. Table 5 in the SEE details that after stage 1 it is estimated that only 23.7 ML of water will be used per annum and 32.3 ML after Stage 2 (refer to Attachment 'B'). It is apparent that the water usage of the proposed development is excessive but required to meet stringent industry standards. It is also apparent that Council's estimates of the demand for water of the development are vastly different than the applicants estimates. As previously stated in this report, the applicant will be required to provide a detailed water demand report as a condition of consent including: maximum daily demand and instantaneous demand

Wastewater collected from the proposed development will be collected via drains and discharged into a catch pit before being disposed of via irrigation on the adjoining field. The existing facility presently uses this system which includes screens fitted to the drains to remove solids from the wastewater prior to disposal.

The applicant suggests that the irrigation of waste water in this manner is consistent with *the Effluent Exemption 2008*. All solids on the site are collected and transported to the rendering plant in an enclosed tank. The applicant will be required to monitor the wastewater irrigation area to ensure that the capacity of the lands to receive wastewater is not exceeded.

Air and Microclimate

The applicant has suggested that the majority of air emissions from the hatchery consist of water vapour and carbon dioxide that are sourced from the incubators and hatchers. Other wastes include fluff from the day old chicks, which is placed at the rear of the site into “fluff chambers” which are kept down using a water mist device and the egg wastes and any mortalities are collected via a vacuum pump and held in a sealed container for daily transferral to the rendering plant.

Jiang and Sands, in their article “Odour and Ammonia Emissions from Broiler Farms” indicate that the main sources of odour generated from poultry farms are a function of the age of the bird, the feed type and the litter moisture content. As the birds are not fed on site, relocation occurs almost immediately after birth and there is no litter used, it would be expected that little to no odour would be generated at the site. Consequently, the existing and new facility is not expected to cause odour disturbances for neighbouring landowners. Council has not received any complaints regarding odour associated with the existing hatchery, nor were any odours discernable during the several visits to the site conducted as part of the assessment of the application.

The primary source of existing odour in the area is the Council sewage treatment plant located to north of the subject property. An odour buffer of 1000 metres has been established for the sewage treatment facility which encompasses the Hatchery and the neighbouring lands to the south. The lands to the south of the proposed development were previously approved for a twenty six (26) lot rural mixed use subdivision (this consent has subsequently lapsed). Each of these lots was required to have a non-residential rural industry or small trade business established prior to the erection of an ancillary dwelling. The odour assessment, prepared by EA Systems as part of the development application for this subdivision concluded that the hatchery was not considered an odour source, whereas the sewage treatment plant required a setback of 450 metres from any future residential dwellings. As such, it would appear that the treatment plant will have a greater effect on limiting any type of residential development in the area than the hatchery. A further discussion on this matter has been provided under the heading ‘cumulative effects’.

The proposed development includes fumigation rooms which will be used to kill bacteria and pests using formaldehyde. The applicant will be required to submit a fumigation management plan as a condition of consent which details the operation of the fumigation rooms. The applicant will also be required to provide adequate bunding of all chemicals stored on site. A condition of consent will be placed on the development requiring that all waste containers and collection vehicles are fully covered and sealed so as to prevent odour impacts in the locality.

Waste

Wastes which will be associated with the proposed development (hatchery) include infertile eggs, egg shell and mortalities. Based on the stated capacity and standard production performance, the applicant suggests that for Stage 1 the daily waste generated is estimated to be:

1. Infertile eggs 5,382 kgs.
2. Mortality 414 kgs.
3. Shell 3,519 kgs.
4. **TOTAL 9,315kgs / day**

It is proposed that the waste would be collected from within the hatchery and transported to closed collection tanks via a vacuum transport system. The transport system consists of stainless steel collection funnels located at the production point from within the facility, stainless steel transport pipes, two 12,000ltrs collection tanks and two vacuum pumps (an active pump and stand-by). The collection tanks are closed vessels, having inlet connection coupling, connected to the waste transport system, and a discharge connection coupling which is connected to the vacuum pump. The tanks are mounted on a skid base with a front mounted hook-lift assembly. Once the tank is filled, it is collected by a hook-lift truck and transported to the rendering plant located on Lot 162 DP 751709 (Hanwood Processing Plant site) and an empty tank is put in its place.

The waste collection system appears to be well contained and is not expected to be a source of odour as the wastes are collected on a daily basis. Although the subject site is expected to create a large amount of wastes on a daily basis, the majority of wastes created on site are reused and processed by the rendering plant at the processing plant site which produces a protein base for feed for livestock. As such it appears that the applicant has adequately accounted for the generation and re-use of wastes on site.

Noise and Vibration

The majority of the noise attributed to the proposed use will be from truck movements. The applicant has stated that due to the nature of the industry, truck movements can occur at any time over a 24 hour period; however the majority of the movements will occur during normal business hours. The applicant suggests that the nearest residential receptor is over 300 metres away. To minimise the on-site noise generated by the hatchery and the truck movements, the following conditions shall be placed on the development:

1. Vehicle motors shall be turned off during deliveries and pick ups and not left to idle during the period of 7pm to 7am.
2. Arrangement of delivery and collection traffic movements primarily during daylight hours.
3. Noise attenuation of all external equipment such as emergency power generator and air-conditioning units.

Social Impacts in the Locality

The proposed development is not expected to create any negative social impacts.

