

**MINUTES OF THE ORDINARY MEETING OF THE CARRATHOOL SHIRE COUNCIL HELD  
AT THE HILLSTON DISTRICT OFFICE  
on Tuesday, 15 February 2022 commencing at 10.00am**

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**1. PRESENT**

Councillors: DL Jardine (Mayor), DA Liddicoat, B Furner, GR Peters, MS Armstrong, LW Cashmere, JK Potter, HJ Lyall, DP Fensom and WR Kite.

Staff: General Manager Rick Warren, Director Infrastructure Services Paul Farrell, and Management Accountant Sarah Donnelly.

**2. LEAVE OF ABSENCE**

Nil

**3. DECLARATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

Nil

**4. CONFIRMATION OF THE PREVIOUS MINUTES**

**0039 RESOLVED** that the minutes of the Extra-Ordinary meeting of the Carrathool Shire Council held 11 January 2022 as circulated to all Councillors, be confirmed.

CARRIED Moved: Cr GR Peters / Seconded: Cr MS Armstrong

**0040 RESOLVED** that the minutes of the Ordinary meeting of the Carrathool Shire Council held 11 January 2022 as circulated to all Councillors, be confirmed.

CARRIED Moved: Cr GR Peters / Seconded: Cr MS Armstrong

**5. BUSINESS ARISING**

Nil

**6. MOTIONS & QUESTIONS (NOTICE GIVEN)**

Nil

**7. PRESENTATIONS/PUBLIC ADDRESSES (WHERE SCHEDULED)**

Nil

**8. MAYORAL REPORTS**

**0041 RESOLVED** that Council note the Mayors report for the February 2022 meeting and that a report be brought to Council reviewing both starting times and categories of awards for the Australia Day event.

CARRIED Moved: Cr DP Fensom / Seconded: Cr WR Kite

**9. DELEGATES REPORTS**

Nil

**10.0 GENERAL MANAGER'S REPORT**

**10.1 Ongoing Action from Previous Business Papers**

**0042 RESOLVED** that Council note the update on action report for February 2022.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr HJ Lyall

**10.2 Precis of Correspondence**

**10.2.1 Riverina Local Land Services – Travelling Stock Reserves Grazing Area Pilot**

**0043 RESOLVED** that Council note the Riverina Local Land Services will not proceed with the pilot program of leasing out the Travelling Stock Reserves in six areas and the current system will continue.

CARRIED Moved: Cr B Furner / Seconded: Cr LW Cashmere

### **10.2.2 Hillston Outback Triathlon – Requesting Assistance**

**0044 RESOLVED** that Council provide promotional assistance to the Hillston Outback Triathlon to be conducted on 6 March 2022, and further Council provide traffic control on the day to a maximum of \$1,500.

CARRIED

Moved: Cr HJ Lyall / Seconded: Cr B Furner

### **10.2.3 ANZAC DAY MARCH - Hillston RSL Requesting Assistance**

**0045 RESOLVED** that Council agree to the temporary road closures to conduct the ANZAC Day March, and assist with traffic control.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr GR Peters

### **10.2.4 Hillston Hogs – Use of Stan Peters Oval**

**0046 RESOLVED** that Council waive the ground and the pavilion hire charges for the Hillston Hogs Charity event to be held Saturday 26 February 2022

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr GR Peters

### **10.3 Councillor Professional Development**

**0047 RESOLVED** that Council note the report relating to Councillor induction, training and inform the General Manager of opportunities they would like to explore. The General Manager be requested to source and engage a presenter to address Council on both the roles and responsibilities of Councillors and Council operations generally.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr LW Cashmere

### **10.4 Closure of Council Offices for Union Picnic Day/ Clash April Council Meeting**

**0048 RESOLVED** that Council:

1. note that the Union Picnic Day will be held on Tuesday 19 April 2022 and that in keeping with past practice, Council approve special leave for that day to all permanent employees.
2. proceed with the April Council meeting at Hillston as scheduled with Senior Staff in attendance.

