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- NOTE:**
- a) The Council Committee Minutes Item numbers may be out of sequence. Please refer to Section 10 of the Agenda – Information Report - Committee Decisions Under Delegated Authority for these items.
  - b) Declaration of Councillors and Officers Interest is made at the time the item is discussed.

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET MUNDIJONG ON FRIDAY 3<sup>rd</sup> JUNE, 2005. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 3.03PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

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**1. ATTENDANCE & APOLOGIES:**

IN ATTENDANCE:

**COUNCILLORS:** DL Needham ..... Presiding Member  
JE Price  
AW Wigg  
WJ Kirkpatrick  
THJ Hoyer  
JC Star  
JA Scott  
KR Murphy  
EE Brown

**OFFICERS:** Ms J Abbiss ..... Chief Executive Officer  
Mr M Beaverstock ..... Director Asset Services  
Mr B Coelho ..... Manager Asset Services  
Mrs E Cox ..... Acting Director Corporate Services  
Ms C Eldridge ..... Acting Director Sustainable Development  
Mr B Gleeson ..... Manager Planning & Regulatory Services  
Ms M Kenny ..... Senior Planner  
Mr T Turner ..... Principal Environmental Health Officer  
Mr P Zahra ..... Environmental Health Officer  
Mrs S Rowse - ..... Communications Officer  
Mrs S Langmair ..... Minute Secretary

**APOLOGIES:** Cr IJ Richards

**GALLERY: 18**

**2. PUBLIC QUESTION TIME/STATEMENT TIME:**

Public Question/Statement time commenced at 3.04pm

Steven Salmeri – Hopelands Road

Q The World Health Organisation now confirms that the avian flu has mutated and is now passed from human to human and has once again given an unprecedented warning of a world wide pandemic. In view of this warning should Council be considering expansion of the poultry industry. What is Council's attitude pertaining to its responsibility of "duty of care"?

A The Chief Executive Officer advised that she has not read this particular notice and was not willing to comment on the matter.

Q As the poultry industry operates twenty four hours a day seven days a week with the most intense part at night time, will the Council be employing more health environmental officers and will they be on duty twenty four hours a day seven days a week and will the cost be paid for by the poultry industry?

A The Chief Executive Officer advised that there are no plans for any further Environmental Health Officers to be employed.

Lynne Zaccaria, 542 Utley Road, Serpentine

- Q Has Council still the right to put a life span limit on the proposals for chicken farms?
- A The Chief Executive Officer advised that it is open to Council to put a time limit on an approval but it was unlikely to be upheld on appeal given the significant level of investment required for these proposals.
- Q Can Council refer “Environmental Resources Management Australia” (ERMA) report to the EPA and WAPC considering that the Eastern States Poultry Industry has to have health impact statements in their proposal and this report seems to indicate that Local Government can request same from our industry as in Point 3.5.1?
- A The Chief Executive Officer advised that the application had been referred to the Department of Environment and the WAPC, but legislation does not exist in WA for health impact assessments to be required.
- Q Does our Local Government refer these applications to EPA for formal assessment under ERM Report 3.6?
- A The Chief Executive Officer advised that the EPA are not required to make a formal assessment of this proposal. Dual approval is required by the Council and the Western Australian Planning Commission.
- Q Will Serpentine Jarrahdale Shire check why noise assessments on Punrak Road Poultry Farm has not been completed as this was done by EPA a few years ago and will it require further noise plus odour and dust assessments on same farm?
- A The Chief Executive Officer advised that studies have been carried out at the Punrak Road site and the Shire has requested an update on several occasions from the Department of Environment without any response.
- Q Will the Serpentine Jarrahdale Shire put conditions that (earth) bunding be required on all chicken farms – it is mentioned in their own report (Poultry Farm Code of Practice)?
- A The Chief Executive Officer advised that Council cannot place a blanket response to this question in relation to bunds, every application must be assessed on its merits.
- Q Will the Serpentine Jarrahdale Shire request hoods be put onto fans as in ERM Report 4.2.2 on Henderson Road property (especially now as bird flu H5NI becoming problem)?
- A The Chief Executive Officer advised that as per the officers recommended conditions a range of noise, dust and odour measures are available and considered applicable. The proposed condition requires the applicant to meet outcomes that are clearly specified.
- Q Will the Serpentine Jarrahdale Shire re-insist on vegetation buffer to be maintained and even installed?
- A The Chief Executive Officer advised that a proposed condition was to prepare and implement an approved Landscape and Revegetation Management Plan.

John Mitchell, 510 Henderson Road, Serpentine

- Q Operational Biosecurity – What is a private poultry facility as described by Environmental Code of Practice?
- A The Chief Executive Officer advised that the application had been referred to the Department of Agriculture (DoA) and they had had no comment in relation to the Biosecurity Buffer. The DoA are the relevant government agency in this regard.
- Q Does the review clearly state that there are permanent engineering solutions to all the residents concerns, that is dust, noise, odour and visual ie bio-filters, scrubbers, solid permanent barriers surrounded by maintained vegetation?
- A. The Chief Executive Officer advised there are a number of methods that can be used and that is the recommendation in the report – not bio filters or scrubbers specifically. Stacks are the option that are recommended to be further investigated. The Presiding Member referred to the agenda for today's meeting which has the proposed conditions incorporating advice from the Shire's independent review consultant.
- Q Residents were promised day time pick up trials within two years in 2000. Has the Shire pursued this? The industry can supply day old chicks during day light and any day of the year, why not pick up?
- A. The Presiding Member agreed with Mr Mitchell and advised this is an issue that needs to be taken up with Barter.
- Q Multiple Impacts – I see no reference to this in either the review or the proposal, was multiple impacts considered or not – if not, why not?
- A. The Presiding Member appreciated Mr Mitchell filing out the impact form for his property and working with Shire officers in relation to this.

Peter Mason, Rapids Road

- Q Wasn't aware that the agenda for the Special Council Meeting was on the web site. His issue is that the process is all wrong and that there are so many issues in new application with not enough time to give responses to this information.
- A The Presiding Member advised that notice was given regarding these applications.
- Q Regarding hay bale wall
- A The Chief Executive Officer advised that Council agrees that the hay bale wall is not a suitable outcome and this is reflected in the report and proposed conditions.
- Q Regarding noise issues
- A The Chief Executive Officer advised the proposed recommendation was for six (6) sheds only and there was a recommended condition requiring compliance with the Noise Regulations. The Presiding Member referred to the agenda for the proposed condition on the remainder of the sheds 7-16.

The Chief Executive Officer read out the Officer Recommendations on both applications.

Peter Mason

Q How can the neighbours to this proposed application be assured that they will not be effected by the odours.

A The Chief Executive Officer advised that odour and noise assessments had been undertaken by the proponent and independently reviewed. The proposed recommendation outlines the requirements for compliance with noise and odour requirements.

Steven Salmeri – Hopelands Road

Q Regarding bunding in relation to the floor level

A The Presiding Member clarified that the bunding requirement of 4m was relative to the proposed floor level of the sheds.

Ronald Windass, Town Planner, Dykstra & Associates

Represents the applicant for Development Application – Proposed Poultry Farm Expansion Lot 5 Punrak Road, Serpentine

We have read Council's agenda item in relation to the Poultry Farm expansion at Lot 5 Punrak Road and are encouraged to see the balanced manner in which the technical staff have assessed the public submissions on this proposal. Given that a noise and odour modelling report seems to be the key reasons for the Officer's negative recommendation, the landowner has now appointed GHD Consultants and Lloyd Acoustics to undertake these modelling reports.

In view of this it is respectfully requested that Council defer its decision on this application, subject to the submission of a noise and odour assessment.

An acoustic and odour assessment should be available to Council in several weeks to enable the matter to be considered at the July meeting. This will also provide the opportunity for us to clarify some apparent discrepancies within the existing agenda item.

Gillian Riley

As Gillian Riley was unable to attend the Special Council Meeting, the Chief Executive Officer read out the following statement received from Ms Riley.

Proposal: Poultry farm: Lot 5 Punrak Road and Lot 368 Hopeland Road.

I am unable to attend the meeting on 3 June at 3.00 owing to work commitments. However, since I feel very strongly indeed about these proposals, I ask that you read this statement at the meeting - your letter of the 26th May asked for statements in writing. The statement is as herewith:

I emphatically and implacably am opposed to either the extension of the existing poultry farm or the establishment of another farm. Firstly, because they are outside the poultry farm special control area and therefore, should be rejected outright. If the proposals are not rejected, then any 'special control area' is not worth the paper it is written on. Secondly, it is my firm belief that, according to many other ratepayers, existing poultry farms have a direct

and negative impact on them. No-one in this Shire, or anywhere for that matter, should be subjected to unpleasant ramifications due to the industry of another in the near vicinity. Councillors should, and I am sure, will, in this instance, consider the rights of everyone. Although these proposals may satisfy every environmental regulation, it is clear that the Shire may be unable to satisfactorily enforce the day to day running of these industries - judging by past experience. Finally, it is my view that this part of Serpentine has become the 'Kwinana' of the Serpentine Shire - noxious industries abound and the quality of life and the right to enjoyment of a quiet, clean and peaceful rural lifestyle has been compromised. The Shire's own website states that this area values a rural lifestyle - "experience the beauty". I expect all councillors' decisions to reflect that vision.

Public Statement time concluded at 4.03pm

**4. PETITIONS & DEPUTATIONS:**

**5. PRESIDENT'S REPORT:**

**6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:**

**7. RECEIPTS OF MINUTES OR REPORTS AND CONSIDERATION FOR RECOMMENDATIONS:**

SD079/06/05 PROPOSED POULTRY FARM - LOT 5 PUNRAK ROAD, HOPELAND (P00007/02)		
Proponent:	Dykstra & Associates	In Brief  Proposed extension to existing poultry farm. It is recommended that the application be refused due to the applicant failing to demonstrate that the impact of the farm on the amenity of surrounding properties can be adequately ameliorated.
Owner:	H & H Evans	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	2 May 2005	
Previously	SD031/02/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 18 October 2005  
 Advertised: Yes  
 Submissions: 11 objections  
 Lot Area: 20 hectares  
 L.A Zoning: Rural  
 MRS Zoning: Rural  
 Byford Structure Plan: Not applicable  
 Rural Strategy Policy Area: Rural Policy Area  
 Rural Strategy Overlay:  
 Municipal Inventory: Not applicable  
 Townscape/Heritage Precinct: Not applicable  
 Bush Forever: Nil  
 Date of Inspection: 12 December 2004

**Background**

The subject site is located on the eastern side of Punrak Road. The site is flat and low lying. An area of remnant vegetation is located in the south west corner of the site. Some re-vegetation has been undertaken along the side and rear boundaries.

A main drain runs parallel to the front of the property between the front boundary and the Punrak Road reserve.

Existing development on the site comprises six broiler sheds, a dwelling and six outbuildings used for plant, equipment and storage purposes. A single crossover provides access to the dwelling, broiler sheds and outbuildings. The existing broiler sheds are located 35 metres from the northern boundary of the site, 83 metres from the southern boundary, 100 metres from the eastern (rear) boundary and between 260 metres to 420 metres from the western (front) boundary.

The six existing broiler sheds house approximately 240,000 birds.

***A copy of the location and site plans and an aerial photograph of the site is with the attachments marked [L5 01.pdf](#), [L5 02.pdf](#), [L5 03.pdf](#).***

### Previous Approvals

Approval was originally granted for development of the site for the purposes of a broiler farm on 18 January 1995. This approval was for the construction of four broiler sheds and a maximum of 160,000 birds. The following conditions of approval were imposed:

1. *Sealed crossover.*
2. *Stormwater to be retained on site (to be shown on working drawings).*
3. *The building, or any part thereof, shall not be occupied until a Certificate of Classification has been issued to the owner by the Local Authority.*
4. *Bulk litter to be removed on a regular basis so as not to create a nuisance.*
5. *No stockpiling of manure on site.*
6. *Any temporary stockpiling of manure to be on a hard standing surface.*
7. *Submission of a building application.*

The original four sheds were naturally ventilated.

*On 4 December 1996 approval was granted for the construction of two additional broiler sheds of the controlled environment type and the upgrading of the four existing sheds to controlled environment standard. The number of birds was increased to 240,000. The following conditions were imposed:*

1. *Compliance with Engineering and Health Regulations and Code of Practice as set down by the Department of Agriculture for Chicken Farms.*
2. *Any temporary stockpiling of manure to be on a hard standing surface and covered.*

### Proposed Development

An application has now been submitted for the construction of an additional five controlled environment sheds, a sawdust storage shed and an amenity building. Each shed will be 210 metres long and 18 metres wide and will accommodate approximately 59,000 birds per shed. This will bring the total number of birds able to be accommodated to approximately 640,000.

The sheds will be constructed of *colorbond* steel panels with *coolcell* insulated walls and roof. The floor will be impervious concrete and concrete walls will extend 400 millimetres high above the floor with the *colorbond* panels on top of this wall. The low concrete portion of the walls will prevent runoff of waste water during washdown. The floor of the sheds will

be located a minimum of 1 metre above the highest known groundwater table on the land. The height of the sheds will be 3.5 metres.

The new sheds will be located in the centre of the site forward of the existing sheds. The setback of the sheds from the front boundary varies between 96.87 metres and 195 metres. A setback of 120 metres will be provided to the northern boundary, and 83 metres from the southern boundary. A site plan showing only a 35 metre setback to the southern boundary was originally submitted with the application, but an amended site plan was submitted on 7 April 2005. The amended site plan shows the proposed setback to the southern boundary to be consistent with the existing shed – although the setback shown (73.26 metres) is incorrect. The true setback is 83 metres. The existing sheds will be between the new sheds and the rear boundary.

The fans that form part of the ventilation system will be located predominantly on the western end of the sheds with some additional fans required on the sides and roof due to the length of the sheds proposed. In general the fans will exhaust towards the western boundary (Punrak Road frontage).

Insufficient information has been provided with regard to noise producing activities including:

- feed deliveries
- harvesting
- cleanout
- forklift operation
- plant and equipment to be used
- Traffic movements
- measures to be put in place to assist in noise and odour amelioration.
- dead bird storage and removal.

A biosecurity buffer of 1000 metres is achieved to the nearest existing poultry farm.

The applicant advises that additional vegetation will be planted between the sheds and the front and side boundaries.

Shed floors will be covered with a 5-8cm deep layer of dry litter such as sawdust or wood shavings. This litter will be removed off site when the sheds are cleaned out at the end of each growing cycle.

A new dam is to be constructed and the existing retention swales expanded to allow evaporation and nutrient stripping of washdown and stormwater runoff water.

A second crossover and vehicle accessway are proposed in the southern part of the site to provide access to the new sheds. The applicant advises that the existing crossover to Punrak Road will be upgraded but does not advise what this upgrade will comprise.

Subsequent to submission of the application, the applicant was requested in writing to submit supplementary reports with regard to odour modelling, noise modelling and traffic impact. With regard to this request the applicant advised in writing dated 4 April 2005 as follows:

*Given that the application now complies with the setback and separation distance requirements of SPP No. 4.3, our client deems the provision of noise and odour assessments to be unnecessary and asks that the application be put to Council for determination at the next available meeting.*

In a letter dated 28 February 2005 the applicant made the following statements:

Concern regarding odour and noise associated with poultry farming activities



*Poultry farming is a legitimate rural use within a rural zone area and hence amenity expectation in relation to noise and odours are not the same for residential and rural residential zones.*

*The owner of Redmond Poultry Farm recognizes the potential conflicts associated with poultry farming and surrounding residents in relation to noise. The onus is not with him to justify his legitimate rural business and he has made every effort in the past to improve the standard of the farm.*

*The proposed extensions will internalize the farm and drastically reduce noise levels including internal roads to be constructed between sheds so that truck noise is shielded from adjoining neighbours during night pickups. The noise sensitive design of the farm requires relaxation of the setback standard along the southern boundary to provide maximum effectiveness.*

Concern regarding dust particles from driveways and poultry sheds affecting adjoining neighbours:

*The Redmond poultry farm has never had any dust problems from either the internal limestone driveway or the extraction fans on poultry sheds. A representative of the Agriculture Department has clearly stated that management of the farm is of a high standard. Accordingly, any further development will achieve the same high standards and hence continue to ensure dust problems will not affect the amenity of the surrounding area.*

Concern for pollution of groundwater and overdraw of groundwater supplies.  
*Groundwater licensing conditions are determined by the DoE, which is responsible for ensuring there is not an overuse of this resource.*

*All sheds have improved nutrient catchment facilities including a detention basin for the collection of wastewater. In any event, the controlled environment of the shed keeps the manure dry, which is easily swept up and collected and removed immediately off-site. The wash down water is only used to disinfect the poultry sheds prior to the next batch of chickens and in no way results in solid waste wash down water either being collected in the detention basin or anywhere else on the property.*

Traffic impact and suitability of roads to cater for traffic associated with intensive agriculture

*Rural roads are built to the standard to accommodate rural vehicles. Vehicles associated with poultry farming are not heavy haulage vehicles as opposed to those vehicles used in other intensive farming industries. As the poultry farm is a legitimate rural business, operating in the appropriate zone with the appropriate standard of rural roads, clearly users of the roads associated with the poultry industry are entitled to use the roads anyway.*

Setback to southern boundary

*Whilst the setback to the southern boundary doesn't comply, Council may approve a reduced setback at its discretion. A lesser setback was considered reasonable given that the existing poultry sheds were already approved to a setback of 35 metres on the northern boundary and as the new sheds and the design of the farm are superior in terms of internalizing the farm's operations reducing potential odour and noise.*

Summary

*The information submitted for the proposed expansion of the poultry farm at Lot 5 Punrak Road comprehensively demonstrates the benefits of the proposed expansion in terms of improving industry standards and requirements and minimizing potential for any off-site impacts.*

*The proposal is a legitimate rural land use and should not be stifled by landowners who have other land use intentions that are not related to normal permitted land uses*

*within the rural zone. The applicant has demonstrated improvements to farm management and technology whilst the submitters have only provided sweeping generalisations in relation to noise and odour. If such claims are to be used as a basis for Council decision making, the submitters should be asked to support their claims with evidence, particularly in relation to the existing operations.*

As noted above, the southern setback is now proposed to be 83 metres.

### **Sustainability Statement**

#### ***Effect on Environment:***

The proposed poultry farm will not require the clearing of any remnant native vegetation.

#### ***Resource Implications:***

The poultry farm will involve the use of groundwater as there isn't a reticulated water supply in the area. However, the new technology incorporated into the controlled environment poultry sheds means that water usage is 50% less than with older style sheds. Any increase in the use of bores outside current licensing limits, will require an application to the Department of Environment to extend those limits.

#### ***Use of local, renewable or recycled Resources:***

It is uncertain whether the proposed sheds will be constructed from locally available resources.

#### ***Economic Viability:***

It is not possible to determine whether the proposal will be economically viable.

#### ***Economic Benefits:***

The proposal has the potential to generate long term employment within the Shire.

#### ***Social – Quality of Life:***

The application was referred to surrounding landowners for comment. Concerns and issues raised by the community are addressed in detail in the Community Consultation section of this report. There is the potential for the amenity of the area to be affected by noise, odour and dust as well as visually if not managed and designed appropriately to ameliorate these potential impacts.

#### ***Social and Environmental Responsibility:***

In order to prevent any adverse impacts on the environment or amenity of the area, the owners would need to demonstrate a commitment to a high level of social and environmental responsibility. In order to determine what measures will be needed to achieve this, appropriate modelling needs to be carried out with regard to potential impacts. The onus is on the applicant to demonstrate that the proposed development will not have an adverse effect on the amenity of adjacent properties, particularly with regard to existing dwellings on adjacent properties given that the use of Poultry Farm is a discretionary use in the Rural zone except within the Poultry Farm Special Control area.

#### ***Social Diversity:***

The application for the extension of the poultry farm does not directly impact on any particular social group.

#### **Statutory Environment:**

Town Planning and Development Act 1928  
Town Planning Scheme No.2

As per the resolution of the Western Australian Planning Commission made under Clause 32 of the Metropolitan Region Scheme, extensions to poultry farms that are greater than 100 square metres in area require separate determination by the WA Planning Commission under the

Metropolitan Region Scheme (MRS). The Shire determines the application under the Town Planning Scheme (TPS) only.

**Policy/Work Procedure**

**Implications:**

The application was required to be referred to the Department of Environment and Agriculture Western Australia as the site is within the Peel-Harvey Coastal Plain Catchment Area Statement of Planning Policy No.2.1, Statement of Planning Policy No.5, Draft Environmental (Peel Harvey Estuarine System) Policy 1992

**Financial Implications:**

There are no Financial implications to Council related to this application/issue.

**Strategic Implications:**

This proposal relates to the following Key Sustainability Result Areas:-

**2. Environment**

*Objective 1: Protect and repair natural resources and processes throughout the Shire*

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
3. Encourage protection and rehabilitation of natural resources.
4. Reduce water consumption.
5. Reduce green house gas emissions.
6. Value, protect and develop biodiversity.