Economic Impact

The proposed development is expected to employ up to fifty (50) people during construction and a maximum of fifty (50) employees at any one time during the operation of the facility. The facility will also cause indirect employment generation for transport companies, agricultural sector employees and heavy machinery maintenance employees. The facility when operational will support the poultry processing industry in Griffith and New South Wales by increasing the amount of chicks provided on a weekly basis. The production of more chicks will result in the expansion and start up of poultry breeding and raising operations. Ultimately the expansion to the hatchery is expected to facilitate the approved expansion to the processing plant in Hanwood under DA 214/2012.

Cumulative Impacts

A possible cumulative impact of the proposed development could relate to odour sources in the area. However, as previously stated, the hatchery is not considered to be a potential odour source which would act to degrade the amenity of the area. The new hatchery is not anticipated to act in unison with other odour sources (sewage treatment plant) to create any negative space crowded or synergistic effects in the locality.

SECTION 79C(1)(c) the suitability of the site for the development

The subject site is considered suitable for the proposed development as there are no constraints posed by adjacent developments, the proposed development is compatible with the land uses in the area, utilities and services are available and can be accommodated for the development and site attributes are conducive to the development. Also, the zoning of the land and the permissibility of the development is a broad indication that the site is suitable for the proposed development.

SECTION 79C (1) (d) any submissions made in accordance with this Act or the regulations.

Public Submissions

There were no public submissions made in regards to development application 1/2014.

Submissions from public authorities

Environmental Protection Authority (EPA)

A referral was sent to the EPA as initial discussions were held with them. The EPA provided a letter in response dated 06 February 2014 which stated that they had no objections to the proposal (refer to Attachment 'C').

Roads and Maritime Services (RMS)

As the proposed development is considered a "Traffic Generating Development" as per Schedule 3 of SEPP (Infrastructure) 2007 a referral was sent to the RMS. In a letter received on 3 February 2014, the RMS stated they had no objections to the proposal, subject to a number of requirements being imposed. Council's development engineers have reviewed these requirements and have drafted conditions of consent based on them (refer to Attachment 'C' and 'D'). The following is a brief excerpt from the letter which elaborates on the RMS's requirements:

"Given the proposed capacity of the facility and the subsequent increase in heavy vehicle generation, the RMS considers that the proposal will increase the peak flows through the intersection. Whilst the mid block capacity of the travel lanes on the Kidman Way has the capacity to accommodate the expected peak flows, as outlined in the submitted documentation, the existing intersection treatments needs to be further considered.

The intersection of Snaidero Road with the Kidman way currently provides a basic T-intersection. However given the current traffic volumes along the Kidman Way and the increase in turning traffic it is considered appropriate that the intersection be upgraded to accommodate the potential traffic generation of a facility of a scale proposed, therefore the intersection should be constructed to provide for a Basic Right Turn (BAR) and Basic Left Turn (BAL) intersection treatment as a minimum.

RMS emphasises the need to minimise the impacts of any development on the existing public road network and maintain the level of safety and efficiency of the public road network."

The recommendations of the RMS have been combined into the draft conditions of Consent in Attachment 'D'.

SECTION 79C (1) (e) the public interest

There have not been any issues raised by the public in regards to this application and it is not anticipated that the health and safety of the public will be affected by the proposed development. Also, the proposed development is not expected to adversely impact on the environment or the character and amenity of the area.

It is considered that the public interest is best served by the consistent application of the requirements of the relevant Commonwealth and State government legislation, environmental planning instruments (EPI), Development Control Plans (DCP), Council policy and ensuring that any adverse effects on the surrounding area and environment are avoided. On the basis that the proposal is considered consistent with the aims and objectives of GLEP 2002 and other EPI's, DCP's and council policies it is therefore unlikely for the application to raise issues that are contrary to the public interest.

CONTRIBUTIONS

Section 64

The water usage of the existing hatchery for the period of 2006-2010 was equal to 92.2 ML of water or 18.5 ML of water per annum. The applicant is required to pay a water contribution based on the increase in demand for water for each stage. As previously stated, the applicant's estimates are vastly different then the estimates of Council based on existing demand. However, it is possible that the new facility will have far superior water saving techniques which would limit the demand for potable water. To ensure Council is provided with an appropriate Section 64 Water Contribution and to ensure that Council's infrastructure (water mains) in the locality can handle the increase in demand, a water usage / consumption report will be required to be provided to Council prior to the lodgement of a Construction Certificate application. Should this report detail that the facility will require more than the 23.7 ML estimated by the applicant per annum, an additional contribution will be required.

Section 94A

Council adopted a Section 94A Contributions Plan on 1 July 2010. Under Part 4, Division 1B "Development Consent Contributions" of the Environmental Planning and Assessment Regulation 2000, Council is able to impose a levy under section 94A of the Act of 1% if the proposed cost of carrying out the development is more than \$200,000. As such, council will require the payment of a **\$379,586.91** contribution prior to the lodgement of an Occupation Certificate application.

RECOMMENDATION

The application has been assessed in accordance with the requirements of the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*. The evaluation demonstrates that the proposal is satisfactory in terms of the matters for consideration identified in the legislation and it is recommended that consent may be granted subject to conditions detailed in Attachment 'D'.

.....
Responsible Officer
Kelly McNicol
Coordinator of Planning and Compliance

.....
Date

ATTACHMENTS

- A: LOCATION PLANS AND PHOTOS
- B: STATEMENT OF ENVIRONMENTAL EFFECTS
- C: RMS AND EPA REFERRALS
- D: CONDITIONS OF CONSENT
- E: AMENDED DRAWINGS RECEIVED ON 14 MARCH 2014
- F: APPLICANT'S REVIEW OF DRAFT CONDITIONS OF CONSENT
- G: COUNCIL'S RESPONSE TO THE APPLICANT'S REVIEW OF CONDITIONS