CARRIED

Moved: Cr JK Potter / Seconded: Cr DA Liddicoat

### **10.5 Caravan Parks – Operations**

**0049 RESOLVED** that Council:

1. note the report on the operations of its three caravan parks for the period 1-7-2021 to 31-12-2021.
2. note the completion of the upgrade to the old amenities block at the Hillston Caravan Park under the Crown Land Managers Grant Funding Program.

CARRIED

Moved: Cr GR Peters / Seconded: Cr WR Kite

### **10.6 Local Roads and Community Infrastructure Round 3**

**0050 RESOLVED** that Council:

1. note the timeframes involved with the Local Roads and Community Infrastructure Round 3.
2. nominate projects for submission for funding
  - Lachlan River Rd (\$1.3m)
  - Goolgowi Sewer Pond Relining (\$230k)
  - Carrathool Township Drainage (\$60k)
  - Rankins Springs Amenities Block (\$200k)
  - Goolgowi Park and Carpark Rehabilitation (\$230k)
  - Hillston – High Street Replacement of Asphalt Hot Mix (\$214k)
  - Hillston Subdivision (\$300k)
3. nominate other projects for scoping and reporting to the March 2022 Council meeting.

CARRIED

Moved: Cr WR Kite / Seconded: Cr HJ Lyall

Motion was Moved :Cr B Furner / Seconded: Cr JK Potter that a splash pad be considered for inclusion in the submission. The motion was put to the meeting but was LOST.

.....  
CR DL JARDINE, CHAIRMAN

### **10.7 Infrastructure Report**

**0051 RESOLVED** that Council note the Infrastructure report for December 2021 and January 2022.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DP Fensom

### **10.8 High Street Hillston Stage 4 - Rehabilitation**

**0052 RESOLVED** that Council:

1. note the report for High Street, Hillston stage 4
2. approve funding for a co-contribution from Council of \$336,000 to be sourced from the Roads Reserve.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr HK Lyall

### **10.9 Request for Installation of Rain Gauge – Hillston Aerodrome**

**0053 RESOLVED** that Council:

1. agree to the installation of the Bureau of Meteorology facility at Hillston Aerodrome.
2. enter into an agreement with the Bureau of Meteorology regarding the use of Council land for the rain gauge enclosure.

CARRIED

Moved: Cr GR Peters / Seconded: Cr WR Kite

### **10.10 Remote Roads Upgrade Pilot Program**

**0054 RESOLVED** that Council:

1. nominate the Mt Grace Rd gravel re-sheeting project for submission under the Remote Roads Upgrade Pilot Program.
2. fund the co-contribution of 20% (\$234,000) of the project from roads reserve.

CARRIED

Moved: Cr GR Peters / Seconded: Cr DP Fensom

### **10.11 Hillston Heavy Vehicle Bypass - Update**

**0055 RESOLVED** that:

1. the General Manager call for expressions of interest to undertake a feasibility study for a heavy vehicle bypass east of Cowper Street linking to Milton Street.
2. a report be brought to Council outlining low-cost options for possible improvements to the Springs Rd and Cowper St intersection.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr GR Peters

### **10.12 Plant Report**

**0056 RESOLVED** that the Plant Report as at 2 February 2022 be received.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr GR Peters

### **10.13 Plant Replacement**

**0057 RESOLVED** that Council receive the Plant Replacement report for February 2022.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DA Liddicoat

### **10.14 Plant Update – Stolen Vehicles**

**0058 RESOLVED** that Council note the status report of the stolen vehicles.

CARRIED

Moved: Cr WR Kite / Seconded: Cr JK Potter

12.30 pm Manager Building and Regulatory Services joined the meeting.