*Objective 2: Strive for sustainable use and management of natural resources*

Strategies:

1. Implement known best practice sustainable natural resource management.
2. Respond to Greenhouse and Climate change.
3. Reduce waste and improve recycling processes

**3. Economic**

*Objective 1: A vibrant local community*

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.

**4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.

**Comments from External Agencies**

The application was referred to the Department of Environment and the Department of Agriculture because the subject site is within the Peel Harvey Coastal Plain Catchment Area. The application was also referred to Western Power as the extensions will place a draw on power supply. The comments of these agencies are summarised below:

**Department of Environment (DoE)**

**Comment**

*The Department of Environment (DoE) acknowledges that the proposal does have the potential to substantially increase the frequency of odour complaints if poorly managed.*

*The Department is not opposed to the expansion, however, the DoE respectfully recommends that Council require the proponent to undertake the following studies to determine whether the proposed buffers are satisfactory:*

*Quantify the odour source using dynamic olfactory analysis;  
Predict the down wind odour impacts using dispersion modelling; and  
Compare the dispersion modelling results to a recognised environmental odour criterion to derive an appropriate odour buffer distance.*

*The odour study should be undertaken in accordance with the EPA's Draft Guidance for the Assessment of Environmental Factors No. 47 - "Assessment of Odour Impacts".*

*If odour is not the only factor which requires a separation distance, appropriate studies should be undertaken for each factor. Alternatively, clear demonstration that the odour impact area encompasses all the other factor impact areas needs to be provided.*

*Subject to the resolution of this matter, the DoE would have no objections to the proposal subject to the following condition and advice:*

*1. Statement of Planning Policy No. 5 - Boundary Setbacks*

*The proposal to install new poultry sheds 35 metres from the southern boundary is not in accordance with SPP No. 5 and the Environmental Code of Practice for Poultry Farms in Western Australia. The proposed sheds must be located no closer to the southern boundary than 60 metres in accordance with the existing southern shed.*

*2. Environmental Management Plan*

*The subject land is located within the proposed Karnup-Dandalup Underground Water Pollution Control Area (UWPCA), which has been declared for Priority 2 (P2) source protection. P2 source protection areas are defined to ensure that there is no increased risk of pollution to the water source. P2 areas are declared over land where low risk development (such as low intensity rural activity) already exists. Housed poultry farming is considered to be a conditionally compatible landuse type in P2 areas.*

*Consequently, an Environmental Management Plan should be prepared and implemented to the satisfaction of the Department of Environment (DoE) and the Shire of Serpentine Jarrahdale.*

*Such a plan should comply with the DoE's Environmental Code of Practice for Poultry Farms in Western Australia; and clearly prescribe both the proposed operation of the development and the environmental management of issues including but not limited to odour, noise, dust and wastes (including washdown water and contaminated litter).*

*Groundwater Abstraction*

*The proponent should be advised that the property is located in the Serpentine Groundwater Area where there are issues of groundwater quality and availability. The proponent should be advised to seek advice from the DoE's Mandurah office concerning groundwater usage.*

*Action taken in response to DoE comments*

*The applicant was required to engage suitably qualified consultants to prepare an assessment of the worst case scenario potential odour impact and to determine whether there were measures that could be put in place to address this worst case scenario. The applicant advised in writing that he was not prepared to provide this supplementary information.*

*It should be noted that the DoE reference to the setback of the existing southern shed being 60 metres is inaccurate.*

Agriculture Western Australia

Comment

*The proponent is planning to nearly double the current capacity of the poultry farm from 240,000 birds to 400,000 birds annually. I have personally visited the site within the last 6 months for an unrelated work matter and know the management of this site is to a very high standard. With this in mind there are still a couple of small issues that were not addressed in the application report which need clarifying before development approval should be granted. They are:*

1. *The Statement of Planning Policy No. 4.3 states that "new poultry sheds should be no closer than 100m from the poultry farm boundary or no closer than any existing shed to the nearest property boundary.*

*The proponents are proposing for just a 35 m setback from the southern boundary instead of a 100m setback. To prevent possible land use conflicts in the future and a reduction in land values for properties located along the southern boundary of Lot 5 Punrak Road it would be wise to determine:*

- *what the exact land uses are on the properties adjoining all boundaries, especially the southern boundary of Lot 5 Punrak Road and if the proposal will have any significant affect on the owners. More detail than "rural land uses including a piggery to the south and grazing located both to the north and south of the subject land" should be provided when the proposed setback is less than half the required setback specified in the State of Planning Policy No. 4.3.*
- *The distance of the proposed expansions will be from any dwellings and regularly used sheds located on the properties that share the southern boundary of Lot 5 to ensure the standard of living for owners located on these sites is not reduced. Perhaps a recent larger aerial photo showing all neighbouring properties would be beneficial. The EPA Code of Practice for the operation of poultry farms and the Shire of Serpentine-Jarrahdale policy on poultry farms both require a 100m setback from any single dwelling outside the poultry farm.*
- *If there are currently any other development applications being processed for properties located on the southern border of Lot 5 Punrak Road which may conflict with the poultry farm expansions.*
- *If there has been any formal complaints lodged with the Serpentine-Jarrahdale Shire in the last 12 months regarding odour, noise or dust from Lot 5 Punrak Road.*

*If none of the above points are a concern, a suggestion would be for the proponents to ensure the entire length of the southern boundary is thickly revegetated with shrubs and trees to reduce the chance of noise, odour and dust ever posing a problem to neighbours located along the southern border.*

2. *The only other concern is with the collection of the washdown water. Where will the washdown water collected in the detention basin be drained to and what happens to the solid material collected in the detention basin.*

*Liquids should be applied to perennial pasture species around the property and solids should also be spread over as large an area as possible. If a large amount of solids is collected from the detention basin there is an option for the proponent to sell the product to the composting facility "Aussie Organics Garden Supplies" which is located nearby at 76 Punrak Road Serpentine. This site also accepts waste products from the nearby piggery and other poultry farms.*

*Once the points discussed above are addressed, this development application for the expansion of the existing poultry farm located at Lot 5 Punrak Road Hopeland should be granted.*

Action taken in response to Agriculture Western Australia comments  
Department of Agriculture's comments are noted. The setback to southern boundary has been increased to line up with existing sheds. However, it should be noted that the site plan does not accurately depict the location of the existing sheds on the site.

Western Power

*Western Power have no objections to the proposal. Perth One Call Service must be contacted and location details of Western Power's underground cable) obtained prior to any excavation commencing. Work Safe requirements must be observed when excavation work is undertaken in the vicinity of Western Power's assets. Western Power is obliged to point out that the cost of any changes to the existing (power) system, if required, will be the responsibility of the individual developer.*

Action taken in response to Western Power comments  
Lack of objection noted. Copy of Western Power's advice was provided to applicant.

**Community Consultation:**

Required: Yes by Part X of the Scheme  
Support/Object: 11 letters of objection were received.

The issues raised during the public consultation period are summarized and addressed below:

<b>Issue</b>	<b>Officer Comment</b>
<i>Buffers &amp; Location</i>	
Poultry farms are required to have a 500 metre buffer zone and this should not be on other people's land.	The 500 metre buffer applies to Residential zones only. The nearest Residential zone is 6 kilometres to the east in the Serpentine townsite.
The EPA stipulates that there has to be a 300 metre distance between the poultry sheds and rural residential zones.	This is correct. However, the nearest Rural-Residential zone is the Karnup Creek Special Rural zone over 3 kilometres to the north of the subject site.
The generic separation distances contained in the EPA's guidelines do not take into account the cumulative impacts of multiple facilities such a poultry farms and piggeries being located in a small area.	Noted. The proposal should be assessed by reference to its amenity impact, and not only whether it meets generic separation distances. The fact other poultry farms and piggeries exist however may mean the existing amenity is already downgraded.
These new and larger poultry farms need to be located on much larger pieces of land which enable the containment of buffers within their own boundaries	The subject farm achieves the minimum 100 metres boundary setbacks and the required separation distances from sensitive land uses such as Residential and Rural-Residential zoned land.
Poultry farm sizes are being increased by stealth.	This comment is unsustainable in that all applications to expand poultry farms outside the Poultry Policy Overlay Area are advertised to the public before being determined.
New farms should not be permitted outside the Poultry Policy Overlay Area.	Under the Shire's Town Planning Scheme No. 2 Poultry Farms are a use that the Council has the discretion to approve in the Rural zone.
Properties in Hopeland will be devalued as a result of all these poultry farms.	There are already 5 or 6 poultry farms existing in the Hopeland/Serpentine area and the last 3-5 years as seen significant growth in the value of all

<b>Issue</b>	<b>Officer Comment</b>
	properties in the area.
Approval of extensions to and additional poultry farms in Hopeland will impact on the future urban development of the area.	Neither State nor Local Authority long term planning strategies such as the Metropolitan Region Scheme, the Network City Plan or the Shire's Rural Strategy identify this particular area as a possible future urban area.
The Poultry Policy Area special controls state that all new applications should be on properties of a minimum of 100 acres (40 hectares) but the Punrak Road farm is only 50 acres (20 hectares).	The Punrak Road farm is an existing farm and was already in existence some 3 years prior to the gazettal of the scheme amendment, which inserted the Special Control – Poultry Farms provisions into the Shire's Town Planning Scheme. As such this provision does not apply to the Punrak Road farm.
<i>Visual Amenity</i>	
The rural identity of the area should be retained and these industrial type units should not be allowed to be built.	Although somewhat larger and more numerous than normal farm sheds, poultry sheds are of similar shape, height and construction as other rural sheds such as hay sheds, stables and farm workshop and equipment sheds, however the density of buildings to available open space would be high. Consideration could be given to requiring the external cladding of the sheds to be of a colour that blends more with the existing landscape such as earthy or bushland tones.
Total screening around the whole poultry farm is required. Single line planting will not meet the screening standards.	Conditions able to be applied include requirements for a combination of earth bunding and dense vegetative screening comprising locally native trees, shrubs and groundcovers.
The many large sheds will be unsightly.	See the two previous comments.
The Shire has a poor track record in enforcing vegetation, bunding and set back conditions on existing poultry farms.	Consideration is being given to making it a standard requirement that the developers engage suitably qualified consultants to carry out annual audits of the farms to the satisfaction of the Shire. This will enable the Shire to better manage compliance issues on the farms.
<i>Odour</i>	
The dead chook truck passes twice a day, is not sealed and makes being on the road totally unpleasant due to odour.	A condition could be applied requiring these vehicles to be covered to reduce odour emissions.
The odour coming from the existing poultry farms, piggery and turf farm are putrid and will only worsen with this extension.	Conditions of approval could require the incorporation of measures such as air scrubbers or biofilters in conjunction with stacks to aid vertical air dispersion within ventilation systems. The applicant has declined to provide odour modelling as requested, and therefore the extent of any additional odour impact, and the ability of conditions to regulate odour, is presently unknown.
The odour from existing farms is overpowering at times.	See comments above.
<i>Dust</i>	
The tunnel ventilated sheds create dust that is ejected via the exhaust fans. This emits in a cloud or fog and remains until it blows away or settles on the ground.	A condition can be applied requiring the addition of cowls or stacks to air discharge fans to assist in the dispersion of odours and dust. A condition could also be applied that requires bedding (sawdust etc.) to be treated (ie with oils) to reduce dust.

<b>Issue</b>	<b>Officer Comment</b>
Dust from the poultry farm will settle on neighbours' roofs and therefore affect rainwater that is used for domestic purposes.	See above comment.
Limestone driveways will cause a dust nuisance for neighbours due to truck movements.	Where driveways are not hard sealed they will be required to be compacted to reduce dust production. In addition an internal speed limit of 10 kilometres an hour could be applied as the speed of the vehicles affects how much dust is produced.
Vegetation screening does not block out noise, odours and smells. Earthen bunds should be constructed around all poultry farm operations.	Earthen bunds could be required as a condition of approval as well as a requirement for vegetative screening.
<i>Noise</i>	
The new total environment controlled sheds do not address noise and odour issues and the extraction fans provide a new source of noise. Earthen bunding is required around all of the sheds to contain noise.	Conditions can be imposed on the poultry farm to address noise and odour issues. As the applicant has declined to provide noise and odour modelling the extent of the problem and the ability of any conditions to ameliorate the problem, is presently unknown.
The existing farms in the area already create unacceptable noise levels particularly at night.	See comments above.
There have been numerous complaints about noise emissions from Redmond Broiler Farm since it commenced operation in 1995.	It is acknowledged that the farm has been the subject of several ongoing complaints since it commenced operation.
Noise emissions occur mostly after hours and result from feed deliveries, cleaning of sheds, bird removal, emergency power generators, trucks kept idling, workers shouting and forklifts beeping.	Earth bunding and other measures aimed at reducing noise and maintaining emissions with regulated standards (when measured at the property boundaries) could be required as conditions of approval.
Provision should be made for birds to be harvested and sheds cleaned during daylight hours (ie 7am to 7pm).	<p>Conditions relating to the noise attenuation measures required for the fans, vehicles and emergency generators could be composed. A condition requiring earthen bunds to be constructed around the sheds for the dual purpose of visual screening and noise attenuation could be considered.</p> <p>It should be noted that apart from the operation of the fans the noise associated with the operation of the poultry farm is not continuous seven days a week or 24 hours a day but occurs mainly during feed deliveries and harvesting processes. A condition could be imposed requiring feed deliveries to occur between 7am and 7pm due to the noise associated with the transfer of feed from the trucks to the silos. With an average of 6 growing cycles per year, harvesting occurs approximately 18 times per year and clean-out of sheds approximately 12 times per year.</p> <p>Given the distance between poultry farms in the Shire and the processing facility in Osborne Park (over 50 kilometres) it is not practical, particularly</p>



<b>Issue</b>	<b>Officer Comment</b>
	with regard to welfare of the birds, to require harvesting to occur during the daytime. In particular in summer this would lead to extreme distress for the birds and would result in the death of many birds. It would be open to the Shire to consider facilitating the establishment of a processing plant within the Shire so that daytime pickups become possible.
<i>Water Issues</i>	
The operation of such large poultry farms will have a massive draw on groundwater supplies and also has the potential to pollute groundwater supplies.	Groundwater abstraction is regulated by the Department of Environment (DoE). The proponents will have to obtain a Groundwater abstraction licence from DoE and this will set limits on the amount of groundwater allowed. A nutrient and drainage management plan would be required to be prepared and implemented to the satisfaction of the DoE and the Shire in accordance with DoE guidelines. Controlled environment sheds and measures such as nipple ends on drinking water systems provided for chicks use less water than older style methods of production.
<i>Traffic Impact</i>	
The applicant has not provided any information on the traffic impact of this proposal.	
The standard of roads within the Hopeland area are not adequate to cater for the truck traffic generated by these poultry farms.	Hopeland, Karnup, Rapids, Lowlands, Kargotich and Mundijong Roads are already designated heavy haulage routes and comprise the route that will be followed by trucks generated by the farm to get to the Kwinana Freeway to travel either north or south.
The fast moving truck traffic generated by these farms creates a hazard for cyclists, pedestrians and horse riders.	Most rural uses generate truck traffic and appropriate speed limits are set by Main Roads. Trucks, cars, pedestrians, cyclists and horse riders are bound by the Road Traffic Authority Act. Cyclists and pedestrians use all types of roads including major highways. It is up to all users to use due diligence when using any roads.
Farms of the size proposed will generate 8 414 trucks per year.	
<i>Monitoring of Compliance issues by the Shire</i>	
How will the Shire monitor noise levels between 10.00pm-3.00am.	The Shire will respond as soon as practical to any complaints from neighbours with regard to excessive noise, odour and dust problems.
The Shire officers do not respond to odour, noise and dust issues immediately and by the time they arrive the problem has ceased.	See above comments.
<i>Other Issues</i>	
Broiler farms are not rural pursuits they are intensive farming and an offensive trade.	Poultry farms are an AA (discretionary) use in the Rural zone under the Shire's town planning scheme and as such are able to be considered in this zone.
The poultry farms will result in stable fly breeding which will severely impact	Stablefly is a problem that is usually associated with ventures where manure is stockpiled. Manure

<b>Issue</b>	<b>Officer Comment</b>
on established horse stud facilities in the area.	is not stockpiled at broiler farms and is removed from site at the time of shed cleanout.
There is a possibility of the failure of biosecurity leading to a breakout of harmful diseases.	A biosecurity buffer of 1000 metres has been allowed for from the nearest proposed poultry shed to existing poultry farms on other properties. This is compliant with the normal requirement of the Department of Agriculture.
The increased use of our area for offensive industries is contradictory to the original plans for the area. A township was originally planned in Hopelands.	Neither State nor Local Authority long term planning strategies such as the Metropolitan Region Scheme, the Network City Plan or the Shire's Rural Strategy identify this particular area as a possible future urban area.
All of the existing problems being experienced in the area are as a result of the existing poultry farms and these issues should be resolved before the Shire approves any extensions or new farms.	The conditions that are now placed on new or extended farms are intended to contain all emissions at acceptable levels when measured at the boundaries of the farms. The Shire is unable to impose more stringent conditions retrospectively but will aim to address any areas of non-compliance with existing conditions or relevant legislation.

In the absence of any technical information provided by the applicant in relation to noise, odour and dust in particular, it is impossible for officers to determine whether the conditions foreshadowed in the officer's comments are appropriate or necessary, or whether conditions will be effective in reducing impacts.

Following the close of the public submission period the Council met with the owners and operators of the 12 poultry (meat bird) farms located within the Shire and then separately with representatives of the Barrter/Steggles group who own the livestock grown at 11 of the 12 farms. The purpose of these meetings was for the Council to gain an understanding of the future intentions of the poultry (meat bird) industry within the Shire both from the growers and the processors perspectives.

Additionally, a public information session was held on the evening of 31 January 2005. Representatives from the WA Broiler Growers Association, the Barrter/Steggles group and the Department of Environment made presentations to the public with regard to the operation of poultry farms, developments in technology, ways the industry is seeking to address the existing amenity issues associated with these farms, the industry's future intentions for the Shire, the recently released Code of Practice for Poultry Farms and water issues within the area containing the poultry farms.

Approximately 70 members of the public attended the information evening. Following the presentations, the audience was invited to put questions to the panel of speakers. The question and answer session ran for approximately one and a half hours. One of the main issues at that meeting was that the community felt that the industry representatives had been given plenty of opportunities to present their position to the Councillors but that the community had not been given the same opportunities.

At their Ordinary meeting held on 22 February 2005 the Council resolved to hold a meeting for all the people who made submissions with regard to the three current poultry farm applications in Punrak Road, Henderson Road and Casuarina Road to enable them to put their case directly to the Councillors with regard to poultry farms in the Shire in general. The Council also resolved that additional meetings were to be held with regard to the Punrak Road and Henderson Road applications individually so that the submitters for each application could air the issues they had with respect to a particular application.

The general poultry farm issues meeting was held on 2 March and the meeting relating specifically to the proposal on Lot 5 Punrak Road was held on 29 April. **The discussion at these additional meetings expanded on the issues raised in the written submissions and a summary is attached at [L5 04.pdf](#).**

#### **Development Control Unit Comment:**

##### Engineering Comment

*Additional information required:-*

*Traffic Impact Study on extra traffic generated.*

*Dust Control Plan*

##### Action

The above information was requested from the applicant but the applicant advised in writing that they were not prepared to supply it to the Shire.

##### Environmental Officer

*Inadequate information has been provided to enable assessment of the environmental impacts of this proposal. Await Department of Environment assessment of the proposal as they will assess drainage issues, groundwater abstraction issues and whether additional environmental studies are required to be carried out.*

##### Soils

*Acid sulfate soils are unlikely. Soils poor. Soils have moderate to high risks of phosphorus export and are therefore susceptible to leaching of nutrients into the groundwater.*

##### Water

*A major drain runs from north east to south-west across the front boundary of the property. There is little vegetation along the edges of this drain and the profile does not mimic a natural water course well.*

*An earth dam with permanent water is located in the eastern portion of the block about half way between the northern and southern borders. This dam was holding water during a site visit in mid January and about 30 ducks were using the resource.*

*The proposal is within a proposed Priority 2 (P2) ground water protection area. Poultry farms within P2 areas are considered compatible with conditions.*

*Water consumption needs to be addressed more thoroughly in the application. It is normal for an operation of this size to operate a monitoring program in accordance with an environmental management system.*

*Insufficient information is supplied in relation to engineering requirements. The operation may require a workshop and wish to store fuel and other chemicals. Assessors should know these details and condition the activities appropriately.*

##### Biodiversity

*The vegetation in the south-west corner of the site is part of the Southern River complex. This complex used to cover nearly 58,000 hectares on the Swan Coastal Plain with 8669 hectares within the Serpentine Jarrahdale Shire. There are no recent data relating to the extent of remaining vegetation or to the condition of that vegetation. In 1997 just 11,501 hectares remained across the Swan Coastal Plain (80% cleared) and just 1637 hectares (81% cleared) remains within the Shire. It is almost certain that the amount of clearing has increased since that data and the condition of remaining vegetation is most likely to have further deteriorated. The remnant vegetation on this lot is therefore not well represented throughout its range and should both be protected wherever possible and offset where protection is not possible. It appears that the proposed development will not impact on the existing vegetation except where the new crossover is to be constructed.*

*The dominant trees and shrubs for this vegetation complex when intact are as follows:*

*Jarrah (E. marginata)*

*Marri (Corymbia calophylla)*

*Christmas trees (Nuytsia floribunda)*

*Woody pear (Xylomelon occidentale)*

*Casuarina*

*Holly leafed banksias (Banksia ilicifolia)*

*Kunzea spathulata*

*Melaleuca preissiana or raphiophylla*

A low eucalypt with mallee growth form also occurs (has many characteristics of jarrah)

River gums *E. rudis* occur along the main drain.

*Many of these species are vulnerable to dieback and the proponent should be required to detail what dieback hygiene measures will be taken to protect these species if present in good condition on the property.*

### **Recommendations**

- *The proponent be required to resubmit the application providing more detailed information to the following:*
  - *provide an accurate scaled diagram on an overlay of a recent (2003 or later) aerial photograph;*
  - *Nutrient amounts and management details;*
  - *Details on surface water drainage and how surface waters will be protected from pollution from the proposed operation;*
  - *Details of depth to ground water and how ground water resources will be protected from pollution from the proposed operation;*
  - *Details of water requirements, and approved water sources;*
  - *Details of where disinfectant wash waters will drain to, how much there will be and how it will be treated;*
  - *Details of biodiversity values and all impacts of proposed development on living and dead remnant vegetation including all buildings, access ways, provision of services, proposed firebreaks and all other impacts.*
- *The application should be referred to the Department of Environment because of the scale of the proposed operation, and the proposed groundwater protection area.*

Action undertaken in response to Environmental Officers comments

The Department of Environment recommended that the applicant be required to carry out noise and odour modelling and assessed drainage and groundwater issues. As previously stated in this report the applicant declined to provide the supplementary information.

### **Independent Environmental Consultants' review**

Due to the obvious community concern regarding recent proposals to extend or create new poultry farms, the Shire engaged consultant ERM to undertake an independent review of this and another application. An extract from the report is produced below.

#### **“5 DISCUSSION**

*Under direction of the Shire of Serpentine Jarrahdale, ERM has considered potential noise, dust and odour impacts of the two poultry farm development applications giving consideration to potential impacts at or beyond the site boundary. It is clear that the modelling undertaken by GHD and Lloyd Acoustics have only considered impacts at the nearest sensitive receptors and this is ERM's understanding of the current W.A legislation. However, the Shire of Serpentine Jarrahdale have asked ERM to comment on impacts at the site boundary as well as the nearest sensitive receptors.*

#### **5.1 LOT 5 PUNRAK RD SERPENTINE**

*Lot 5 Punrak Road is an existing poultry farm consisting of six (6) total environment controlled poultry sheds<sup>1</sup>. It is proposed to add five (5) additional total environment controlled sheds to the site. The final application involves a total of eleven (11) sheds with an upgrade*

of some existing infrastructure. The following sections provide comment on the dour, dust and noise mitigation measures outlined in the Development Application.

### **5.1.1 Noise**

*A noise assessment has not been completed for the proposal, there is insufficient information to determine if noise impacts will occur outside the boundary of the poultry farm. Inherent with this type of poultry industry is the release of noise, and without controls, loss of amenity due to noise impacts are likely to occur outside the farm boundary. Documented buffer distances for poultry activities should not be solely used for the control of likely noise impacts.*

### **5.1.2 Odour**

*An odour impact assessment has not been completed for the proposal, there is insufficient information to determine if odour impacts will occur outside the boundary of the poultry farm. Inherent with this type of poultry industry, is the release of odour, and odour impacts at or beyond the boundary are generally experienced despite compliance with planning buffer guidelines.*

### **5.1.3 Dust**

*A dust impact assessment has not been completed for the proposal, there is insufficient information to determine if dust impacts will occur outside the boundary of the poultry farm. Dust is commonly generated episodically during cleanout activities and disruption to the birds. A loss of amenity and potential health impacts can be attributed to dust emissions from poultry farms. Due to the fact that no modelling for noise, dust or odour has been carried out for the proposed farm expansion, ERM cannot assess whether dust, noise or odour impacts will occur at the site boundary from this development.*

<sup>1</sup> *A total environment poultry shed is a state of the art poultry shed, which is more effective at regulating the inside shed environment than standard environment controlled sheds due to the use of improved humidity and improved temperature control."*

## **Comment:**

### **Statutory Context**

The subject site is zoned Rural. Town Planning Scheme No. 2 (TPS 2) states that the purpose and intent of the Rural Zone is to allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area. In the Rural zone Poultry Farm is an "AA" use (discretionary).

The site does not fall within the Poultry Farm Special Control Area recognised in TPS 2.

A use classification of 'AA' means that the Council may, at its discretion, permit the use. However, a discretionary use should only be granted approval if the Council is satisfied that the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality and if the Council is satisfied that the proposed use will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.

Clause 6.4.2 of Town Planning Scheme No. 2 requires the Council to have regard to the following factors in determining an application for planning consent:

- "a) *the purpose for which the subject land is reserved, zoned or approved for use under the Scheme;*
- (b) *the purpose for which land in the locality is reserved, zoned or approved for use under the Scheme;*
- (c) *the size, shape and characteristics of the land, and whether it is subject to inundation by floodwaters;*
- (d) *the provisions of the Scheme and any Council policy affecting the land;*

- (e) *any comments received from any authority consulted by the Council;*
- (f) *any submissions received in response to giving public notice of the application;*
- (g) *the orderly and proper planning of the locality; and*
- (h) *the preservation of the amenity of the locality."*

Under the Metropolitan Region Scheme (MRS) the land is also zoned Rural.

Normally the single planning approval granted by a local authority represents approval under both the MRS and the local authority town planning scheme (TPS). This is by virtue of the Notice of Delegation issued by the Western Australian Planning Commission (WAPC) under the WAPC Act 1985, which delegates the power to issue approvals under the MRS to local government. However, in the case of certain types of applications the WAPC has made resolutions under Clause 32 of the MRS calling in the power of determination. This is the case for all applications involving new poultry farms or extensions to existing farms. Accordingly, the application has been referred to the WAPC for determination under the MRS. The Shire's decision may only relate to TPS 2.

WAPC Statement of Planning Policy No 4.3 – Poultry Farm Policy, applies to the proposal.

#### Application requirements under TPS 2

Although the proposal is not for land within the Poultry Farm Special Control Area, the issues raised for consideration in Part X are informative and can reasonably be used as a reference against which the proposal can be assessed. One issue of significance raised in Part X, and which is relevant whether or not a proposal is within the Special Control Area, is the need for the developer to identify and assess likely environmental impacts (odour, noise, dust, traffic movement and visual impact) and to show how the impacts are to be managed.

The DoE concurred that an assessment of odour impacts should be undertaken and any issues resolved prior to the application being determined. Accordingly, as previously stated in this report, the applicant was requested in writing to provide this supplementary information but declined to do so.

The application appears to contain a number of errors including:

- the report twice refers to the street setback only being required to be 50 metres and side and rear setbacks only being required to be 30 metres under the EPA's code of practice for poultry farms and in a policy adopted by the Council in 1997. The relevant policy is SPP 4.3. In the case of extensions to an existing poultry farm, the policy requires the minimum setback to be 100 metres, but where there is an existing shed with a lesser setback, any new shed should generally not be located any closer to the boundary. The Council's former policy with regard to poultry farms was rescinded following gazettal of the scheme amendment that inserted the Special Control – Poultry Farms Area provisions into TPS 2.
- the report states that night activities (ie harvesting of chickens and cleanout operations) only occur 6 times per year. It is our understanding that chickens are harvested 3 times during the 60 day cycle which equates to 18 times per year.
- the report states that approval was granted by the Council for the upgrade of four existing sheds from natural ventilation to controlled environment and the construction of two new controlled environment type sheds in the last 4 years. The approval for this was granted in 1996 (ie 9 years ago), being 3 years prior to the gazettal of the scheme amendment that inserted the Special Control – Poultry Farms Area provisions into TPS 2.

Compliance with the provisions of TPS 2 relating to Poultry Farms

If the proposal was within the Poultry Farm Special Control Area, it could be treated as a “P” use if it complied with the stipulated requirements. It is instructive to consider how the proposal performs in that regard:

Scheme Provision	Complies?	Comments
Controlled environment sheds or other (more superior) best practice controlled environmental technology, will be used to house the poultry.	Complies	N/A
There will be an internal loop road to allow articulated vehicles and truck and dog configurations to enter and leave the site, and service the facility, in a forward direction.	Complies	N/A
Landscaping and screening of the poultry sheds and surrounds accords with the “Standards for Revegetation on New Poultry Farms”.	Does not comply	The existing landscaping is sparse and does not adequately screen the broiler sheds and associated facilities from the road or adjacent properties. If approval is granted then appropriate conditions should be placed on the approval for the extensions requiring the landscaping around the existing sheds to be brought up to standard and the implementation of vegetation screening for the new sheds.
All litter material and dead birds will be disposed of off the site and in accordance with best practice.	Complies	Dead birds are kept in a cool room, collected Monday to Friday and disposed of at an approved composting facility. All litter material is removed from the site at the end of each cycle and disposed of at an approved composting facility.
A sign/s is placed on the site in a visible location to the satisfaction of the Council indicating the type of operation, hours of operation and possibility of undesirable environmental impacts on the surrounding areas as specified in schedules 1 and 2 of the Commission’s Statement of Planning Policy No. 5 Poultry Farms Policy.	Does not comply	This requirement was not inserted into the Scheme until 1999 (ie 4 years after approval of the farm). If approval is granted it is recommended that a condition be imposed requiring the erection of a sign on the Punrak Road frontage of the site containing all of the required information.
Setbacks & Separation Distances: 500 metres from any existing or future residential zone;	Complies	The existing sheds are only 35 metres from the northern boundary and 83 metres from the southern boundary so these lesser setbacks may be applied to the respective boundaries.  Note: The application site plan wrongly shows the sheds to be 73.26 metres from the southern boundary.
300 metres from any existing or future rural-residential zone;	Complies	
200 metres from any wetland subject to Water and Rivers Commission advice;	Complies	
100 metres from the boundary of the Poultry Farm or in the case of extensions to the existing farms	Complies	

Scheme Provision	Complies?	Comments
where a setback is already less than 100 metres then the lesser setback may be applied to that boundary.		
All the application requirements have been provided and the Council is satisfied with the establishment, operations and management and the impacts of the proposed development on the local environs.	Generally complies	All application requirements have not been provided and supplementary information relating to odour, noise and traffic have not been submitted as required by the Shire. The site plan submitted depicts inaccurate existing setbacks information. Numerous complaints with regard to odour and noise have been received by the Shire with regard to this farm since commencement of operation in 1996.

### EPA – Guidelines for Separation Distances

Under the Environmental Protection Authority's *Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Uses (Draft June 2004)* the proposed use fits within the land use category of Poultry Industry – Intensive Farming. Under this document the potential impacts for this use are dust, noise and odour.

This document identifies a guideline separation distance between poultry farms and sensitive land uses as between 500-1000 metres depending on the size of the farm. It should be noted that the document does not detail what is considered to be a small, medium or large poultry farm. Clause 2.3 of the document defines "Sensitive Land Uses" as follows:

*Land uses considered to be potentially sensitive to emissions from industry and infrastructure include residential areas, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, child care facilities, shopping centres, playgrounds and some public buildings.*

Clause 3.1 of the document goes on to state that it has only attempted to incorporate advice relating to separation distances from various codes relating to specific types of industry such as the poultry industry and that some of these codes may provide more detailed information on buffers that may be relevant to the achievement of acceptable environmental outcomes.

A single house on a Rural zoned lot is not classified as a "Sensitive Land Use" under the EPA's guidelines. However, a map was prepared to show the distance of existing dwellings on adjacent properties from the existing and proposed sheds on this farm. This determined that the nearest house on an adjacent property is 121 metres from the poultry sheds on Lot 8 to the north. Houses on other adjacent properties are between 500 metres and 1.2 kilometres of the existing and proposed sheds. There are also vacant properties adjacent to the development which do not have residences at this time, but upon which the owner would be entitled to construct a single home ("P" use).

Numerous complaints received over the years and submissions received by the Shire from residents of properties adjacent to the subject site provides an indication that simply providing the minimum boundary setback will not guarantee that noise and odour will not exceed acceptable levels or prescribed limits. Clearly the setbacks are only one part of the solution and often need to be combined with other measures such as vegetation belts, barriers such as earth bunds, standards of operation and the use of devices to reduce odours and noise and aid in air dispersion.

The applicant states the new total controlled environment sheds are far superior in terms of containing potential noise, dust and odour in comparison to older style naturally ventilated



sheds. Perhaps noise associated with activities carried out within the sheds such as catching of birds and use of forklifts are ameliorated by the enclosed environment provided. However, the addition of mechanical ventilation fans has added a new, and constant, source of noise that did not exist with the older style naturally ventilated sheds.

In addition there are other adverse factors associated with the switch to controlled environment type sheds being:

- the air in the controlled environment sheds is maintains a consistently high level of humidity which increases the potential for odour.
- farms have continually increased in size since controlled environment sheds were introduced thereby increasing the amount of activity and traffic volumes on the farms.
- on-site backup power generators have become a necessity on poultry farms since the switch to controlled environment sheds – thereby adding another source of noise that may adversely affect neighbouring properties.

The onus is on the developer to demonstrate fully the impacts of that expansion. Then having determined the extent of potential impacts the developer must identify measures that can be put in place to prevent those impacts having an adverse affect on residents of neighbouring properties.

Controlled environment sheds provide superior technology for the growing of chickens, reducing stock deaths and providing a more comfortable and productive environment for the chickens. It has not been demonstrated with technical data in this application that these kinds of sheds have a lesser impact in terms of noise, dust and odour for neighbours.

***A map showing the location of existing dwellings on adjacent properties in relation to the existing and proposed sheds on Lot 5 is with the attachments marked [L5 05.pdf](#)***

*WAPC's Statement of Planning Policy No.4.3. Poultry Farms*

*The main provision of the WAPC's Poultry Farms policy relating to the expansion of existing farms is that the new sheds not be located any closer than 100 metres from any boundary or a setback consistent with the existing boundary setback. The site plan indicates that new sheds will be no closer than the existing sheds to the southern boundary. However, the existing northern and southern boundary setbacks have been incorrectly stated on the site plan.*

*The setbacks for the new sheds to the front, northern side and rear boundaries comply with the WAPC's requirements.*

The remainder of the policy deals mainly with ensuring new poultry farms achieve a certain buffer to existing/proposed residential and rural-residential areas and that any proposals to rezone land to residential or rural-residential also comply with the buffers. This is consistent with the provisions for poultry farms contained in Part X of TPS 2.

#### Odour Emissions

Even if a farm achieves the minimum setbacks required under both local and State Government policies that does not provide a guarantee that odour emissions will not impact on neighbouring properties. One of the main factors is the amount of moisture in the litter on the floor of the sheds and the humidity in the sheds. In addition, meteorological conditions and ventilation design will effect how odour is dispersed once it is exhausted from the sheds.

There are currently three apparatus that can deal with air being exhausted from the sheds before it is emitted into the atmosphere. They are:

**Air scrubber:** An air scrubber is an air pollution control device which reduces the concentration of odorous and other emissions by passing the ventilation exhaust air through or over water or chemicals.

**Biofilter:** A biofilter is a device which reduces odours by passing ventilation exhaust air through a moist bed or beds of media (for example, hay or rice hulls) containing micro-organisms which decompose the odorous substances.

**Stack:** A vertical structure which is fixed to the exhaust end of a fan or naturally ventilated process to facilitate the discharge of ventilation exhaust air into the atmosphere above ground level.

Other states of Australia, in particular Victoria, require these devices on all new sheds and where the new sheds are added to an existing farm they are also required to be retrofitted to the existing sheds. The devices are required whether the sheds achieve or even exceed the required buffer setbacks. It is interesting to note that in Victoria the minimum boundary setback for a poultry farm of up to 280,000 birds is 375 metres. The boundary setbacks for farms with more than 320,000 birds (ie as all of the current applications being considered by this Shire propose) are only determined following detailed odour and noise modelling and may be as high as 500-1000 metres.

Public comment received in regard to the current applications being dealt with by the Shire and complaints received at other times confirm that even where the 100 metre boundary setback is provided to all boundaries it is not adequate to contain all emissions. The applicant has not provided sufficient information for the Council to be satisfied that the proposed extensions will not adversely impact on the amenity of adjacent properties with regard to odour emissions.

#### Noise Emissions

As previously discussed in this report, the applicant has not provided sufficient information for the Council to be satisfied that the proposed extensions will not adversely impact on the amenity of adjacent properties with regard to noise emissions.

#### Traffic Issues

Based on information provided by the WA Broiler Growers Association representative at a community meeting held on 31 January 2005, the estimated number of vehicle movements generated by a 640,000 bird farm over the 60 day growing cycle is as follows:

Sawdust Truck	13
Day Old Chick Truck	13
Feed Rations	64
Live Bird pickup	115
Cleanout	45
<b>TOTAL MOVEMENTS</b>	<b>250 VEHICLES</b>

Using the figures provided, it is estimated that 250 vehicles over the 60 day cycle averages out to approximately 4 vehicle movements per day. Most of the vehicles would arrive over a 2 or 3 day period during the change over process of:

1. Live bird pick-up
2. Clean out of sheds
3. Sawdust delivery
4. Day Old Chick delivery

It should be noted that not all the birds are harvested at the same time. This is generally staged over last 3-4 weeks of the 60 day cycle to provide birds of different sizes for the market.

Dead bird pick-up and feed deliveries occur intermittently throughout the cycle.

The proposed second crossover and accessway south of the existing crossover and accessway is considered to be a good idea as it will provide a greater separation from the main vehicle accessway and residences on adjoining properties than the existing arrangement does.

Punrak Road is sealed but is only a single vehicle width, which means that when two vehicles are approaching from different directions one must pull over.

#### Environmental Management System

An Environmental Management System (EMS) provides a systematic method for meeting environmental outcomes, approval conditions and the ways or procedures for meeting compliance. It allows for:

- better practices
- monitoring of performance
- training of staff
- keeping of relevant records
- complaint response
- emergency and incident response.

An EMS addresses noise, air quality, waste and any other relevant environmental issues associated with processes that could reasonably pose a significant risk to the environment, if not appropriately controlled, monitored and/or managed.

It is recommended that the preparation, implementation and auditing of an EMS be required as a standard condition for all new poultry farms and extensions to existing farms. This recommendation was also made in the DoE's comment. An EMS should be required to be prepared by an appropriately qualified environmental consultant.

#### Conclusion

The subject farm is within the Rural zone and as such the Council may exercise discretion to approve the use. However, it is considered that the applicant has not adequately demonstrated that any impacts associated with the extended farm can be ameliorated to a level satisfactory to the sensitive premises (dwellings) on adjoining properties. Accordingly, it is recommended that the application be refused.

**Voting Requirements:** Normal

#### **SD079/06/05 COUNCIL DECISION/Officer Recommended Resolution:**

**Moved Cr Kirkpatrick seconded Cr Scott**

**The application for approval to commence development of extensions to the existing Poultry (Broiler) Farm on Lot 5 Punrak Road Hopeland be refused for the following reasons:**

- 1. The Council is not satisfied that the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality due to the lack of pertinent information provided in the application.**
- 2. The Council is not satisfied that the proposed use will not have an adverse effect on the inhabitants of the locality or upon the likely future development of the locality due to the lack of pertinent information provided in the application.**
- 3. The applicant has failed to adequately demonstrate that the application will not have a detrimental impact on the amenity of the locality.**

**CARRIED 8/1**

Cr Wigg voted against this motion.

SD080/06/05 PROPOSED POULTRY FARM - LOT 368 HENDERSON ROAD (CNR HOPELAND ROAD), HOPELAND (P01406/01)		
Proponent:	Dykstra & Associates	In Brief  Proposed new poultry farm comprising 16 sheds each accommodating approximately 59000 birds. Approval is recommended for the first stage of six sheds only (sheds 1-6) for a total of approximately 354000 birds subject to conditions.
Owner:	Big Country (Australia) Ltd	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	23 May 2005	
Previously	SD031/02/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 28 October 2004  
 Advertised: Yes  
 Submissions: 23 objections  
 Lot Area: 46.4 ha.  
 L.A Zoning: Rural  
 MRS Zoning: Rural  
 Byford Structure Plan: Not applicable  
 Rural Strategy Policy Area: Rural Policy Area  
 Rural Strategy Overlay: N/A  
 Municipal Inventory: Not applicable  
 Townscape/Heritage Precinct: Not applicable  
 Bush Forever: Nil  
 Date of Inspection: 9 December 2004

### **Background**

The subject site is located on the north-east corner of the Henderson and Hopeland Road intersection. The southern boundary of the site has frontage to Henderson Road and the western boundary fronts Hopeland Road. The northern and eastern boundaries abuts rural properties used for grazing.