### **10.15 Development Applications December 2021**

**0059 RESOLVED** that the Determinations for Development Applications received for December 2021 be noted.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr B Furner

### **10.16 Development Applications January 2022**

**0060 RESOLVED** that the Determinations for Development Applications received for January 2022 be noted.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr HJ Lyall

### **10.17 Variations to Development Standards – 2021 Last Quarter**

**0061 RESOLVED** that Council note the Clause 4.6 LEP Variations to Development Standards received for October - December 2021.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr DA Liddicoat

### **10.18 Development Application 2021/035 – Poultry Production Facility**

**0062 RESOLVED** that:

1. Council grant Development Consent for DA2021/035 for construction of a Poultry Production Facility (24 sheds) along with associated infrastructure, subject to the conditions imposed.
2. in the event of any mass mortality at the site Council will not accept carcasses or material from the site to any landfill. Alternate arrangements will need to be advised.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr Furner  
Division: - For Crs DL Jardine, MS Armstrong, B Furner, LW Cashmere,  
DP Fensom, WR Kite, GR Peters, HJ Lyall, JK Potter  
Against: Cr DA Liddicoat

### **10.19 Murrumbidgee Irrigation Modification-Barren Box Swamp Project**

**0063 RESOLVED** that Council:

1. not oppose the modification to the Barren Box Swamp Project for the following conditions;
  - a) 7.4 c Impact and Performance
  - b) 7.4 d Results
  - c) 7.4 k Data Trends
2. objects to modifications to the following original conditions of consent;
  - a) 6.1 e Environmental Representative
  - b) 6.5 d Wetland Rehabilitation and Management Plan
  - c) 6.5 e Flood Management Plan
  - d) 6.6 Preview
  - e) 7.4 h Health of Lower Mirrool Creek Floodway Wetland
3. seek a meeting with the Minister for Planning for project discussions during the LGNSW Conference.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr WR Kite

1.00 pm Manager Building and Regulatory Services left the meeting.

1.05 pm Meeting adjourned for lunch

1.50 pm Meeting returned from lunch

### **10.20 Finance Report – Statement of Bank Balances – December 2021**

**0064 RESOLVED** that Council note the Statement of Bank Balances as at 31 December 2021 and confirm payment of accounts as summarised in the reconciliation statement totalling \$3,398,944.17.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr GR Peters

### **10.21 Finance Report – Investments Schedule – December 2021**

**0065 RESOLVED** that Council note the Schedule of Investments as at 31 December 2021.

CARRIED

Moved: Cr GR Peters / Seconded: Cr HJ Lyall



## **10.22 Finance Report – Statement of Bank Balances – January 2022**

**0066 RESOLVED** that Council note the Statement of Bank Balances as at 31 January 2022 and confirm payment of accounts as summarised in the reconciliation statement totalling \$4,479,681.16.

CARRIED

Moved: Cr GR Peters / Seconded: Cr DA Liddicoat

## **10.23 Finance Report – Investments Schedule – January 2022**

**0067 RESOLVED** that Council note the Schedule of Investments as at 31 January 2022.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr WR Kite

## **10.24 Delivery Program Performance Report**

**0068 RESOLVED** that Council note the Delivery Program Progress Report for February 2022.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr B Furner

## **10.25 Council Policy 082 - Councillors Expenses and Facilities Policy**

**0069 RESOLVED** that Council:

1. adopt the Councillors Expenses and Facilities Policy and that the draft policy be placed on public exhibition for a period of 28 days.
2. adopt the policy after the public exhibition period if no submissions are received.

CARRIED

Moved: Cr HJ Lyall / Seconded: Cr LW Cashmere

## **10.26 Second Quarter Budget Review 2021/22**

**0070 RESOLVED** that the Budget Review for the 2nd Quarter of 2021/22 be received and the vote variations as listed in the Budget Review Statement be made.

CARRIED

Moved: Cr GR Peters / Seconded: Cr JK Potter

## **10.27 Farmland Rate Categories**

**0071 RESOLVED** that the Farmland Rate Categories report be held over to the March meeting of Council.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DP Fensom

2.40 pm the Economic Development Officer joined the meeting.

## **10.28 Economic Development Unit Report – February 2022**

**0072 RESOLVED** that Council note the Economic Development Officer's report for February 2022.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr GR Peters

2.49 pm the Economic Development Officer left the meeting

## **11.0 COMMITTEE REPORTS**

Nil

## **12.0 CLOSED COUNCIL REPORTS**

**CLOSED COUNCIL** 2.50 pm

**0073 RESOLVED** that Council resolve into closed council pursuant to Section 10A of the *Local Government Act 1993*, to consider the closed Council reports.

CARRIED

Moved: Cr MA Armstrong / Seconded: Cr DP Fensom

## **12.1 Internal Auditor - Appointment**

**0074 RESOLVED** that Council:

1. appoint Keith Coates Auditing Services Pty Ltd to provide Internal Auditor Services for the term of the current Council.
2. include a budget of \$22,000 in the 2022/23 estimates for internal audit and Audit Risk Improvement Committee meetings.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr B Furner

## **12.2 Design and Construct Carrathool Road – 5km Award Tender 2021-013**

**0075 RESOLVED** that Council That Council award tender 2021-013 (D&C Carrathool Road - 5km) to LG Civil for their submitted price of \$1,767,793 (GST excl.)

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DP Fensom

## **12.3 United Services Union – Council Salary System**

**0076 RESOLVED** that Council:

1. inform the United Services Union that Council will consider the issues raised in conjunction with the redetermination and review of the organisational structure as required under Section 333 of the *Local Government Act 1993*.
2. requests the General Manager to include impacts of various scenarios of these salary progression issues when reporting to Council under Section 333 of the Act later in the year.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DP Fensom

## **12.4 Mayoral Minute**

**0077 RESOLVED** that staff review the status of Lake Woorabinda in regard to the management and use of the lake and foreshore and a report be brought back to Council.

CARRIED

Moved: Cr DL Jardine / Seconded: Cr GR Peters

## **OPEN COUNCIL**

3.20 pm

**0078 RESOLVED** that Council resolve into open Council.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DP Fensom

## **CLOSED COUNCIL REPORT**

The resolutions of Council made while the meeting was closed to the public were read to the open Council meeting by the General Manager.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DP Fensom

## **13.0 NEXT MEETING**

The next **Ordinary Meeting** of Council will be held at the **Goolgowi Council Chambers** on **Tuesday 15 March 2022** commencing at **10.00am**.

## **CLOSURE**

There being no further business, the meeting terminated at 3.35 pm.

The Minutes of the Ordinary Meeting of the Carrathool Shire Council held on Tuesday, 15 February 2022 were confirmed at the subsequent Ordinary Meeting of Council on Tuesday, 15 March 2022

.....  
Chairman of the Meeting of the Carrathool Shire Council held on Tuesday, 15 March 2022, at which meeting the above signature was subscribed.

.....  
CR DL JARDINE, CHAIRMAN

# ATTACHMENT – SITE PLAN



- IMPORTANT NOTES AND CAUTIONS**
1. THESE NOTES COMPLEMENT, PART OF THE PLAN AND ANY TOPO SHEETS, THIS PLAN SET.
  2. THIS PLAN SET HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF BAXTER GEO IN THE MAKING A DEVELOPMENT APPLICATION TO CARRATHOOL SHIRE COUNCIL. ANY OTHER USE IS STRICTLY PROHIBITED WITHOUT THE WRITTEN AUTHORITY OF BAXTER GEO CONSULTING.
  3. AERIAL IMAGE DATED: 09-JUN-2019
  4. BAXTER GEO CONSULTING AND ITS EMPLOYEES ARE NOT RESPONSIBLE FOR THE CONSEQUENCES OF ANY USE OF THIS PLAN BY ANY THIRD PARTY FOR ANY PURPOSE.