A main drain dissects the southern part of the site. There is an existing house and outbuildings adjacent to the Henderson Road frontage of the site. A high voltage power line dissects the site from north to south-west.

The site is predominantly cleared with only some scattered and clumped vegetation in the northern part of the site, along the drains and around the existing dwelling.

The proponents currently operate poultry farms in the North Ward of the Shire and outside the Shire.

***A copy of the location plan, site plan showing existing and proposed structures and aerial photograph is with the attachments marked [L368 01.pdf](#), [L368 02.pdf](#) and [L368 03.pdf](#).***

### **Proposed Development**

The proposal is for a new poultry farm comprising 16 tunnel ventilated controlled environment sheds. Each shed will be 150 metres long and 18 metres wide (total floor area of 2700 square metres each) and will accommodate approximately 59,000 birds per shed.

The sheds will be constructed of *colorbond* steel panels with *coolcell* insulated walls and roof. The floor will be impervious concrete and concrete walls will extend 400 millimetres high above the floor with the *colorbond* panels on top of this wall. The low concrete portion of the walls will prevent runoff of waste water during washdown. The floor of the sheds will be located a minimum of 2 metres above the highest known groundwater table on the land.

The ventilation system for each shed will comprise fourteen fans at one end and one fan on each side. Fans will face east with emissions directed to a 3m high by 1 metre wide hay bale wall. The proponent advises that this wall will capture dust emissions and reduce noise and odour. The wall is proposed to be a temporary measure until such time as vegetation has grown sufficiently.

Night lighting will be contained to the areas directly outside the sheds and generally only used during catching time.

Fork lifts used during harvesting will utilise dim-set lighting as an alternative to beepers.

Earthen bunds are proposed to be constructed on the western side of the sheds to ameliorate noise generated during harvesting.

In addition to the poultry sheds the application proposes a second dwelling (caretakers dwelling), a service building, saw dust storage shed, biosecurity facility and cool room. The biosecurity facility will be used for both vehicles and personnel who enter the site to prevent any disease transmission onto the site.

The proposed poultry sheds will run east-west across the site with the exhaust fans being located on the eastern side of the sheds. The setbacks proposed for the poultry sheds are:

Front (Hopelands Road)	185 metres
Rear (eastern boundary)	100 metres
Northern Side	246.76 metres
Southern Side (Henderson Road)	530 metres
Main Drain channel	270 metres
Power line	20 metres minimum to 135 metres maximum

A biosecurity buffer of 1000 metres has been provided to the nearest existing poultry farm. The caretaker's dwelling is proposed to have its own vehicle access point off Hopeland Road. The vehicle accessway to the sheds will also be off Hopeland Road. Accessways will loop around and between the sheds so that all vehicle movements can be in forward gear.

Shed floors will be covered with a 10-15cm deep layer of dry litter such as sawdust or wood shavings. This litter will be removed off site when the sheds are cleaned out at the end of each growing cycle.

Grassed swales will be provided along the sides of the sheds to allow evaporation and nutrient stripping of washdown and stormwater runoff water.

Dead birds will be stored in a coolroom facility and removed off site by a contractor on a daily basis Monday to Friday.

The proponent advises that the initial stage of construction will comprise six of the poultry sheds only.

Subsequent to submission of the application, the applicant has submitted supplementary reports with regard to odour modelling, noise modelling, traffic impact and a proposed Environmental Management System. Noise and odour modelling has been based on the first stage of development (6 sheds) only.

The Shire has engaged independent Environmental Consultants to review the noise and odour modelling provided by the proponents and their findings are contained under the section entitled "Independent Environmental Review".

The supplementary information submitted by the applicant and the review of that information by the independent Environmental Consultants engaged by the Shire are summarised and discussed later in the Comment section of this report.

### Environmental Management System

The proponent has submitted a document entitled Environmental Management System (EMS) but it is actually an Environmental Risk Assessment (ERA). An ERA is a tool used to assist in the preparation of an EMS.

### Sustainability Statement

#### ***Effect on Environment:***

The proposed poultry farm will require the clearing of some remnant native vegetation. The impact of this clearing and recommendations with regard to the value of the remnant vegetation and re-vegetation to achieve both biodiversity and screening objectives are discussed in detail in the Environmental Officer's comments.

#### ***Resource Implications:***

The poultry farm will involve the usage of ground water as there isn't a reticulated water supply in the area. However, the new technology incorporated into the controlled environment poultry sheds means that water usage is 50% less than with older style sheds. Any increase in the use of bores outside current licensing limits, will require an application to the Department of Environment to extend those limits.

#### ***Use of local, renewable or recycled Resources:***

It is uncertain whether the proposed sheds will be constructed from locally available resources.

#### ***Economic Viability:***

The proposal may be economically viable in a way that incorporates its external costs if conditioned, managed and monitored appropriately but it is not possible to determine that the proposal will be economically viable.

#### ***Economic Benefits:***

The proposal has the potential to generate long term employment within the Shire.

#### ***Social – Quality of Life:***

The application was referred to surrounding landowners for comment. Concerns and issues raised by the community can be addressed through appropriate conditions of planning approval. There is the potential that the amenity of the area could be affected by noise, odour and dust as well as visually if not managed appropriately to ameliorate these potential impacts.

#### ***Social and Environmental Responsibility:***

In order to prevent any adverse impacts on the environment or amenity of the area, the owners would need to demonstrate a commitment to a high level of social and environmental responsibility through compliance with the conditions of approval. This could be monitored by way of annual audits being required to be carried out.

#### ***Social Diversity:***

The application for the extension of the poultry farm does not directly impact on any particular social group.

**Statutory Environment:**

Town Planning and Development Act 1928  
Town Planning Scheme No.2

As per the resolution of the Western Australian Planning Commission made under Clause 32 of the Metropolitan Region Scheme, extensions to poultry farms that are greater than 100 square metres in area require separate determination by the WA Planning Commission under the Metropolitan Region Scheme (MRS). The Shire determines the application under the Town Planning Scheme (TPS) only.

**Policy/Work Procedure Implications:**

The application was required to be referred to the Department of Environment and Agriculture Western Australia as the site is within the Peel-Harvey Coastal Plain Catchment Area Statement of Planning Policy No.2.1, Statement of Planning Policy No.5, Draft Environmental (Peel Harvey Estuarine System) Policy 1992

**Financial Implications:**

There are no Financial implications to Council related to this application.

**Strategic Implications:**

This proposal relates to the following Key Sustainability Result Areas:-

**2. Environment**

*Objective 1: Protect and repair natural resources and processes throughout the Shire*

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
3. Encourage protection and rehabilitation of natural resources.
4. Reduce water consumption.
5. Reduce green house gas emissions.
6. Value, protect and develop biodiversity.

*Objective 2: Strive for sustainable use and management of natural resources*

Strategies:

1. Implement known best practice sustainable natural resource management.
2. Respond to Greenhouse and Climate change.
3. Reduce waste and improve recycling processes

**3. Economic**

*Objective 1: A vibrant local community*

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.

**4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.

**Comments from External Agencies**

The application was referred to the Department of Environment and the Department of Agriculture because the subject site is within the Peel Harvey Coastal Plain Catchment Area.

As a power line runs through the centre of the site from north to south the application was also referred to Western Power for comment. The comments of these agencies are summarised below:

Department of Environment (DoE)

Comment

The DoE advises:

*Whilst the proposal generally accords with the "Environmental Code of Practice for Poultry Farms in Western Australia", the Department of Environment (DoE) acknowledges that the proposal does have the potential to substantially increase the frequency of odour complaints if poorly managed.*

*The Department is not opposed to the expansion, however, the DoE respectfully recommends that Council require the proponent to undertake the following studies to determine whether the proposed buffers are satisfactory:*

*Quantify the odour source using dynamic olfactory analysis;  
Predict the down wind odour impacts using dispersion modelling; and  
Compare the dispersion modelling results to a recognised environmental odour criterion to derive an appropriate odour buffer distance.*

*The odour study should be undertaken in accordance with the EPA's Draft Guidance for the Assessment of Environmental Factors No. 47 - "Assessment of Odour Impacts".*

*If odour is not the only factor which requires a separation distance, appropriate studies should be undertaken for each factor. Alternatively, clear demonstration that the odour impact area encompasses all the other factor impact areas needs to be provided.*

*Subject to the resolution of this matter, the DoE would have no objections to the proposal subject to the following condition and advice:*

*Environmental Management Plan*

*The subject land is located within the proposed Karnup-Dandalup Underground Water Pollution Control Area (UWPCA) which has been declared for Priority 3 (P3) source protection. Housed poultry farming is considered to be a conditionally compatible landuse type in P3 areas. As a result, an Environmental Management Plan should be prepared and implemented to the satisfaction of the Department of Environment (DoE) and the Shire of Serpentine Jarrahdale.*

*Such a plan should comply with the DoE's Environmental Code of Practice for Poultry Farms in Western Australia; and clearly prescribe both the proposed operation of the development and the environmental management of issues including but not limited to odour, noise, dust and wastes (including washdown water and contaminated litter).*

*Groundwater Abstraction*

*The proponent should be advised that the property is located in the Serpentine Groundwater Area where there are issues of groundwater quality and availability. The proponent should be advised to seek advice from the DoE's Mandurah office concerning groundwater usage.*

Actions taken in response to Department of Environments Comments

The applicant was required to engage suitably qualified consultants to prepare an assessment of the worst case scenario potential odour impact and to determine whether there were measures that could be put in place to address this worst case scenario. The applicant has now submitted a report in this regard and this is discussed in detail in the Comment section of this report.



The applicant has also submitted an Environmental Risk Assessment for the proposed farm as well as a supplementary report which includes further information with regard to management of waste water and stormwater runoff.

Agriculture Western Australia (AWA)

Comment

AWA advise:

*Staff of the Department of Agriculture have reviewed the application for planning approval for the development of a new poultry farm on the above property.*

*The proposal as listed should meet the Environmental Code of Practice for Poultry Farms and our Nutrient Management staff assure me that the plan is in accordance with best practice. The proposed poultry farm is in a rural area in the proximity of other poultry facilities, albeit adjacent to the Poultry Policy Overlay area designated by the Council.*

*Whilst acknowledging that the proposal is for a large poultry facility, the Department of Agriculture has no objections.*

Actions taken in response to Department of Agriculture's Comments  
Department of Agriculture's comments are noted.

Western Power

Comment

*No objections to the proposal.*

Actions taken in response to Western Power's Comments  
Western Power's comments are noted.

**Community Consultation:**

Required: Yes by Part X of the Scheme

Support/Object: 23 letters of objection were received.

The issues raised during the public consultation period are summarized and addressed below:

<b>Issue</b>	<b>Officer Comment</b>
<i>Buffers &amp; Location</i>	
Poultry farms are required to have a 500 metre buffer zone and this should not be on other people's land.	The 500 metre buffer applies to Residential zones only. The nearest Residential zone is 6 kilometres to the east in the Serpentine townsite. The WAPC Statement of Planning Policy only requires a 100 metre buffer on rural zoned properties.
The EPA stipulates that there has to be a 300 metre distance between the poultry sheds and rural residential zones.	This is correct. However, the nearest Rural-Residential zone is the Karnup Creek Special Rural zone over 3 kilometres to the north of the subject site.
The generic separation distances contained in the EPA's guidelines do not take into account the cumulative impacts of multiple facilities such as poultry farms and piggeries being located in a small area.	Noted. The proposal should be assessed by reference to its amenity impact, and not only whether it meets generic separation distances. The fact other poultry farms and piggeries exist however may mean the existing amenity is already downgraded.
These new and larger poultry farms need to be located on much larger pieces of land which enable the	The subject farm achieves the minimum 100 metres boundary setbacks and the required separation distances from sensitive land uses such

<b>Issue</b>	<b>Officer Comment</b>
containment of buffers within their own boundaries	as Residential and Rural-Residential zoned land.
There have been many properties available within the poultry farm overlay area so there is no need for a new farm to locate outside of that area.	The applicants have advised the Shire that they have been searching for potential properties for the new farm for approximately 5 years. They advise that they did express interest in some properties within the overlay area but found the cost of properties within that area to be higher than land outside the overlay area. The subject property was available at the time they were ready to purchase and the cost was within the boundaries of economic viability for the establishment of a poultry farm. The land is of adequate size to accommodate the required boundary setbacks and Poultry Farms are a use that the Council has the discretion to approve in the Rural zone.
Poultry farm sizes are being increased by stealth.	This comment is unsustainable in that all applications for poultry farms outside the Poultry Policy Overlay Area are advertised to the public before being determined.
New farms should not be permitted outside the Poultry Policy Overlay Area.	Under the Shire's Town Planning Scheme No. 2 Poultry Farms is a use that the Council has the discretion to approve in the Rural zone.
Properties in Hopeland will be devalued as a result of all these poultry farms.	There are already 5 or 6 poultry farms existing in the Hopeland/Serpentine area and the last 3-5 years has seen significant growth in the value of all properties in the area.
Approval of extensions to and additional poultry farms in Hopeland will impact on the future urban development of the area.	Neither State nor Local Authority long term planning strategies such as the Metropolitan Region Scheme, the Network City Plan or the Shire's Rural Strategy identify land in this particular area as a possible future urban area.
<i>Visual Amenity</i>	
The rural identity of the area should be retained and these industrial type units should not be allowed to be built.	Although somewhat larger and more numerous than normal farm sheds, poultry sheds are of similar shape, height and construction as other rural sheds such as hay sheds, stables and farm workshop and equipment sheds. Consideration could be given to requiring the external cladding of the sheds to be of a colour that blends more with the existing landscape such as earthy or bushland tones.
Total screening around the whole poultry farm is required. Single line planting will not meet the screening standards.	Conditions likely to be applied include requirements for a combination of earth bunding and dense vegetative screening comprising locally native trees, shrubs and groundcovers.
The many large sheds will be unsightly.	See the two previous comments.
The Shire has a poor track record in enforcing vegetation, bunding and set back conditions on existing poultry farms.	Consideration is being given to making it a standard requirement that the developers engage suitably qualified consultants to carry out annual audits of the farms to the satisfaction of the Shire. This will enable the Shire to better manage compliance issues on the farms.
<i>Odour</i>	
The dead chook truck passes twice a day, is not sealed and makes being	A condition could be applied requiring these vehicles to be covered to reduce odour emissions.

<b>Issue</b>	<b>Officer Comment</b>
on the road totally unpleasant due to odour.	
The odour coming from the existing poultry farms, piggery and turf farm are putrid and will only worsen with this new farm.	Conditions of approval could require the incorporation of measures such as air scrubbers or biofilters in conjunction with stacks to aid vertical air dispersion within ventilation systems.
The odour from existing farms is overpowering at times.	See comments above.
<b>Dust</b>	
The tunnel ventilated sheds create dust that is ejected via the exhaust fans. This emits in a cloud or fog and remains until it blows away or settles on the ground.	A condition could be applied requiring the addition of cowls or stacks to air discharge fans to assist in the dispersion of odours and dust. A condition could also be applied that requires bedding (sawdust etc.) to be treated (ie with oils) to reduce dust.
Dust from the poultry farm will settle on neighbours' roofs and therefore affect rainwater that is used for domestic purposes.	See above comment.
Limestone driveways will cause a dust nuisance for neighbours due to truck movements.	Where driveways are not hard sealed they can be required to be compacted to reduce dust production. In addition an internal speed limit of 20 kilometres an hour could be applied as the speed of the vehicles affects how much dust is produced. A condition will also be included to prevent visible particulates (including dust) from crossing the boundary of the premises.
Vegetation screening does not block out noise, odours and smells. Earthen bunds should be constructed around all poultry farm operations.	Earthen bunds would be required as a condition of approval as well as a requirement for vegetative screening.
<b>Noise</b>	
The new total environment controlled sheds do not address noise and odour issues and the extraction fans provide a new source of noise. Earthen bunding is required around all of the sheds to contain noise.	Conditions can be imposed on the poultry farm to address noise and odour issues.
The existing farms in the area already create unacceptable noise levels particularly at night.	See comments above.
Noise emissions occur mostly after hours and result from feed deliveries, cleaning of sheds, bird removal, emergency power generators, trucks kept idling, workers shouting and forklifts beeping.	Earth bunding and other measures aimed at reducing noise and maintaining emissions with regulated standards (when measured at the property boundaries) could be required as conditions of approval.
Provision should be made for birds to be harvested and sheds cleaned during daylight hours (ie 7am to 7pm).	Conditions relating to the noise attenuation measures required for the fans, vehicles and emergency generators could be included as conditions. A condition requiring earthen bunds to be constructed around the sheds could also be included in the recommendation. These bunds will have a dual purpose of visual screening and noise attenuation.

<b>Issue</b>	<b>Officer Comment</b>
	<p>Given the distance between poultry farms in the Shire and the processing facility in Osborne Park (over 50 kilometres) it is not practical, particularly with regard to welfare of the birds, to require harvesting to occur during the daytime. In particular in summer this would lead to extreme distress for the birds and would result in the death of many birds. It would be open to the Shire to consider facilitating the establishment of a processing plant within the Shire so that daytime pickups become possible.</p>
<i>Water Issues</i>	
<p>The operation of such large poultry farms will have a massive draw on groundwater supplies and also has the potential to pollute groundwater supplies.</p>	<p>Groundwater abstraction is regulated by the Department of Environment (DoE). The proponents will have to obtain a Groundwater abstraction licence from DoE and this will set limits on the amount of groundwater allowed. A nutrient and drainage management plan would be required to be prepared and implemented to the satisfaction of the DoE and the Shire in accordance with DoE guidelines. Controlled environment sheds and measures such as nipple ends on drinking water systems provided for chicks use less water than older style methods of production.</p>
<i>Traffic Impact</i>	
<p>The applicant has not provided any information on the traffic impact of this proposal.</p>	<p>It is noted that a traffic impact assessment was not provided.</p>
<p>The standard of roads within the Hopeland area are not adequate to cater for the truck traffic generated by these poultry farms.</p>	<p>Hopeland, Karnup, Rapids, Lowlands, Kargotich and Mundijong Roads are already designated heavy haulage routes and comprise the route that will be followed by trucks generated by the farm to get to the Kwinana Freeway to travel either north or south.</p>
<p>The fast moving truck traffic generated by these farms creates a hazard for cyclists, pedestrians and horse riders.</p>	<p>Most rural uses generate truck traffic not just poultry farms and appropriate speed limits are set by Main Roads. Trucks, cars, pedestrians, cyclists and horse riders are bound by the Road Traffic Authority Act. Cyclists and pedestrians use all types of roads including major highways. It is up to all users to use due diligence when using any roads.</p>
<p>Farms of the size proposed will generate 8414 trucks per year.</p>	<p>Based on estimated vehicle movements provided by the WA Broiler Association a poultry farm of approximately 360,000 birds will generate approximately 720 truck movements to and from the site per year or 14 trucks per week and at the other end of the scale a farm of 1 million birds will generate approximately 2000 truck movements per year or 38 trucks per week.</p>
<i>Monitoring of Compliance issues by the Shire</i>	
<p>How will the Shire monitor noise levels between 10.00pm-3.00am.</p>	<p>The Shire will respond as soon as practical to any complaints from neighbours with regard to excessive noise problems, however, the Shire does not generally undertake site visits outside normal working hours.</p>

<b>Issue</b>	<b>Officer Comment</b>
The Shire officers do not respond to odour, noise and dust issues immediately and by the time they arrive the problem has ceased.	See above comments.
<i>Other Issues</i>	
Broiler farms are not rural pursuits they are intensive farming and an offensive trade.	Poultry farms are an AA (discretionary) use in the Rural zone under the Shire's town planning scheme and as such are able to be considered in this zone.
The poultry farms will result in stable fly breeding which will severely impact on established horse stud facilities in the area.	Stable fly is a problem that is usually associated with ventures where manure is stockpiled. Manure is not stockpiled at broiler farms and is removed from site at the time of shed cleanout.
There is a possibility of the failure of biosecurity leading to a breakout of harmful diseases.	A biosecurity buffer of 1000 metres has been allowed for from the nearest proposed poultry shed to existing poultry farms on other properties. This is compliant with the normal requirement of the Department of Agriculture.
The increased use of our area for offensive industries is contradictory to the original plans for the area. A township was originally planned in Hopelands.	Neither State nor Local Authority long term planning strategies such as the Metropolitan Region Scheme, the Network City Plan or the Shire's Rural Strategy identify this particular area as a possible future urban area.
All of the existing problems being experienced in the area are as a result of the existing poultry farms and these issues should be resolved before the Shire approves any extensions or new farms.	The conditions that are now placed on new or extended farms are intended to contain all emissions at acceptable levels when measured at the boundaries of the farms. The Shire is unable to impose more stringent conditions retrospectively but will aim to address any areas of non-compliance with existing conditions or relevant legislation.

### Public Meetings

Following the close of the public submission period the Council met with the owners and operators of the 12 poultry (meat bird) farms located within the Shire and then separately with representatives of the Barrter/Steggles group who own the livestock grown at 11 of the 12 farms. The purpose of these meetings was for the Council to gain an understanding of the future intentions of the poultry (meat bird) industry within the Shire both from the growers and the processors perspectives.

Additionally, a public information session was held on the evening of 31 January 2005. Representatives from the WA Broiler Growers Association, the Barrter/Steggles group and the Department of Environment made presentations to the public with regard to the operation of poultry farms, developments in technology, the new code of practice for poultry farms, the industry's future intentions for the Shire, the recently released Code of Practice for Poultry Farms and water issues within the area containing the poultry farms.

Approximately 70 members of the public attended the information evening. Following the presentations, the audience was invited to put questions to the panel of speakers. The question and answer session ran for approximately one and a half hours. One of the main issues at that meeting was that the community felt that the industry representatives had been given plenty of opportunities to present their position to the Councillors but that the community had not been given the same opportunities.

At their Ordinary meeting held on 22 February 2005 the Council resolved to hold a meeting for all the people who made submissions with regard to the three current poultry farm

applications in Punrak Road, Henderson Road and Casuarina Road to enable them to put their case directly to the Councillors with regard to poultry farms in the Shire in general. The Council also resolved that additional meetings were to be held with regard to the Punrak Road and Henderson Road applications individually so that the submitters for each application could air the issues they had with respect to a particular application.

The general poultry farm issues meeting was held on 2 March 2005 and the meeting relating specifically to the proposal on Lot 368 Henderson Road was held on 11 March 2005.

***The discussion at these additional meetings expanded on the issues raised in the written submissions and are attached at [L368 12.pdf](#)***

### **Development Control Unit Comment:**

#### Environmental Officer

##### Soils

*Acid sulfate soils are unlikely. Soils poor: B1a is on the sandy rise; B2a is to the north and east of the sandy rise; and, B6 is to the south and east of the sandy rise. Soils have moderate to high risks of phosphorus export and are therefore susceptible to leaching of nutrients into the groundwater.*

##### Water

*A major drain runs from east to west across the southern portion of the property. There is little vegetation along the edges of this drain and the profile does not mimic a natural water course well.*

*Minor spoon drains have also been excavated north of the major drain. These run in a north south direction.*

*A non-perennial swamp is located running north from the main drain in the eastern portion of the block.*

*An earth dam with permanent water is located in the western portion of the block about half way between the northern and southern borders. This dam was holding water during a site visit in mid January and about 30 ducks were using the resource.*

*The area of the block to the north of the main drain other than the sandy rise is designated as a "resource enhanced" dampland basin. A dampland is seasonally water logged and therefore provides very wet conditions through which pollution could easily traverse to ground water resources. The resource enhanced category indicates that the area still supports ecological attributes and functions and the land maintains the capacity to be rehabilitated with many of the wetland values.*

*The proposal is within a proposed Priority 2 (P2) ground water protection area. Poultry farms within P2 areas are considered compatible with conditions.*

*Water consumption needs to be addressed more thoroughly in the application. Department of Environment licences for water consumption may not be available at this site.*

*It is normal for an operation of this size to operate a monitoring program in accordance with an environmental management system.*

*Insufficient information is supplied in relation to engineering requirements. The operation may require a workshop and wish to store fuel and other chemicals. Assessors should know these details and condition the activities appropriately.*

##### Biodiversity

*The vegetation is part of the Southern River complex. This complex used to cover nearly 58,000 hectares on the Swan Coastal Plain with 8669 hectares within the Serpentine*

Jarrahdale Shire. There are no recent data relating to the extent of remaining vegetation or to the condition of that vegetation. In 1997 just 11,501 hectares remained across the Swan Coastal Plain (80% cleared) and just 1637 hectares (81% cleared) remains within the Shire. It is almost certain that the amount of clearing has increased since that data and the condition of remaining vegetation is most likely to have further deteriorated. The remnant vegetation on this lot is therefore not well represented throughout its range and should both be protected wherever possible and offset where protection is not possible.

The remnant vegetation has been extensively grazed and the under storey has therefore been removed in all areas except the adjacent road reserve where indigenous plants occur among the weeds. Grazing however, appears to have stopped for a year or two as regrowth of shrubs has started to occur.

The dominant trees and shrubs for this vegetation complex when intact are as follows:

Jarrah (*E. marginata*)

Marri (*Corymbia calophylla*)

Christmas trees (*Nuytsia floribunda*)

Woody pear (*Xylomelon occidentale*)

Casuarina

Holly leaved banksias (*Banksia ilicifolia*)

Kunzea *spathulata*

*Melaleuca preissiana* or *rhopiophylla*

A low eucalypt with mallee growth form also occurs (has many characteristics of jarrah)

River gums *E. rudis* occur along the main drain.

Many of these species are vulnerable to dieback and the proponent should be required to detail what dieback hygiene measures will be taken to protect these species if present in good condition on the property.

The adjacent block to the east has about 20 hectares of intact remnant vegetation but it is entirely isolated. Redevelopment of L368 provides an opportunity to re-establish an ecological corridor between this neighbouring vegetation and the road reserve adjacent to a block to the west which also has about 8 to 10 hectares of remnant vegetation. Corridors should be established both along the main drain and through the remnant vegetation on the sandy rise. This would require shifting many of the sheds so that they are located in a manner that minimizes clearing.

#### **Conditions and footnotes required if application is approved:**

1. The developer shall prepare for Council approval a Landscape and Vegetation Management Plan that identifies requirements for weed control, details the protection of existing vegetation, and the species, densities and distributions of trees, shrubs and groundcover plant species to be planted primarily to reinstate ecological corridors along the major drain and between adjacent bushland to the east and both the Henderson Road reserve to the south and the western boundary through the remnant vegetation.

This condition should be accompanied by the following advice note:

The Landscape and Vegetation Management Plan shall:

- Include a scaled map of the development which can be placed as an overlay over a recent (since 2003) aerial photograph of the whole block;
- Locate on the map, and both identify and describe how existing indigenous vegetation is to be protected or not to be retained as a result of access ways, fences, buildings, firebreaks, services and all other development impacts;
- Locate on the map and describe the management of dead standing trees;
- Locate on the map and identify both the types and magnitudes of weed infestations and describe weed management to be undertaken;

- *Locate on the map and describe construction to be undertaken to redesign any watercourses, wetlands or other landscape features;*
  - *Locate on the map and describe the target communities, species, mature sizes, planting densities, soil preparation and plant protection for plants within and/or buffering natural water courses, drains, constructed dams, nutrient stripping or compensation basins, vegetation buffers, wildlife corridors, visual and odour screens;*
  - *Clearly state auditable targets for vegetation management including weed control and revegetation outcomes;*
  - *Locate fire breaks on the map.*
2. *The proposed development shall not commence until the Director Sustainable Development has approved the Landscape and Vegetation Management Plan in writing.*
  3. *The implementation of the approved Landscape and Vegetation Management Plan shall commence within twelve months of the development approval being granted and is to be completed within three years of the development approval being granted. Vegetation on site is to be maintained in accordance with the approved Landscape and Vegetation Management Plan thereafter.*
  4. *Vegetation planted by the developer must be fenced from grazing livestock in order to protect trees and other vegetation from damage.*
  5. *No indigenous vegetation and trees shall be destroyed or cleared except, but subject to, the developer obtaining the prior consent of the Council in writing, where such vegetation (dead or alive) is deemed as structurally unsound by a certified arboriculturist, or where the clearing is required to accommodate approved developments.*
  6. *The developer shall prevent the generation of visible particulates (including dust) from access ways, trafficked areas, stockpiles and machinery from crossing the boundary of the premises by using where necessary appropriate dust suppression techniques.*
  7. *The developer shall ensure that the use of water for wash down is minimized and that any discharge of water from within the chicken sheds is treated to prevent the discharge of nutrients, and other pollutants into the groundwater, wetlands or other surface water courses.*
  8. *All water treatment facilities are to be regularly maintained to minimize the discharge to the environment of nutrients, total suspended dissolved solids, total suspended solids and other pollutants to ground and surface water resources.*
  9. *The developer shall store environmentally hazardous chemicals including, but not limited to, fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) within low permeability (10-9 metres per second or less) compound(s) designed to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of vessels stored in the compound.*

*This condition should be accompanied by the following advice note:*

*The compound(s) described in condition ..... shall:*

- a) *be graded or include a sump to allow recovery of liquid;*
- b) *be chemically resistant to the substances stored;*
- c) *include valves, pumps and meters associated with transfer operations wherever practical - otherwise the equipment shall be adequately protected e.g. bollards and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;*
- d) *be designed such that jetting from any storage vessel or fitting will be captured within the bunded area - see for example Australian Standard 1940-1993 Section 5.9.3 (g);*



- e) *be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and*
  - f) *be controlled such that the capacity of the bund is maintained at all times e.g. regular inspection and pumping of trapped uncontaminated rain water.*
10. *The developer shall immediately remove and dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compound(s).*
  11. *The proponent shall ensure that no chemicals or potential liquid contaminants are disposed of on-site.*
  12. *No manure or dead animals are to be disposed of on site.*
  13. *All temporary stockpiles of manure are to be contained in covered storage compounds which maintain them in a dry condition and do not allow access by flies.*
  14. *The storage, use and disposal of all chemicals including, but not limited to, pesticides, disinfectants and veterinary products is to comply with the manufacturers recommendations.*
  15. *Stock feed is to be stored within containers that prevent access by vermin and native wildlife.*
  16. *Outside lighting is to be kept to a safe minimum and should be angled to minimize light impacts on neighbouring properties.*

<b>Environmental Officer's Recommendations</b>	<b>Recommendations adopted/amended etc</b>
<p>Shire negotiates with the proponent to move proposed sheds so that they minimize requirements for clearing (ie sheds should be placed in the existing cleared area to the north and south of the existing remnant vegetation) Shire negotiates with the proponent seeking a commitment to offset any clearing that is necessary</p>	<p>With reference to the amended plan submitted the placement of the sheds on the site as shown will enable the retention of existing vegetation between the sheds and the street frontage of the lot. However, existing vegetation will need to be cleared from the location proposed to place the sheds. The Environmental Officer recommended that the sheds be required to be located on the site in two separate groups north and south of the central located remnant vegetation. This would not allow for efficient functioning of the farm as there would need to be two separate and no linked vehicle accessways to the two groups of sheds. Services (ie power, water, etc.) to the sheds would also need to be duplicated as a result of this site layout. Also the land is lower.</p> <p>It is recommended that the poultry sheds be allowed to be placed on the site in the location depicted on the amended development plan and used for the noise and odour modelling. This will allow the remnant vegetation between the sheds and the road to be retained. Additional planting between the northern edge of this vegetation around the area and between the northern most shed and the northern boundary will enable a vegetated link between the vegetation existing on the road verge and the existing vegetation on the lot that abuts the eastern boundary of L368. See <a href="#">L368_03.pdf</a> attached.</p>

	<p>It is open to council to consider approving 6 sheds in the location of sheds 11-16 as shown on the amended site plan in order to minimise clearing of existing vegetation however modelling has not been undertaken for the sheds and they are closer to existing residences.</p>
<p>The application should be referred to the Department of Environment because of the scale of the proposed operation, the lack of height between soil surface and groundwater resources, the resource enhanced category of wetland, proposed clearing and the proposed groundwater protection area.</p>	<p>The application was referred to the Department of Environment and the comments received from this agency are detailed in the External Agency Comment section above.</p>
<p>The proponent be required to resubmit the application providing more detailed information to the following:          -Provide an accurate scaled diagram on an overlay of a recent (2003 or later) aerial photograph;          -Nutrient amounts and management details;          -Details of surface water drainage and how surface waters will be protected from the proposed operation;          Details on depth of groundwater and how groundwater resources will be protected from pollution from the proposed operation;          -Details of water requirements; and approved water sources;          Details of where disinfectant wash waters will drain, how much there will be and how it will be treated;          -Details of biodiversity values and all impacts of proposed development on living and dead remnant vegetation, including all buildings, access ways, provision of services, proposed firebreaks and all other impacts.</p>	<p>The applicant submitted supplementary reports and it is considered that there is now adequate information to determine this application.</p>

**Comment:**

**Statutory Context**

The subject site is zoned Rural. Town Planning Scheme No. 2 (TPS 2) states that the purpose and intent of the Rural Zone is to allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area. Generally in the Rural zone a Poultry Farm is an "AA" use (discretionary). However, for those lots also covered by the Poultry Farm Special Control Area overlay a Poultry Farm is a "P" (Permitted) use provided it satisfies the requirements stipulated in Part X of TPS 2.

The site does not fall within the Poultry Farm Special Control Area recognised in TPS 2.

A use classification of 'AA' means that the Council may, at its discretion, permit the use. However, a discretionary use should only be granted approval if the Council is satisfied that the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality and if the Council is satisfied that the proposed use will not have any adverse effect upon the occupiers or users of the

development or the inhabitants of the locality or upon the likely future development of the locality.

Clause 6.4.2 of Town Planning Scheme No. 2 requires the Council to have regard to the following factors in determining an application for planning consent:

- "a) *the purpose for which the subject land is reserved, zoned or approved for use under the Scheme;*
- (b) *the purpose for which land in the locality is reserved, zoned or approved for use under the Scheme;*
- (c) *the size, shape and characteristics of the land, and whether it is subject to inundation by floodwaters;*
- (d) *the provisions of the Scheme and any Council policy affecting the land;*
- (e) *any comments received from any authority consulted by the Council;*
- (f) *any submissions received in response to giving public notice of the application;*
- (g) *the orderly and proper planning of the locality; and*
- (h) *the preservation of the amenity of the locality."*

Under the Metropolitan Region Scheme (MRS) the land is also zoned Rural.

Normally the single planning approval granted by a local authority represents approval under both the MRS and the local authority town planning scheme (TPS). This is by virtue of the Notice of Delegation issued by the Western Australian Planning Commission (WAPC) under the WAPC Act 1985, which delegates the power to issue approvals under the MRS to local government. However, in the case of certain types of applications the WAPC has made resolutions under Clause 32 of the MRS calling in the power of determination. This is the case for all applications involving new poultry farms or extensions to existing farms. Accordingly, the application has been referred to the WAPC for determination under the MRS. The Shire's decision may only relate to TPS 2.

WAPC Statement of Planning Policy No 4.3 – Poultry Farm Policy, applies to the proposal.

#### Compliance with the provisions of TPS 2 relating to Poultry Farms

Although the proposal is not for land within the Poultry Farm Special Control Area, the issues raised for consideration in Part X are informative and can reasonably be used as a reference against which the proposal can be assessed. One issue of significance raised in Part X, and which is relevant whether or not a proposal is within the Special Control Area, is the need for the developer to identify and assess likely environmental impacts (odour, noise, dust, traffic movement and visual impact) and to show how the impacts are to be managed.

The provisions contained in Part X of TPS 2 relating to poultry farms and the subject proposal's compliance with those provisions is detailed in the table below:

<b>Scheme Provision</b>	<b>Complies</b>	<b>Comments</b>
Controlled environment sheds or other (more superior) best practice controlled environmental technology, will be used to house the poultry.	Complies	N/A
There will be an internal loop road to allow articulated vehicles and truck and dog configurations to enter and leave the site, and service the facility, in a forward direction.	Complies	N/A
Landscaping and screening of the poultry sheds and surrounds accords with the "Standards for Revegetation	Doesn't comply	A vegetation management plan for the management of existing remnant vegetation and implementation of

Scheme Provision	Complies	Comments
on New Poultry Farms”.		vegetative screens can be required as a condition of approval. Bunding will also be used as a screening method.
All litter material and dead birds will be disposed of off the site and in accordance with best practice.	Complies	Dead birds will be kept in a cool room, collected daily Monday to Friday and disposed of at an approved composting facility. All litter material is removed from the site at the end of each cycle and disposed of at an approved composting facility.
A sign/s is placed on the site in a visible location to the satisfaction of the Council indicating the type of operation, hours of operation and possibility of undesirable environmental impacts on the surrounding areas as specified in schedules 1 and 2 of the Commission’s Statement of Planning Policy No. 5 Poultry Farms Policy.	Doesn’t comply	This provision is not met at the present time as the development has not yet been approved. Signage can be required on both street frontages as a condition of approval.
In respect of <u>New</u> Poultry Farms the sheds are at least:  500 metres from any existing or future residential zone;  300 metres from any existing or future rural-residential zone;  200 metres from any wetland subject to Water and Rivers Commission advice;  100 metres from the boundary of the Poultry Farm.	Complies  Complies  Complies  Complies	The subject site and the location of the proposed sheds on the site comply and in many instances exceed the prescribed separation distances.
All the application requirements have been provided and the Council is satisfied with the establishment, operations and management and the impacts of the proposed development on the local environs.	Complies in part	All application requirements provided as detailed previously in this report, but modelling of the impact of emissions has been undertaken only for Stage 1 (6 sheds)

#### EPA – Guidelines for Separation Distances

Under the Environmental Protection Authority's *Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Uses (Draft June 2004)* the proposed use fits within the land use category of Poultry Industry – Intensive Farming. Under this document the potential impacts for this use are dust, noise and odour.

This document identifies a guideline separation distance between poultry farms and sensitive land uses as between 500-1000 metres depending on the size of the farm. It should be noted that the document does not detail what is considered to be a small, medium or large poultry farm. Clause 2.3 of the document defines "Sensitive Land Uses" as follows:

*Land uses considered to be potentially sensitive to emissions from industry and infrastructure include residential areas, hospitals, hotels, motels, hostels, caravan parks,*

*schools, nursing homes, child care facilities, shopping centres, playgrounds and some public buildings.*

Clause 3.1 of the document goes on to state that it has only attempted to incorporate advice relating to separation distances from various codes relating to specific types of industry such as the poultry industry and that some of these codes may provide more detailed information on buffers that may be relevant to the achievement of acceptable environmental outcomes.

A single house on a Rural zoned lot is not classified as a “Sensitive Land Use” under the EPA’s guidelines. However, a map was prepared to show the distance of existing dwellings on adjacent properties from the proposed sheds on this farm. This determined that the nearest house on an adjacent property was 340 metres from the poultry sheds ie consistent with the buffer the State Government determined under the Statement of Planning Policy required is appropriate for a rural-residential area and is almost three times greater than the distance in a Rural zone.

***A map showing the location of existing dwellings on adjacent properties in relation to the existing and proposed sheds on Lot 368 is with the attachments [L368 13.pdf](#)***

#### WAPC’s Statement of Planning Policy No.4.3. Poultry Farms

The main provision of the WAPC’s Poultry Farms policy relating to new farms is that the new sheds not be located any closer than 100 metres from any boundary. The proposed development complies with this requirement. As detailed in the background section the proposed sheds will comply with or exceed this boundary setback.

The remainder of the policy deals mainly with ensuring new poultry farms achieve a certain buffer to existing/proposed residential and rural-residential areas and that any proposals to rezone land to residential or rural-residential also comply with the buffers. This is consistent with the provisions for poultry farms contained in Part X of TPS 2 and as stated previously the proposed sheds comply with or exceed all of the required separation distances.

#### Odour, Noise, Dust and Traffic Assessment

Odour, noise and dust are the three main elements that may impact on the amenity of adjoining properties. Traffic impact is another major element but the impact caused by traffic volumes generally fall into the noise and dust impact categories. As detailed in the Background section, the proponent engaged consultants to carry out odour, noise and traffic modelling to enable assessment of the likely impact of the proposed farm on the amenity of adjacent properties. Dust modelling was not carried out by the proponent.

In the sections below the above elements (odour, noise, dust and traffic) will be discussed including in each case:

1. Proponent’s assessment and recommendations;
2. Shire’s independent reviewer’s assessment and recommendations;
3. Recommended conditions and action based on the findings of 1. and 2. above.

#### **Odour**

Even if a farm achieves the minimum setbacks required under both local and State Government policies that does not provide a guarantee that odour emissions will not impact on neighbouring properties. One of the main factors contributing to the amount of odour generated is the amount of moisture in the litter on the floor of the sheds and the humidity in the sheds. In addition, as per the results of the odour modelling carried out by the proponent’s consultants, meteorological conditions and ventilation design will effect how odour is dispersed once it is exhausted from the sheds.

Public comment received in regard to the current applications being dealt with by the Shire and complaints received at other times would indicate that the 100 metre boundary setback is not adequate to contain all emissions.

### Odour Management Methods intended to be implemented by proponent

Odour modelling was done for the first (6 sheds) stage of development only. The sheds are proposed to utilize forced ventilation.