<b>PROJECT</b>	14 BYRNE ROAD, SPRINGDALE, NSW 2380	<b>CLIENT</b>	PROPOSED BROILER FARM 7/11 CARRATHOOL ROAD CARRATHOOL, NSW
<b>DATE</b>	12/07/21	<b>SCALE</b>	AS SHOWN
<b>DRAWN BY</b>	1207-21-0501	<b>DATE</b>	12/07/21
<b>CHECKED BY</b>		<b>DATE</b>	
<b>APPROVED BY</b>		<b>DATE</b>	

<b>DESCRIPTION</b>	BAXTER GEO CONSULTING
<b>CLIENT</b>	PROPOSED BROILER FARM
<b>PROJECT</b>	14 BYRNE ROAD, SPRINGDALE, NSW 2380
<b>DATE</b>	12/07/21
<b>DRAWN BY</b>	1207-21-0501
<b>CHECKED BY</b>	
<b>APPROVED BY</b>	

Sheet 1 of 7 Sheets  
SITE PLAN

## ATTACHMENT - CONDITIONS DA2021/035

### GENERAL

1. Development Consent is issued subject to the conditions stated hereunder, in accordance with Section 4.17 of the *Environmental Planning and Assessment Act 1979*. Consent is granted for the construction and use of a **Livestock Intensive Agriculture (Poultry Production Facility)** development, generally entailing:

- Twenty-four (24) poultry sheds;
- Thirty-six (36) free-standing silos;
- one (1) amenities/workshop/storage building;
- stormwater dam;
- construction of internal driveways, parking areas and stormwater works.

To confirm and clarify the terms of consent, the development must be carried out in accordance with the following, unless where amended by Council in red and as modified by any conditions of this development consent:

1. Environmental Impact Statement, titled Lot 12-14 DP756073 701 Carrathool Road Carrathool NSW 2711 Proposed Poultry Broiler Farm, dated 18 May 2021 including appendices 1-7;
  2. Geotechnical Investigation – Proposed Poultry Farms Development, Lot 12, 13 & 14 DP756073, Carrathool Road Carrathool NSW by Aitken Rowe Geotechnical Engineers dated 26 July 2021;
  3. Response to further Information Requested by WaterNSW prepared by Kelley Covey Group Pty Ltd dated 2 September 2021 and Response to further Information Requested by Department of Primary Industries – Agriculture prepared by Fairglen Farms dated 27 August 2021.
2. The applicant must comply with all prescribed conditions of development consent relevant to the proposed development as contained within division 8A of the *Environmental Planning and Assessment Regulation 2000* (as detailed within this consent).
3. In accordance with section 4.16(4) of the *Environmental Planning and Assessment Act 1979*, the following parts and/or aspects of the development are **not approved** via this development consent:
- a) The 12 x 7,500L LPG Bulk tanks as shown on plan and as described in the EIS.
  - b) The proposed solar panels as referred to on page 33 of the EIS.

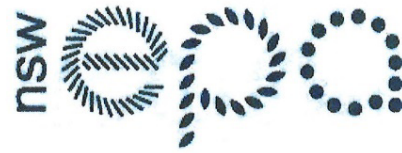
Parts and aspects in a) and b) above are subject to **separate approval** and must be accompanied with appropriate & relevant supporting information & documentation.

4. The proposed development must take place in accordance with Murrumbidgee Irrigation's relevant Water Delivery Contract applicable to the subject site and their Development Rules. Further information regarding these requirements can be obtained from Murrumbidgee Irrigation and at [www.mirrigation.com.au/Customers/Contracts-Rules](http://www.mirrigation.com.au/Customers/Contracts-Rules).
5. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
6. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the subject site are to be complied with.
7. Any activities, located near any electricity infrastructure, within the location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.

.....  
CR DL JARDINE, CHAIRMAN

Protection of the Environment Operations Act 1997

## **General Terms of Approval - Issued**



Notice No: 1610620

### **Attachment 'A'**

#### **Administrative conditions**

##### ***A1. Information supplied to the EPA***

**A1.1** Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the Development Application No 2021/035 submitted to Carrathool Shire Council dated 25/05/2021; and
- the environmental impact statement titled 'Fairglen Farms, Environmental Impact Statement, Lot 21-14 DP756073 701 Carrathool Road Carrathool NSW 2711' (the EIS) and its Appendices dated 18 May 2021 relating to the development.