#### **Methodology**

Odour modelling was carried out as far as practicable using the Environmental Protection Authority's document "Guidance for the Assessment of Environmental Factors – Assessment of Odour Impacts from New Proposals No. 47". However, the odour consultant states that the EPA's guidelines do not deal with forced ventilation sheds, as proposed to be constructed on Lot 368. Accordingly, the odour consultant has used two different models – one is based on the EPA's guidelines (volume source approach) and the other is based on modelling the sheds as six 28 metre diameter low level (0.5 metre high) stacks.

#### *Local Topographical and Meteorological Conditions*

The site is predominantly flat. As the site is halfway across the Swan Coastal Plain the consultant states that emissions will not be affected by Katabatic wind flows from the scarp. There are no nearby meteorological station locations by which to classify the site so the consultant has used two meteorological station results that may have similar characteristics to the site – Caversham (a near hills site) and Hope Valley (a near coast site) to produce two possible dispersion models which might apply to the site. The consultant surmises that the subject site would have an odour impact somewhere between the two extremes produced using the Caversham and Hope Valley data.

#### *Volume Source Approach*

This approach was based on the 6 sheds being modelled as volume sources with a horizontal dispersion of 40 metres and a vertical dispersion of 3 metres around a source height of 3 metres. This is consistent with the EPA's modelling guidelines.

#### *Forced Venting Approach*

This approach was based on modelling the proposed six sheds as six 28 metre diameter low level (0.5 metre high) stacks. The proponent states that the air will still exit horizontally from the sheds but the proposed addition of the hay bale wall will cause the flow to divert vertically.

Figures 1 and 2 attached show the results of both the volume source and forced venting approaches based on the two meteorological profiles (Caversham and Hope Valley).

***A copy of the odour modelling maps is with the attachments marked [L368 04.pdf](#) and [L368 05.pdf](#)***

#### **Results**

It is considered that the subject site will have a meteorological profile somewhere between the Caversham and Hope Valley profiles. The volume source approach produced vastly different results in each of the two meteorological profiles with the more stable and colder Caversham profile showing the widest spread odour impact – this profile does not have the near coast wind patterns that would aid odour dispersion and lessen impact. Using the Hope Valley (near coast) profile the volume source approach depicts an odour impact that extends just outside the northern and eastern boundaries of the site.

In both meteorological profiles the stack model (forced ventilation) produced very similar results.

#### Independent Reviewer's assessment of Odour Modelling

##### ***Odour Modelling Methodology***

*Odour modelling has been conducted for the proposed development and has been undertaken using two scenarios, one considering the sheds as a volume source and one considering the sheds as a stack source. The modelling has not used site specific meteorological data but has used two meteorological files, one exhibiting coastal weather patterns and the other inland weather patterns. Actual meteorological conditions*

*experienced at the site have therefore been assumed to occur somewhere in the middle of the two.*

*Odour emission rates from the shed are likely to be highly variable throughout the year and predominantly dependent on ambient temperature, ventilation rates and batch age. The results presented by GHD comply with nominated assessment criteria at the nearest sensitive receptors, however from the contour plots provided it appears that the assessment criteria will potentially be exceeded at the lot boundary under both of the meteorological conditions. It is also likely that increased odour emissions will be experienced during events such as shed clean out, as the odour emission rate has not considered such events. Shed clean out is estimated to occur approximately 6 times per year, therefore every 8 weeks. It is not known how long it takes for a shed to be completely cleaned out, this would vary with the size of the shed, the number of staff and the number and size of the litter removal trucks. However it is likely that shed clean out activities would be carried out approximately 10% or less of the time.*

*Odour modelling should include the consideration of worst-case odour emissions. The GHD odour modelling assessment has not considered a worst-case scenario, but has instead modeled the predominant condition, ie not during clean out activities. This condition is likely to occur approximately 90% of the time.*

*GHD state that the “Guidance provides an emission rate for broilers of 0.2 odour units per second per bird, which translates to 12,133 odour units per second per shed .....”. GHD then further state “that the most important concern with regards to this approach is that it fails to incorporate the pre-dilution of odour that will occur when air is forced through the shed”.*

*From the guidance (the W.A Department of Environmental Protection Odour Methodology Guideline, 2002 -page 12) it is our interpretation that the odour values stated are odour emission rates and already consider the volume of air moving through the shed and therefore require no correction. This difference in interpretation is however irrelevant as GHD have used what appears to be the correct emission rate input in both modelling scenarios.*

*However the main differences between the two methodologies involve modelling as a volume source without a vertical discharge velocity and a stack source with a vertical discharge velocity. Discharging vertical with an associated velocity will no doubt improve dispersion and therefore reduce ground level odour concentrations. GHD further state that “It is noted that air from the fan exits horizontally, however the proposal to include a hay bale wall will reduce dust and will have the effect of diverting the flow vertically ...”.*

*It is ERM’s opinion that the hay bale will only serve to slow and deflect the fan discharge in a number of directions, therefore assuming that the velocity will remain constant after hitting the hay bale wall is not strictly correct. For this reason it is the opinion of ERM that modelling scenario 2 (using stack sources) should not be considered as the most accurate representation of the discharges from broiler sheds. If however the proposal is to enclose the fan discharge into a duct terminating at the hay bale surface with enclosed sides and a vertical discharge then the velocity may approximate the fan discharge if the areas are similar.*

*In terms of forced aeration stripping additional odours from the floor of the shed leading to a marginal increase (10 to 20%) in overall emissions, it is ERM’s opinion that forced aeration will increase the odours and modelling should consider the increase. Anecdotal evidence suggests that the order of 10 to 20% is realistic. In order to ascertain peak odour ground level concentrations investigation into the effect of increasing the odour concentration should be modelled.*

*In ERM’s opinion any improvement in dispersion which eventually leads to a decrease in odour experienced at ground level should be considered by industry experts and*

*incorporated into guidelines or legislation after appropriate due diligence. In this case ERM are not convinced that the scenario modelled as number 2 in the GHD report reflects actual conditions.*

*It is important to recognise that the odour assessment has only considered odour impacts from six sheds, while the proposal consists of sixteen sheds. While the development application states that further modelling will be carried out for additional stages, it is important to understand the odour impacts that the entire proposal will have on the surrounding areas before any approval. Modelling has also not considered the cumulative impacts of other odour sources in the immediate area (qualitatively or quantitatively).*

*Based on the modelling results, our experience with the poultry industry and the nature of this proposal, it is suggested that odour impacts will occur beyond the site boundary. The nominated criteria of 7 odour units itself is likely to be detectable by most of the affected population, however the level of odour annoyance may differ and this is the acceptable standard.*

### **Odour Mitigation Measures**

*The predominant source of odour emissions from poultry farms is the litter in the sheds. Controlling odour emissions from the source is therefore largely dependant on the management practices employed at the farm. As this is difficult for council to control, odour mitigation measures that control the odour in between the source and the receiver can be prescribed as conditions of approving the development application (subject to odour modelling considering the odour removal efficiency of such equipment). ERM recommends the following;*

*\* Biofilters – an effective biofilter system can reduce odour emissions by up to 95%. A biofilter is a bed of organic material through which the airflow from the fans is directed. Microbes on the material convert odourous compounds to carbon dioxide and water. The air from the exhaust fans is generally directed to a pocket underneath the medium and treated as is forced upwards. A disadvantage of this method of odour control is that they require continuous maintenance and are relatively expensive to install.*

*\* Scrubbers – air scrubbers remove odorous compounds via chemical adsorption through passing the air through a film or mist of water.*

*\* Short stacks – odorous compounds are released from short stacks above the building height (approx. 5 metres). This aids the dispersion process prior to reaching sensitive receptors.*

*\* Windbreak walls – windbreak walls enhance the dispersion of odorous gases by directing the air upwards into enhanced mixing conditions. This can dilute the odorous air and therefore reduce the odour nuisance at sensitive receptors. A windbreak wall constructed of hay bales is proposed for the eastern side of the poultry sheds. As discussed above, hay bales are not considered to be the ideal material for windbreak walls due to the potential for them to become odour sources in their own right. A better alternative would be tarpaulin, corrugated iron or wood. As a solid screen will generally be more effective at forming a windbreak than a vegetative screen, the solid screen should be retained even after the vegetation screen has reached maturity. The vegetation screen is important to enhance the aesthetics of the poultry farm and provide a screen between the farm and neighbouring properties. There is little available information on the odour abatement effectiveness of windbreak walls, however studies have shown that a tarpaulin wall can reduce odour at sensitive receptors by between 30 and 90 percent.*

*However, due to the large volumes of air required to be treated and the associated large capital costs for pollution control equipment, engineering out odours from poultry farms is not commonly practised within the industry. To control odour from poultry farms, effective design and management strategies must be implemented to minimise odour emissions. The odour eliminating controls described above (biofilters and scrubbers) are well outside the*



*economic constraints of the current industry and unrealistic options to control odour problems.*

*As the development application for Lot 368 currently reads, compliance with nominated odour criteria at or beyond the site boundary is not demonstrated. Consideration should be given to conducting a modelling exercise with control options such as short stacks and solid windbreak walls to determine the effectiveness of these control options.*

*It is unlikely that any poultry farm could meet nominated state odour criteria at or beyond the site boundary. For this reason, state regulatory authorities generally give special consideration to the poultry industry and allow higher odour ground level concentrations (at detectable levels) at sensitive receptors. In addition, regulatory authorities are moving away from assessing poultry farms through odour concentration methodologies and are moving towards odour intensity techniques. The key is to manage odour annoyance at sensitive receptors, which considers the frequency, intensity, duration, offensiveness and location of the odour.*

### **Recommended Conditions**

It is recommended that a condition be imposed requiring the fitting of such devices and measures to the fans of the proposed sheds on the subject property to achieve compliance with the Environmental Protection Authority's document "Guidance for the Assessment of Environmental Factors – Assessment of Odour Impacts from New Proposals No. 47" of 7 Odour Units at sensitive receptors. In addition vertical barriers such as bunds will aid in the containment and vertical dispersion of odour. This is consistent with the results of the odour modelling carried out by the proponent's odour consultant.

Therefore, it is recommended that a permanent earthen bund be required on the eastern side of the sheds instead of the temporary hay bale wall and that bunding also be required on the northern and western sides of the sheds to assist in the containment and vertical dispersion of odour. The setback from the southern (Henderson Road) boundary is considered to be adequate without bunding based on the results of the odour modelling done for the first 6 sheds. However, this will need to be reviewed upon application to develop additional sheds.

### **Noise**

#### Noise Modelling and Management Methods intended to be implemented by proponent

The applicant's consultant's report is summarised below:

#### *Assigned Noise Levels for Noise Sensitive Premises*

<b>Time of Day</b>	<b>Assigned Level (dB)</b>		
	<b>L<sub>A10</sub></b>	<b>L<sub>A1</sub></b>	<b>L<sub>Amax</sub></b>
<i>7am-7pm Mon to Sat</i>	<i>45 + IF</i>	<i>55 + IF</i>	<i>65+IF</i>
<i>9am-7pm Sun &amp; Public Holidays</i>	<i>40 + IF</i>	<i>50 + IF</i>	<i>65+IF</i>
<i>7pm-10pm all days</i>	<i>40 + IF</i>	<i>50 + IF</i>	<i>55+IF</i>
<i>10pm-7am Mon to Sat 10pm-9am Sunday &amp; Public Holidays</i>	<i>35 + IF</i>	<i>45 + IF</i>	<i>55+IF</i>

*L<sub>A10</sub> Noise level exceeded for 10% of measurement period – Intrusive noise*

*L<sub>A1</sub> Noise level exceed 1% of the measurement period –average maximum allowed*

*L<sub>Amax</sub> Maximum noise level allowed during measurement period*

*IF Influencing Factor – factors which may affect ambient noise levels such as major roads, commercial or industrial development existing around the site (ie*

*a premise may produce the maximum decibel level above the ambient (always existent noise levels).*

*The nearest residences are to the west on Hopelands Road and to the south on Henderson Road. The consultants have calculated that there are no influencing factors as there aren't any existing factors such as commercial, industrial or highways within 450 metres of any of these houses. Therefore, only the flat assigned noise levels will apply to this development.*

*Modelling has been carried out based on the worst case scenario of night time noise as this involves harvesting noise being added to the constant noise generated by the fans that run 24 hours a day. The timeframe used is 10pm to 7am.*

*The assigned noise levels (ie the level of noise that is permitted to be emitted when measured at the sensitive premises) and the actual noise level for the fans, forklift and truck movements measured at 7 metres from the fans are as follows:*

<b>Noise Source</b>	<b>Description</b>	<b>Assigned Noise Level</b>	<b>Noise level at source</b>
Fans	Continuous operation	$L_{A10}$ 35 dB	$L_{A10}$ 87 dB
Forklift	Generally only audible when outside sheds but is likely to be present 10% of the time.	$L_{A10}$ 35 dB	$L_{A10}$ 98 dB
Truck Movements	Prime mover drives in to pick up loaded trailer. Assumed to be present 1% of the times and noise levels combined with fans and forklift.	$L_{A10}$ 55 dB	$L_{A10}$ 93 dB

*Based on the noise levels at the source (see above), topographical characteristics of the site (flat) and worst case meteorological conditions (cold, still and humid) the predicted noise levels at the noise sensitive premises adjacent to the subject site are as follows:*

<b>Location</b>	<b>Scenario</b>	<b>Predicted Noise Level</b>
House on Lot 511 Hopelands Road (west of subject site)	Fans only normal operation	$L_{A10}$ 41 dB
	Night-time catching with Forklift Shed 1	$L_{A10}$ 44 dB
	Night-time catching with Forklift Shed 5	$L_{A10}$ 47 dB
	Night-time catching with Truck Movement	$L_{A10}$ 47 dB
House on Lot 507 Hopelands Road (west of subject site)	Fans only normal operation	$L_{A10}$ 33 dB
	Night-time catching with Forklift Shed 1	$L_{A10}$ 37 dB
	Night-time catching with Forklift Shed 5	$L_{A10}$ 38 dB
	Night-time catching with Truck Movement	$L_{A10}$ 38 dB

**Noise contours as per the above table are with the attachments marked [L368 06.pdf](#), [L368 07.pdf](#), [L368 08.pdf](#), [L368 09.pdf](#), [L368 10.pdf](#) and [L368 11.pdf](#)**

#### Results

*The applicant's consultants advise that the noise level at the house on Lot 511 (the worst affected premise in the area) is likely to exceed the regulations by 6 dB(A) during night-time period when catching is not occurring and by 11 dB(A) when catching is occurring due to noise associated with the forklift. It is not expected that there will any annoying noise characteristics, ie tonality, as the fan speed is low. The  $L_{Amax}$  noise levels (ie truck movements 1% of the time) are predicted to comply with the assigned levels at all times.*

*The applicant's consultants recommend the placement of a barrier between the sheds and Hopelands Road to enable compliance with the regulations. The barrier will need to be 4*

metres high. The 4 metres could be achieved entirely as a 4 metre high earthen bund or a combination earth bund of 2.2 metres high with solid 1.8 metre high fence on top. The height of the barrier required could be reduced through lowering the pads of the sheds. The noise barrier will need to extend from the northern end of the access road to 20 metres past the final shed.

#### Independent Reviewer's assessment of Noise Modelling

Lloyds Acoustics completed a noise assessment for the proposed poultry sheds at Lot 368 Henderson Road. The report highlighted that there is likely to be exceedances of noise regulation levels at the nearest sensitive receptors if no mitigation measures were implemented. When proposed measures, such as a barrier between the sheds and the residences, were modelled calculated noise levels were below regulation levels at sensitive receptors. However, from the contour diagrams supplied, it appears that noise levels will exceed regulation levels at the eastern boundary during all scenarios considered. This is not considering the hay bale/vegetation screening proposed for the eastern side of the sheds.

The noise modelling has assessed noise from the poultry sheds originating from fans, forklift use and truck movements. Noise from the chickens does not appear to have been included as a noise source, this may add to reported noise levels, particularly in times of disturbance due to harvesting.

The main noise mitigation measures proposed for the new poultry farm at Lot 368 Henderson Rd included earthen bunding and fencing on the west side, vegetation screens, temporary hay bale bunding on the east side and minimising forklift noise by the use of lights instead of beepers while reversing. The effectiveness of these measures at reducing noise emissions is discussed below:

*Earthen bunding* – the noise modelling report outlines that to achieve compliance with regulations a barrier should be placed to the west of the access road located between the sheds and Hopelands Rd. The height of the barrier would need to be 4 metres above the ground level, this could be made up of a 2.2 metre bund with a 1.8 metre fence placed on top. Modelling indicates that if this is put in place, noise levels at sensitive receptors should achieve compliance with regulations. The barrier would have to be extended for future development of the farm.

*Vegetation screens* – while vegetation screens can provide an extra barrier between noise sources and residences, they are not as effective as solid barriers at reducing noise impacts. No information was provided with the Development Application to ascertain if the vegetation screens proposed will be effective at reducing noise impacts. Information would be required on the plant species to be used, the distances between trees and the width of the barrier. A vegetation buffer should contain trees and shrubs that will form an effective barrier, for example, they should have foliage that extends to the ground, consist of evergreen species to avoid the creation of gaps during leaf loss and grow to a sufficient height. One of the difficulties with vegetative noise barriers is the potential for individual trees or shrubs to die, thus creating a gap in the screen, which can take many years to be replaced. As such the farm operator needs to ensure that screens are well maintained.

*Temporary hay bale barrier* – This is proposed to form a noise barrier while vegetation screens grow to a sufficient height to fulfil this purpose. Literature suggests that hay can be used to mitigate noise impacts effectively. However, hay is not considered to be the most suitable material for this purpose due to the fact that it has the potential to become an additional odour source, with moisture from ventilation sources and rainfall potentially leading to decay. Other materials that may be suitable for this purpose include tarpaulin, corrugated iron or wood.

*Forklift* - While replacing forklift beepers with flashing lights may be effective in reducing noise impacts from reversing forklifts, due consideration to the health and safety aspects of this measure should be given, with additional safety measures employed to reduce worker risk.

*Other potential noise mitigation measures which should be employed include curfews on the delivery of feed and materials, silencers to be fitted to all fans and the use of flashing lights and/or auto diallers to alert the farm operator to problems with the operation of the shed in place of audible alarms.*

*The noise modelling assessment has been based on roads being reflective and the rest of the land as being absorptive to noise. It does not appear that Lloyd Acoustics has given the poultry sheds on the site an absorptive value, however as the poultry sheds have been entered as buildings in the model, these will be considered as reflective sources regardless. Even if the poultry sheds have not been considered as reflective sources (it is not possible to ascertain this from the information given), it is unlikely that this will have a significant impact on the modelling results.*

*As the noise modelling has indicated that there will potentially be noise impacts beyond the site boundary to the eastern side, consideration should be given to constructing a solid barrier on the eastern side in addition to the western side of the sheds, if future potential residences in this direction is to be protected from noise impacts.*

*We understand that the facility is being built in stages, however the development application is for 16 sheds and modelling has only considered the first stage of the proposed development (6 sheds). Therefore ERM cannot assess whether noise impacts will occur at the site boundary from the proposed development.*

### Recommended Conditions

Conditions relating to the noise attenuation measures required have been included in the recommendation in accordance with the recommendations made in the Noise Assessment report submitted by the proponent. These conditions include requirements for the installation of earthen bunds on the eastern side of the sheds, replacement of forklift beepers with dim-set lighting, replacement of audible alarms with personal pagers and other devices.

It should be noted that apart from the operation of the fans the noise associated with the operation of the poultry farm is not continuous seven days a week or 24 hours a day but occurs mainly during feed deliveries and harvesting processes. A condition has been imposed requiring feed deliveries to occur between 7am and 7pm due to the noise associated with the transfer of feed from the trucks to the silos. This issue was not covered by the noise assessment submitted by the applicant.

Given the distance between poultry farms in the Shire and the processing facility in Osborne Park (over 50 kilometres) it is not practical, particularly with regard to welfare of the birds, to require harvesting to occur during the daytime. In particular in summer this would lead to extreme distress for the birds and would result in the death of many birds. The noise modelling submitted by the proponent predicts that the placement of bunds adjacent to the sheds will reduce the noise generated during the catching process to the assigned levels. Accordingly, it is considered that the noise impact can be sufficiently ameliorated to allow approval of this application.

### **Dust**

#### Dust Modelling and Management Methods intended to be implemented by proponent

A dust impact assessment has not been completed for Lot 368 Henderson Road. However, the following dust management strategies are outlined in the development application:

- \* Roads to be constructed of limestone to minimise dust;

Truck movement to be restricted to low speeds;

- \* Litter and feed to be covered during transportation to and from the site; and

- \* Landscape/vegetative screening to be put in place to assist in dust interception, with a hay bale barrier installed while the vegetation grows.

Independent Reviewer's assessment of dust impact and mitigation measures proposed

*Dust is an inevitable emission from poultry sheds due to the use of sawdust litter and the necessity of keeping this litter dry in order to reduce odour impacts. Dust is typically worst during clean out operations, when litter is disturbed.*

*ERM recommends the following potential additional controls to ensure dust impacts beyond the boundary are minimised;*

- \* *the watering of unsealed internal roads on days of high traffic use and during meteorological conditions that are conducive to transporting dust offsite ie dry, windy conditions;*

- \* *The installation of hoods onto fans which will direct dust and feather emissions to the ground as much as possible. Generally a 15 degree angle results in efficient plume settling and depletion of the particulate matter;*

- \* *Fan blades, screening and hoods should be washed out with water rather than blown out with air; and*

- \* *Feed could be provided in pelleted form.*

*The majority of dust minimising measures involve good management practices such as keeping litter at an optimal moisture level to ensure it is not excessively dry nor damp and scheduling litter removal from the sheds at times when dust nuisance to neighbours is likely to be minimised.*

*Without dust modelling being carried out it is impossible to accurately determine if dust impacts will occur beyond the site boundary. It is recommended that a dust impact assessment be undertaken giving consideration to dust amenity (dust deposition) and health impacts (total suspended particulate, particulate matter less than 10 micron).*

Recommended Conditions

Conditions to be imposed with regard to dust management should be consistent with those recommended by the independent consultant above.

**Traffic Issues**

Traffic Modelling and Management Methods intended to be implemented by proponent

The proponent has provided the following figures for traffic volumes generated per cycle for the first stage of development of 6 sheds and a total of 365,000 birds per cycle:

Type of Trip	Number of Trips Generated								Total per cycle
	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	
Day old chick – refrigerated truck	6								6
20 ton bulk gas truck	1	1							2
Feed delivery – 20 tonne bulk delivery truck & trailer	2	2	1	2	2	5	7	3	24
8 tonne dead bird truck	3	3	3	3	3	3	3	3	24
Catching crew – 20 tonne semi trucks (6000 birds per truck)					14		20	14	48
Litter removal – 40 tonne truck & trailer – 2 loads per shed									
Clean sawdust – 40 tonne truck & trailer – 1 load per shed							4	6	10
Total number of trips/deliveries per week	12	6	4	5	19	8	34	31	119

*The dead bird pick-up and gas truck are not dedicated deliveries to the subject site as these trucks already go past the Henderson site and will be combined trips (ie 26 of the trips will be already happening in the area servicing other farms. Therefore, the total new movements generated by this proposal will be 119 trips less 26 shared trips = 93 new vehicle movements per 60 day cycle or 1.47 movements per day. The first stage of development will comprise a relocation of two existing poultry licences in the area so will not actually results in an overall increase in vehicle movements in the general area but will relocate the existing movements from other areas of the Shire to Hopelands Road.*

#### Independent Reviewer's assessment of Traffic Modelling

Traffic impact was not part of the scope of works for the independent reviewer except where it related to noise impact.

#### Recommended Conditions

The entrance and exit to the poultry sheds will be off Hopeland Road. The development plan submitted indicates that this accessway will be almost directly opposite the existing dwelling on Lot 511 Hopeland Road. It is recommended that this accessway be relocated to north of the proposed caretaker's dwelling and that a single crossover be provided for access both to the dwelling and the sheds.

A concrete apron is required between the crossover and the Hopeland Road seal to prevent truck turning movements causing the edge of the seal to break down. In addition, the section of Hopeland Road fronting the crossover shall be widened to 9.80 metres in pavement width with 7.40 metres wide asphaltic concrete seal to the satisfaction of the Shire. This will also protect the edge of the seal from breaking down.

All costs associated with the required road upgrading will be at the expense of the developer of the subject site.

The movement of any oversize vehicle, as per the interpretation contained in the Road Traffic Act 1974 to/from the subject site will require the separate approval of the Shire.

It is recommended that traffic speeds within the site be restricted to a maximum of 20 kilometres per hour and that signs in this regard be required to be posted at the entrance to the property and at the beginning of the driveway in the area containing the poultry sheds.

In the interests of minimising the roads that need to be used by vehicles associated with all of the poultry farms within the southern part of the Shire it is recommended that the Shire take steps to actively pursue the extension of the Kwinana Freeway south to at least Karnup Road. Currently these vehicles have to use a convoluted route through many minor roads to reach the Mundijong Road entrance to the Freeway.

Part X of TPS 2 specifies a preferred route of Hopelands, Karnup, Rapids, Lowlands, Kargotich and Mundijong Roads for traffic related to poultry farms. However, the Shire's Asset Services advise that the use of Karnup, Baldivis and Safety Bay Roads as a means of accessing the Freeway would provide a more direct and safer route. These three roads are constructed to a standard more conducive to heavy traffic and higher traffic volumes than Rapids and Lowlands Roads. Accordingly, one element of the Environmental Management System (discussed below) for the farm should be that vehicles associated with the farm only use those roads identified by Asset Services as the preferred route for vehicles associated with poultry farm operations.

#### Environmental Management System

An Environmental Management System (EMS) provides a systematic method for meeting environmental outcomes, approval conditions and the ways or procedures for meeting compliance. It allows for:

- better practices
- monitoring of performance
- training of staff
- keeping of relevant records
- complaint response
- emergency and incident response.

An EMS addresses noise, air quality, waste and any other relevant environmental issues associated with processes that could reasonably pose a significant risk to the environment, if not appropriately controlled, monitored and/or managed.

It is recommended that the preparation, implementation and auditing of an EMS be required as a standard condition for all new poultry farms and extensions to existing farms. The EMS should be required to be prepared by a suitably qualified environmental professional. A condition in this regard has been included in the recommendation.

#### Annual Audits

It is recommended that a condition be imposed requiring the farm operator to submit a report (audit) on compliance with the approved Environmental Management System to the Shire on an annual basis by the anniversary date of the approval. The annual audit should include:

- a) an identification of the sources and nature of all emissions, discharges and wastes generated on the site, an assessment of environmental impacts associated with its operations and its compliance with planning and environmental requirements and conditions;
- b) an evaluation of its response to any verified complaints; and
- c) a review of operational and management practices relating to environmental performance and the management of environmental risk, including emergency response, contingency plans and other measures to prevent or minimise environmental impacts.

The audit must be required to be conducted by a suitably qualified and experienced person to the satisfaction of the Shire.

### Conclusion

The subject farm is within the Rural zone and as such the Council may exercise discretion to approve the use. Based on the modelling provided by the applicant and the independent assessment of it by ERM, it is considered that adequate measures can be put in place through the imposition of appropriate conditions to minimise the impact of Stage 1 (6 sheds) of this poultry farm on surrounding properties to provide a level of amenity consistent with that expected at a residential dwelling in a Rural zone. Accordingly, it is recommended that approval be granted for the Stage 1 of this poultry farm subject to conditions as discussed throughout the report.

**Voting Requirements:** Normal

### **SD080/06/05 Officer Recommended Resolution:**

That the Council grants approval for the development of sheds 1-6 as shown on plan marked L368/02 only for the proposed Poultry (Broiler) Farm on Lot 368 Henderson Road (corner Hopeland Road), Hopeland subject to the following conditions:

#### General

1. A separate application for planning approval is required for the construction of sheds 7-16 and such application will be required to demonstrate that any emissions associated with the operation of the farm can be adequately contained within the boundaries of the site to the satisfaction of the Shire.
2. This approval allows the construction and use of sheds 1-6 only , as identified on the approved site plan attached to and forming part of this approval (see Advice Note 1.).
3. Development shall be in accordance with the approved plans except as otherwise required by a condition of this approval.
4. A building licence being obtained prior to the commencement of any of the works covered by this approval including earthworks.

#### Environmental Management System

5. An Environmental Management System shall be prepared for the farm to the satisfaction of the Shire and shall be submitted to and approved by the Shire prior to the issue of a Building Licence for the works covered by this approval.
6. In carrying out the development the approved Environmental Management System must be complied with at all times.
7. A report (audit) on compliance with the approved Environmental Management System shall be submitted to the Shire within 28 days of the completion of the first growing cycle and thereafter on an annual basis by the anniversary date of this approval. The annual audit must include:
  - a) an identification of the sources and nature of all emissions, discharges and wastes generated on the site
  - b) an assessment of dust amenity (dust deposition) and health impacts (total suspended particulate, particulate matter less than 10 micron).
  - c) an assessment of environmental impacts associated with its operations and its compliance with planning and environmental requirements
  - d) an evaluation of its response to any complaints
  - e) a review of operational and management practices relating to environmental performance and the management of environmental risk, including emergency response, contingency plans and other measures to prevent or minimise environmental impacts.

A suitably qualified and experienced person to the satisfaction of the Shire must conduct the audit.



8. In the event the Shire is not satisfied with any audit, the Shire may by notice in writing require the applicant to take the action stipulated in the notice in order to ensure the approved Environment Management System is complied with.
9. Poultry shed design and management, plus the management of stock feed, water, waste products and all other aspects of poultry farm operations is to comply with the management guidelines set out in the Environmental Code of Practice for the Poultry Industry in Western Australian May 2004.

#### Vegetation Management

10. Prior to the issue of a Building Licence for the new sheds, the proponent shall submit for the Director Sustainable Development's approval a Landscape and Vegetation Management Plan that identifies requirements for weed control, details the protection of existing vegetation, and describes the densities and distributions of indigenous trees, shrubs, groundcover and shoreline plant species to be established.
11. The proposed development shall not commence until the Director Sustainable Development has approved the Landscape and Vegetation Management Plan in writing.
12. The implementation of the approved Landscape and Vegetation Management Plan shall commence within twelve months of the development approval being granted and is to be completed within three years of the development approval being granted. Vegetation on site is to be maintained in accordance with the approved Landscape and Vegetation Management Plan thereafter.
13. Prior to the commencement of site works, the proponent shall provide a bond in accordance with Shire policy to the value of \$7500 with the Shire of Serpentine-Jarrahdale. The bond may be in the form of cash, cheque or bank guarantee, and is a performance guarantee against satisfactory completion of the auditable completion criteria in the approved Landscape and Vegetation Management Plan. The performance guarantee will be refunded in full, immediately the outstanding works are completed / established as required in the approved Landscape and Vegetation Management Plan. Any such bond is to be accompanied by a written authorisation from the owner of the land that the Shire may enter the land to complete or rectify any outstanding works in accordance with the approved Landscape and Vegetation Management Plan. The Shire may recover from the bond, or part of the bond, as appropriate, the cost to the Shire, including administrative costs, of completing or rectifying any outstanding works.
14. Remnant vegetation and vegetation planted by the developer must be fenced from grazing livestock in order to protect trees and other vegetation from damage.
15. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to, the developer obtaining the prior consent of the Council in writing, where such vegetation (dead or alive) is deemed as structurally unsound by a certified arboriculturist, or where the clearing is required to accommodate approved developments.

#### Drainage & Nutrient Management

16. The proponent shall prepare a Drainage and Nutrient Management Plan for approval by the Director of Sustainable Development prior to the issue of a building licence for the new sheds and thereafter implement the approved Drainage and Nutrient Management Plan in its entirety.
17. In carrying out the development the approved Drainage and Nutrient Management Plan must be complied with at all times.
18. The proposed development is not to commence until the Director Sustainable Development has approved the Drainage and Nutrient Management Plan in writing.
19. The developer shall ensure that the use of water for wash down is minimised.
20. Any discharge of water (washdown water, stormwater) from the premise including seepage to groundwater, other than directly to sewer or septic systems, shall be via

treatment in silt traps, nutrient extraction swales, detention ponds, settling ponds or other effective mechanism to remove nutrients and chemical agents to the satisfaction of the Shire.

21. Separate facilities should be provided for the retention of both washdown (and other waste waters) and storm waters to prevent the settling pond overflowing during major storm events and not filtered waste waters possibly impacting on the adjacent wetland as a result.
22. All water treatment facilities are to be regularly maintained to minimise the discharge of nutrients, total suspended dissolved solids, total suspended solids and other pollutants to ground and surface water resources.

#### Storage and disposal of chemicals, feed and waste materials

23. The proponent shall store environmentally hazardous chemicals including, but not limited to, fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) within low permeability (10-9 metres per second or less) compound(s) designed to the satisfaction of the Shire to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of vessels stored in the compound.
24. The developer shall immediately remove and dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compound(s).
25. The storage, use and disposal of all chemicals including, but not limited to, pesticides, disinfectants and veterinary products is to comply with the manufacturers recommendations.
26. No chemicals or potential liquid contaminants are to be disposed of on-site.
27. Stock feed is to be stored within containers that prevent access by vermin and native wildlife.
28. All solid wastes (including poultry litter and spilt feed) should be contained in weather-proof conditions (on a covered hardstand) until removed from the site for disposal at an approved facility.
29. Manure shall not be disposed of on site and all temporary stockpiles of manure are to be contained in covered storage compounds which maintain them in a dry condition and do not allow access by flies.
30. Dead birds shall be stored in a cool-room facility and removed from the site on at least a weekly basis for disposal at an approved facility. Vehicles used to remove dead birds from the premise shall be covered to reduce odour emission.
31. All feed deliveries shall take place between the hours of 7.00am and 7.00pm.

#### Noise

32. Reversing beepers are to be removed from all forklifts and tractors used on the property and alternative non-audible warning measures such as flashing lights (subject to compliance with the relevant Australian Standard and any Worksafe codes) are to be fitted to these vehicles instead.
33. All alarms associated with the operation of the poultry farm (ie power supply, temperature, feed and the like) shall be non-audible. Alternative non-audible methods of notification such as personal pagers carried by farm operators and employees shall be used to the satisfaction of the Shire.
34. Prior to the commencement of use of the poultry sheds, the following measures must be taken in order to achieve compliance with the Environmental Protection (Noise) Regulations:
  - (i) Installation of an earthen bund at least 4 metres high between the sheds and Hopeland Road extending from at least 20 metres to the north of the northern side of shed 1 to a point at least 20 metres south of the southern side of shed 6;
  - (ii) Any plant rooms, including any backup power generator, are to be located between the western ends of the sheds and the required earthen bund on that side; and

(iii) The implementation of all noise attenuation measures proposed in the report entitled "Environmental Noise Assessment, Proposed Poultry Farm Stage 1 Lot 368 Hopelands Road, Serpentine" prepared by Lloyd Acoustics for Big Country (Australia) Pty Ltd April 2005, lodged with the Shire by the applicant; to the satisfaction of the Shire. The noise attenuation measures required by this condition must be maintained throughout the life of the development.

The use (including construction of sheds) shall not commence until the Shire has received from the applicant and has approved:

- (a) specifications and elevation drawings of the earthen bunds; and
- (b) certification from a suitably acoustic expert that the noise attenuation measures required and proposed will ensure that the noise generated by the development will at all times comply with the Environmental Protection (Noise) Regulations.

35. Noise generated by the operation of the farm shall comply with the Environmental Protection (Noise) Regulations at all times.

#### Odours

36. Prior to the commencement of use of the poultry sheds, the following measures must be taken in order to achieve compliance with the criterion of  $7\text{OU}/\text{m}^3$  3 minute average 99.5<sup>th</sup> percentile as determined using the methodology prescribed in the Environmental Protection Authority's document "Guidance for the Assessment of Environmental Factors – Assessment of Odour Impacts from New Proposals No. 47":

- (i) The installation of permanent earthen bunds as windbreak walls to the east, west and north of the sheds; and
- (ii) The installation of odour mitigation measures as specified in the Environmental Resources Management Australia Development Application Reviews Report May 2005 Ref 0031408RPI to the satisfaction of the Shire. Odour emissions must at all times comply with the Environmental Protection Authority's document "Guidance for the Assessment of Environmental Factors – Assessment of Odour Impacts from New Proposals No. 47" as amended from time to time.

The use (including construction of the sheds) shall not commence until the Shire has received from the applicant and has approved:

- (a) specifications and elevation drawings of the earthen bunds; and
- (b) certification from a suitably qualified environmental consultant with expertise in odour modelling, that the odour attenuation measures proposed and required will ensure the odour emissions generated by the development will at all times comply with the requirements of this condition.

37. The fill used to construct the required earthen bunds shall consist of clean, uncontaminated material to the satisfaction of the Shire.

#### Dust

38. Prior to the commencement of use of the poultry sheds the developer is to provide certification from an appropriately qualified environmental consultant that the sheds' ventilation systems incorporate measures to reduce the emission of dust to a target of  $50 \mu\text{g m}^{-3}$  and, so as not to have greater than 5 exceedances per year, to the satisfaction of the Shire.

39. All bedding materials placed within sheds (ie sawdust) shall be treated (ie with oils) to reduce dust production.

40. Fan blades, screening and hoods shall be washed out with water rather than blown out with air.
41. Litter removal from the sheds shall be scheduled for times when dust nuisance to neighbours is likely to be minimised to the satisfaction of the Shire.
42. The developer shall prevent the generation of visible particulates (including dust) from access ways, trafficked areas, stockpiles and machinery from crossing the boundary of the premises by using where necessary appropriate dust suppression techniques.

#### Lighting

43. Outside lighting is to be kept to a safe minimum and should be angled to minimize light impacts on neighbouring properties.

#### Engineering

44. The access driveway to the poultry sheds shall be located on the north side of the proposed caretakers dwelling in a location to the satisfaction of the Shire
45. A single crossover be provided for access to both the dwelling and sheds.
46. Crossovers to be constructed in accordance with Serpentine Jarrahdale standard industrial crossover specifications and be located to the satisfaction of the Shire of Serpentine-Jarrahdale.
47. Concrete aprons shall be constructed between the crossovers to the sheds and the sealed surface of Hopelands Road to the satisfaction of the Shire. All costs associated with the required upgrading shall be at the expense of the developer of the subject site.
48. The section of Hopeland Road fronting the crossover shall be widened to 9.80 metres in pavement width with 7.40 metres wide asphaltic concrete seal to the satisfaction of the Shire. All costs associated with the required upgrading shall be at the expense of the developer of the subject site.
49. All driveway surfaces are to be constructed of a suitable material such as paving, road base, limestone or coarse gravel and compacted to limit the generation of dust and to ensure that no visible dust extends beyond the site boundary.
50. A maximum speed limit of 20 kilometres per hour shall be applied to all internal roads, driveways and vehicle accessways and signs in this regard shall be displayed at the entrances to the site and adjacent to the location of the sheds.
51. The movement of any oversize vehicle, as per the interpretation contained in the Road Traffic Act 1974, to/from the subject site will require the separate approval of the Shire.

#### Visual Amenity

52. The external cladding of the sheds shall be in a colour that is consistent with the earthy or vegetation colours present on the site.

#### Signage

53. Notices indicating the type of operation, hours of operation and potential impacts of the poultry farm operation to be displayed adjacent to both the Hopeland Road and Henderson Road frontages of the site in accordance with the specifications contained

in the Western Australian Planning Commission's Statement of Planning Policy No. 4.3 - Poultry Farms Policy, to the satisfaction of the Shire.

Advice Notes:

1. The application and a copy of this decision has been referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme and you will be advised in writing by that authority once a determination in this regard has been made.
2. Separate approval may need to be obtained from the Water and Rivers Commission for a bore licence.
3. A works approval or licence may need to be obtained from the Environmental Protection Authority for the poultry farm development;
4. The operations should be carried out in accordance with the document '*Water Quality Protection Note Poultry Farms in Public Drinking Water Source Areas*' produced by the Water and Rivers Commission.
5. The Environmental Management System required by condition 5 shall be prepared in accordance with the *EMS for Meat Chicken Farms - Example Environmental Management Plan* published by the Australian Government Rural Industries Research and Development Corporation.
6. The Landscape and Vegetation Management Plan required by condition 10 shall:
  - a) Include a scaled map of the development which can be placed as an overlay over a recent (since 2003) aerial photograph of the whole of Lot 368 Henderson Road;
  - b) Locate on the map, and both identify and describe how existing indigenous vegetation is to be protected or is not to be retained as a result of driveways, fences, drains and other surface water features, firebreaks, power lines and other access ways and services plus proposed buildings and other structures;
  - c) Locate on the map and both identify and describe the management of existing exotic vegetation;
  - d) Locate on the map and identify both the types and magnitudes of weed infestations and describe weed management to be undertaken;
  - e) Locate proposed revegetation works on the map and describe the species, densities, soil preparation and plant protection to provide complete screening of all existing and proposed poultry sheds from the roads and adjoining properties, maximise nutrient uptake from surface waters and surrounding soils, reconnect remnant vegetation with visual screen plantings and, provide habitat for local woodland and wetland fauna.
  - f) Describe ongoing management of vegetation on site;
  - g) Clearly state auditable vegetation management targets including weed control and revegetation outcomes for audit at the time of vegetation management bond return and thereafter as follows:
    - i) Visual screens are to include a minimum of six rows of trees and shrubs and must be no less than 10 metres wide;
    - ii) Stems within visual screens are to be planted at minimum densities of one stem per three metres along rows that are no more than two metres apart;
    - iii) Visual screening is to include a mixture of trees and shrubs such that no more than one third of the plants are trees.
    - iv) Sedges and rushes to be planted around the settling pond are to be clumped with densities of four stems per meter squared within clumps and interspersed with other local wetland species;
    - v) Required stem densities relate to a time when a minimum of 80% of the plants have survived at least two summer seasons and this is to be achieved initially within three years after development approval is given and thereafter maintained;
    - vi) All plants are to be of locally native species indicative of neighboring woodland and wetland communities;
    - vii) Achieve a plant diversity of at least 80% of the plant species that are listed within the dominant shoreline ground cover, medium shrub, tall

- shrub and tree categories for the relevant woodland and wetland communities on the Shire Planting List;
- viii) Maintain a weed burden at levels not likely to threaten the native species;
  - ix) Locate fire breaks on the map.
7. The Drainage and Nutrient Management Plan required by condition 16 above shall address the following:
- a) show how the capacity of the settling pond will cope with storm water and shed wash down water in all but 1:10 year storm events;
  - b) show how chemicals from disinfectants used, and nutrients from wash down water are treated so that no pollution can impact ground water resources or drain to the conservation category wetland down stream;
  - c) describe and commit to best management practice of swales including the placement of, and periodic replacement of yellow sand linings, establishment and maintenance of a complete cover of healthy kikuyu, repeated clipping of kikuyu and disposal of clippings away from water courses, preferably to be exported off site to be composted with shed litter;
8. The compound(s) described in condition 23 shall:
- a) be graded or include a sump to allow recovery of liquid;
  - b) be chemically resistant to the substances stored;
  - c) include valves, pumps and meters associated with transfer operations wherever practical - otherwise the equipment shall be adequately protected e.g. bollards and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;
  - d) be designed such that jetting from any storage vessel or fitting will be captured within the bunded area - see for example Australian Standard 1940-1993 Section 5.9.3 (g);
  - e) be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and
  - f) be controlled such that the capacity of the bund is maintained at all times e.g. regular inspection and pumping of trapped uncontaminated rain water.
9. Litter shall be kept at an optimal moisture level to ensure it is not excessively dry nor damp.
10. This approval is issued under the provisions of the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2. Separate approval under the Metropolitan Region Scheme is also required to be obtained from the Western Australian Planning Commission prior to issue of a Building Licence and the commencement of any of the works covered by this approval.

#### **SD080/06/05 ALTERNATE MOTION**

##### **Moved Cr Murphy seconded Cr Price**

**That the Council grants approval for the development of sheds 1-6 as shown on plan marked L368/02 only for the proposed Poultry (Broiler) Farm on Lot 368 Henderson Road (corner Hopeland Road), Hopeland subject to the following conditions:**

##### **General**

- 1. A separate application for planning approval is required for the construction of sheds 7-16 and such application will be required to demonstrate that any emissions associated with the operation of the farm can be adequately contained within the boundaries of the site to the satisfaction of the Shire.**
- 2. This approval allows the construction and use of sheds 1-6 only , as identified on the approved site plan attached to and forming part of this approval (see Advice Note 1.).**
- 3. Development shall be in accordance with the approved plans except as otherwise required by a condition of this approval.**

4. A building licence being obtained prior to the commencement of any of the works covered by this approval including earthworks.

#### **Environmental Management System**

5. An Environmental Management System shall be prepared for the farm to the satisfaction of the Shire and shall be submitted to and approved by the Shire prior to the issue of a Building Licence for the works covered by this approval.
6. In carrying out the development the approved Environmental Management System must be complied with at all times.
7. A report (audit) on compliance with the approved Environmental Management System shall be submitted to the Shire within 28 days of the completion of the first growing cycle and thereafter on an annual basis by the anniversary date of this approval. The annual audit must include:
  - a) an identification of the sources and nature of all emissions, discharges and wastes generated on the site
  - b) an assessment of dust amenity (dust deposition) and health impacts (total suspended particulate, particulate matter less than 10 micron).
  - c) an assessment of environmental impacts associated with its operations and its compliance with planning and environmental requirements
  - d) an evaluation of its response to any complaints
  - e) a review of operational and management practices relating to environmental performance and the management of environmental risk, including emergency response, contingency plans and other measures to prevent or minimise environmental impacts.

A suitably qualified and experienced person to the satisfaction of the Shire must conduct the audit.

8. In the event the Shire is not satisfied with any audit, the Shire may by notice in writing require the applicant to take the action stipulated in the notice in order to ensure the approved Environment Management System is complied with.
9. Poultry shed design and management, plus the management of stock feed, water, waste products and all other aspects of poultry farm operations is to comply with the management guidelines set out in the Environmental Code of Practice for the Poultry Industry in Western Australian May 2004.

#### **Vegetation Management**

10. Prior to the issue of a Building Licence for the new sheds, the proponent shall submit for the Director Sustainable Development's approval a Landscape and Vegetation Management Plan that identifies requirements for weed control, details the protection of existing vegetation, and describes the densities and distributions of indigenous trees, shrubs, groundcover and shoreline plant species to be established.
11. The proposed development shall not commence until the Director Sustainable Development has approved the Landscape and Vegetation Management Plan in writing.
12. The implementation of the approved Landscape and Vegetation Management Plan shall commence within twelve months of the development approval being granted and is to be completed within three years of the development approval being granted. Vegetation on site is to be maintained in accordance with the approved Landscape and Vegetation Management Plan thereafter.
13. Prior to the commencement of site works, the proponent shall provide a bond in accordance with Shire policy to the value of \$7500 with the Shire of Serpentine-Jarrahdale. The bond may be in the form of cash, cheque or bank guarantee, and is a performance guarantee against satisfactory completion of the auditable completion criteria in the approved Landscape and

**Vegetation Management Plan. The performance guarantee will be refunded in full, immediately the outstanding works are completed / established as required in the approved Landscape and Vegetation Management Plan. Any such bond is to be accompanied by a written authorisation from the owner of the land that the Shire may enter the land to complete or rectify any outstanding works in accordance with the approved Landscape and Vegetation Management Plan. The Shire may recover from the bond, or part of the bond, as appropriate, the cost to the Shire, including administrative costs, of completing or rectifying any outstanding works.**

- 14. Remnant vegetation and vegetation planted by the developer must be fenced from grazing livestock in order to protect trees and other vegetation from damage.**
- 15. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to, the developer obtaining the prior consent of the Council in writing, where such vegetation (dead or alive) is deemed as structurally unsound by a certified arboriculturist, or where the clearing is required to accommodate approved developments.**

#### **Drainage & Nutrient Management**

- 16. The proponent shall prepare a Drainage and Nutrient Management Plan for approval by the Director of Sustainable Development prior to the issue of a building licence for the new sheds and thereafter implement the approved Drainage and Nutrient Management Plan in its entirety.**
- 17. In carrying out the development the approved Drainage and Nutrient Management Plan must be complied with at all times.**
- 18. The proposed development is not to commence until the Director Sustainable Development has approved the Drainage and Nutrient Management Plan in writing.**
- 19. The developer shall ensure that the use of water for wash down is minimised.**
- 20. Any discharge of water (washdown water, stormwater) from the premise including seepage to groundwater, other than directly to sewer or septic systems, shall be via treatment in silt traps, nutrient extraction swales, detention ponds, settling ponds or other effective mechanism to remove nutrients and chemical agents to the satisfaction of the Shire.**
- 21. Separate facilities should be provided for the retention of both washdown (and other waste waters) and storm waters to prevent the settling pond overflowing during major storm events and not filtered waste waters possibly impacting on the adjacent wetland as a result.**
- 22. All water treatment facilities are to be regularly maintained to minimise the discharge of nutrients, total suspended dissolved solids, total suspended solids and other pollutants to ground and surface water resources.**

#### **Storage and disposal of chemicals, feed and waste materials**

- 23. The proponent shall store environmentally hazardous chemicals including, but not limited to, fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) within low permeability (10-9 metres per second or less) compound(s) designed to the satisfaction of the Shire to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of vessels stored in the compound.**
- 24. The developer shall immediately remove and dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compound(s).**
- 25. The storage, use and disposal of all chemicals including, but not limited to, pesticides, disinfectants and veterinary products is to comply with the manufacturers recommendations.**
- 26. No chemicals or potential liquid contaminants are to be disposed of on-site.**



27. Stock feed is to be stored within containers that prevent access by vermin and native wildlife.
28. All solid wastes (including poultry litter and spilt feed) should be contained in weather-proof conditions (on a covered hardstand) until removed from the site for disposal at an approved facility.
29. Manure shall not be disposed of on site and all temporary stockpiles of manure are to be contained in covered storage compounds which maintain them in a dry condition and do not allow access by flies.
30. Dead birds shall be stored in a cool-room facility and removed from the site on at least a weekly basis for disposal at an approved facility. Vehicles used to remove dead birds from the premise shall be covered to reduce odour emission.
31. All feed deliveries shall take place between the hours of 7.00am and 7.00pm.

#### Noise

32. Reversing beepers are to be removed from all forklifts and tractors used on the property and alternative non-audible warning measures such as flashing lights (subject to compliance with the relevant Australian Standard and any Worksafe codes) are to be fitted to these vehicles instead.
33. All alarms associated with the operation of the poultry farm (ie power supply, temperature, feed and the like) shall be non-audible. Alternative non-audible methods of notification such as personal pagers carried by farm operators and employees shall be used to the satisfaction of the Shire.
34. Prior to the commencement of use of the poultry sheds, the following measures must be taken in order to achieve compliance with the Environmental Protection (Noise) Regulations:
  - (i) Installation of an earthen bund at least 4 metres high between the sheds and Hopeland Road extending from at least 20 metres to the north of the northern side of shed 1 to a point at least 20 metres south of the southern side of shed 6;
  - (ii) Any plant rooms, including any backup power generator, are to be located between the western ends of the sheds and the required earthen bund on that side; and
  - (iii) The implementation of all noise attenuation measures proposed in the report entitled “Environmental Noise Assessment, Proposed Poultry Farm Stage 1 Lot 368 Hopelands Road, Serpentine” prepared by Lloyd Acoustics for Big Country (Australia) Pty Ltd April 2005, lodged with the Shire by the applicant;

to the satisfaction of the Shire. The noise attenuation measures required by this condition must be maintained throughout the life of the development.

The use (including construction of sheds) shall not commence until the Shire has received from the applicant and has approved:

- (a) specifications and elevation drawings of the earthen bunds; and
  - (b) certification from a suitably acoustic expert that the noise attenuation measures required and proposed will ensure that the noise generated by the development will at all times comply with the Environmental Protection (Noise) Regulations.
35. Noise generated by the operation of the farm shall comply with the Environmental Protection (Noise) Regulations at all times.

#### Odours

36. Prior to the commencement of use of the poultry sheds, the following measures must be taken in order to achieve compliance with the criterion of

70U/m<sup>3</sup> 3 minute average 99.5<sup>th</sup> percentile as determined using the methodology prescribed in the Environmental Protection Authority's document "Guidance for the Assessment of Environmental Factors – Assessment of Odour Impacts from New Proposals No. 47":

- (i) The installation of permanent earthen bunds as windbreak walls to the east, west and north of the sheds; and
- (ii) The installation of odour mitigation measures as specified in the Environmental Resources Management Australia Development Application Reviews Report May 2005 Ref 0031408RPI to the satisfaction of the Shire. Odour emissions must at all times comply with the Environmental Protection Authority's document "Guidance for the Assessment of Environmental Factors – Assessment of Odour Impacts from New Proposals No. 47" as amended from time to time.

The use (including construction of the sheds) shall not commence until the Shire has received from the applicant and has approved:

- (a) specifications and elevation drawings of the earthen bunds; and
- (b) certification from a suitably qualified environmental consultant with expertise in odour modelling, that the odour attenuation measures proposed and required will ensure the odour emissions generated by the development will at all times comply with the requirements of this condition.

37. The fill used to construct the required earthen bunds shall consist of clean, uncontaminated material to the satisfaction of the Shire.

#### Dust

- 38.. Prior to the commencement of use of the poultry sheds the developer is to provide certification from an appropriately qualified environmental consultant that the sheds' ventilation systems incorporate measures to reduce the emission of dust to a target of 50 µg m<sup>-3</sup> and, so as not to have greater than 5 exceedances per year, to the satisfaction of the Shire.

39. All bedding materials placed within sheds (ie sawdust) shall be treated (ie with oils) to reduce dust production.

40. Fan blades, screening and hoods shall be washed out with water rather than blown out with air.

41. Litter removal from the sheds shall be scheduled for times when dust nuisance to neighbours is likely to be minimised to the satisfaction of the Shire.

42. The developer shall prevent the generation of visible particulates (including dust) from access ways, trafficked areas, stockpiles and machinery from crossing the boundary of the premises by using where necessary appropriate dust suppression techniques.

#### Lighting

43. Outside lighting is to be kept to a safe minimum and should be angled to minimize light impacts on neighbouring properties.

#### Engineering

44. The access driveway to the poultry sheds shall be located on the north side of the proposed caretakers dwelling in a location to the satisfaction of the Shire

45. A single crossover be provided for access to both the dwelling and sheds.

46. **Crossovers to be constructed in accordance with Serpentine Jarrahdale standard industrial crossover specifications and be located to the satisfaction of the Shire of Serpentine-Jarrahdale.**
47. **Concrete aprons shall be constructed between the crossovers to the sheds and the sealed surface of Hopelands Road to the satisfaction of the Shire. All costs associated with the required upgrading shall be at the expense of the developer of the subject site.**
48. **The section of Hopeland Road fronting the crossover shall be widened to 9.80 metres in pavement width with 7.40 metres wide asphaltic concrete seal to the satisfaction of the Shire. All costs associated with the required upgrading shall be at the expense of the developer of the subject site.**
49. **All driveway surfaces are to be constructed of a suitable material such as paving, road base, limestone or coarse gravel and compacted to limit the generation of dust and to ensure that no visible dust extends beyond the site boundary.**
50. **A maximum speed limit of 20 kilometres per hour shall be applied to all internal roads, driveways and vehicle accessways and signs in this regard shall be displayed at the entrances to the site and adjacent to the location of the sheds.**
51. **The movement of any oversize vehicle, as per the interpretation contained in the Road Traffic Act 1974, to/from the subject site will require the separate approval of the Shire.**

#### **Visual Amenity**

52. **The external cladding of the sheds shall be in a colour that is consistent with the earthy or vegetation colours present on the site.**

#### **Signage**

53. **Notices indicating the type of operation, hours of operation and potential impacts of the poultry farm operation to be displayed adjacent to both the Hopeland Road and Henderson Road frontages of the site in accordance with the specifications contained in the Western Australian Planning Commission's Statement of Planning Policy No. 4.3 - Poultry Farms Policy, to the satisfaction of the Shire.**

#### **Advice Notes:**

1. **The application and a copy of this decision has been referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme and you will be advised in writing by that authority once a determination in this regard has been made.**
2. **Separate approval may need to be obtained from the Water and Rivers Commission for a bore licence.**
3. **A works approval or licence may need to be obtained from the Environmental Protection Authority for the poultry farm development;**
4. **The operations should be carried out in accordance with the document '*Water Quality Protection Note Poultry Farms in Public Drinking Water Source Areas*' produced by the Water and Rivers Commission.**
5. **The Environmental Management System required by condition 5 shall be prepared in accordance with the *EMS for Meat Chicken Farms - Example Environmental Management Plan* published by the Australian Government Rural Industries Research and Development Corporation.**
6. **The Landscape and Vegetation Management Plan required by condition 10 shall:**

- a) Include a scaled map of the development which can be placed as an overlay over a recent (since 2003) aerial photograph of the whole of Lot 368 Henderson Road;
- b) Locate on the map, and both identify and describe how existing indigenous vegetation is to be protected or is not to be retained as a result of driveways, fences, drains and other surface water features, firebreaks, power lines and other access ways and services plus proposed buildings and other structures;
- c) Locate on the map and both identify and describe the management of existing exotic vegetation;
- d) Locate on the map and identify both the types and magnitudes of weed infestations and describe weed management to be undertaken;
- e) Locate proposed revegetation works on the map and describe the species, densities, soil preparation and plant protection to provide complete screening of all existing and proposed poultry sheds from the roads and adjoining properties, maximise nutrient uptake from surface waters and surrounding soils, reconnect remnant vegetation with visual screen plantings and, provide habitat for local woodland and wetland fauna.
- f) Describe ongoing management of vegetation on site;
- g) Clearly state auditable vegetation management targets including weed control and revegetation outcomes for audit at the time of vegetation management bond return and thereafter as follows:
  - i) Visual screens are to include a minimum of six rows of trees and shrubs and must be no less than 10 metres wide;
  - ii) Stems within visual screens are to be planted at minimum densities of one stem per three metres along rows that are no more than two metres apart;
  - iii) Visual screening is to include a mixture of trees and shrubs such that no more than one third of the plants are trees.
  - iv) Sedges and rushes to be planted around the settling pond are to be clumped with densities of four stems per meter squared within clumps and interspersed with other local wetland species;
  - v) Required stem densities relate to a time when a minimum of 80% of the plants have survived at least two summer seasons and this is to be achieved initially within three years after development approval is given and thereafter maintained;
  - vi) All plants are to be of locally native species indicative of neighboring woodland and wetland communities;
  - vii) Achieve a plant diversity of at least 80% of the plant species that are listed within the dominant shoreline ground cover, medium shrub, tall shrub and tree categories for the relevant woodland and wetland communities on the Shire Planting List;
  - viii) Maintain a weed burden at levels not likely to threaten the native species;
  - ix) Locate fire breaks on the map.
  - x) All earthen bunds are to be vegetated to the satisfaction of the Shire.

**7. The Drainage and Nutrient Management Plan required by condition 16 above shall address the following:**

- a) show how the capacity of the settling pond will cope with storm water and shed wash down water in all but 1:10 year storm events;
- b) show how chemicals from disinfectants used, and nutrients from wash down water are treated so that no pollution can impact ground water resources or drain to the conservation category wetland down stream;
- c) describe and commit to best management practice of swales including the placement of, and periodic replacement of yellow sand linings, establishment and maintenance of a complete cover of healthy kikuyu, repeated clipping of kikuyu and disposal of clippings away from water

- courses, preferably to be exported off site to be composted with shed litter;
8. The compound(s) described in condition 23 shall:
- a) be graded or include a sump to allow recovery of liquid;
  - b) be chemically resistant to the substances stored;
  - c) include valves, pumps and meters associated with transfer operations wherever practical - otherwise the equipment shall be adequately protected e.g. bollards and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;
  - d) be designed such that jetting from any storage vessel or fitting will be captured within the bunded area - see for example Australian Standard 1940-1993 Section 5.9.3 (g);
  - e) be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and
  - f) be controlled such that the capacity of the bund is maintained at all times e.g. regular inspection and pumping of trapped uncontaminated rain water.
9. Litter shall be kept at an optimal moisture level to ensure it is not excessively dry nor damp.
10. This approval is issued under the provisions of the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2. Separate approval under the Metropolitan Region Scheme is also required to be obtained from the Western Australian Planning Commission prior to issue of a Building Licence and the commencement of any of the works covered by this approval.

LOST 3/6

Council Note: The officers recommended resolution was altered in the alternate motion by the provision of advice note 6g(x) requiring all earthen bunds to be vegetated. The alternate motion was then lost due to the property not being located in the Poultry Farm Special Control Area and the reasons outlined in the Council Decision for refusal.

#### **SD080/06/05 COUNCIL DECISION**

**Moved Cr Star seconded Cr Kirkpatrick**

**That the application for approval to commence development of a Poultry (Broiler) Farm on Lot 368 Henderson Road, corner Hopeland Road, Hopeland be refused for the following reasons:**

1. The Council is not satisfied that the proposed use will not have an adverse effect on the inhabitants of the locality or upon the likely future development of the locality as the modelling carried out by the proponents consultants with regard to impact assessment has failed to demonstrate that offensive emissions can be appropriately contained.
2. The Council is not satisfied the proposal will not have a detrimental impact on the amenity of the locality for the following reasons:
  - a) the odour modelling assessment has not considered a worst-case scenario, but has instead been modelled on the predominant condition, ie not during clean out activities;
  - b) odour modelling has also not considered the cumulative impacts of other odour sources in the immediate area (qualitatively or quantitatively).
  - c) the noise and odour modelling carried out for the proposed poultry farm by the proponent's consultants only considers the impact of sheds 1-6

- and has not taken into consideration the other 10 sheds proposed in this application.
- d) the proponent has not carried out a dust impact assessment for the proposed development and as such it is impossible to accurately determine if dust impacts will occur beyond the site boundary or the extent of that impact on adjacent properties.

3. The proposal will result in the clearing of remnant native vegetation, which is part of the Southern River complex and less than 20% of this vegetation complex remains intact on the Swan Coastal Plain. The remnant vegetation on this lot is not well represented throughout its range and should both be protected wherever possible.

**CARRIED 7/2**

8. **MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**
9. **CHIEF EXECUTIVE OFFICER'S REPORT**
10. **URGENT BUSINESS:**
11. **COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:**
12. **CLOSURE:**

There being no further business the Presiding Member closed the meeting at 4.37pm.