##### ***A2. Fit and Proper Person***

**A2.1** The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

##### ***A3. Premises to which these General Terms of Approval apply***

**A3.1** These General Terms of Approval apply to the following premises:

The property known as 'Springdale' at Lots 12-14 DP 756073 701 Carrathool Road Carrathool as depicted in Figure 5 of the EIS

#### **Limit conditions**

##### ***L1. Pollution of waters***

**L1.1** Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with.

##### ***L2. Waste***

**L2.1** The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.

**L2.2** This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.



## General Terms of Approval - Issued



Notice No: 1610620

### **L3. Noise limits**

**L3.1** Noise from the premises must not exceed an Leq (15 minute) noise emission criterion of 40dB(A) during the day time period (7.00am to 6.00pm) and 35dB(A) at all other times.

**L3.2** Noise from the premises is to be measured at the nearest affected sensitive receptor not associated with the development to determine compliance with this condition.

### **Definition**

Leq(15 minute) is the level of noise equivalent to the energy average of noise levels occurring measured over a 15 minute period.

### **L4. Hours of operation**

**L4.1** All construction work at the premises must only be conducted between:

- a) 7.00am and 6.00pm Monday to Friday;
- b) 8.00am to 1.00pm Saturday; and
- c) at no time on Sundays or Public Holidays

**L4.2** The hours of operation specified in conditions L4.1 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

### **L5. Other limit conditions**

**L5.1** The total number of birds accommodated at the premise, at any one time, must not exceed 1,200,000.

**L5.2** The maximum bird density within each shed, expressed as live bird weight, must not exceed 36 kilograms per square metre at any time.

**L5.3** All waste water collection ponds must have a minimum base and wall permeability of  $1 \times 10^{-9}$  metres per second over a thickness of 600 millimetres or be artificially lined with an impermeable high density polyethylene liner.

**L5.4** All waste water collection ponds must be designed, constructed and maintained to accommodate the stormwater runoff volume generated by the intensity, frequency and duration of a 1 in 20 year, 24 hour rainfall using a volumetric runoff coefficient of 0.8.

**L5.5** The applicant shall not populate the farm with the total number of broilers permitted simultaneously at the commencement of a production cycle.

**L5.6** The shed 'down-time' for clean out between each batch of birds must be equal to or greater than 9 days.

# General Terms of Approval - Issued



Notice No: 1610620

## Operating conditions

### **01. Odour**

**01.1** No condition of this Approval identifies a potentially offensive odour for the purposes of section 129 of the *Protection of the Environment Operations Act 1997 (POEO Act)*.

*Note: The POEO Act states that no offensive odour may be emitted from particular premises unless potentially offensive odours are identified in an environment protection licence and the odours are emitted in accordance with conditions specifically directed at minimising the odours permitted.*

### **02. Dust**

**02.1** Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

**02.2** Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

### **03. Waste management**

**03.1** The premises must have;

- a) sufficient on site chillers to store all bird mortality's (~0.5% of birds on site at any time and excluding mass mortality events);
- b) remove all mortality's found in the sheds immediately to the chillers; and
- c) ensure that when chillers are in use they are kept at  $\leq 4$  degrees celcius.

**03.2** Any bird mortality's generated at the premises are not permitted to be buried on site. Bird mortality's must be disposed or processed at a facility that can lawfully receive the waste.

*Note: This condition does not apply if the applicant is directed by the NSW Department of Primary Industries to bury the birds on site.*

### **04. Waste water management**

**04.1** All waste water and contaminated stormwater must be captured in a waste water collection system which prevents waste water from leaving the premises.

*Note: This condition does not apply in rainfall events which create greater volumes of stormwater than an event with an average recurrence interval of a local 1 in 20 year, 24 hour rain event.*

### **05. Air quality conditions**

**05.1** All activities carried out in and on the premises must be undertaken in a manner that prevents and/or minimises the emission of air pollutants from the premises.

# General Terms of Approval - Issued



Notice No: 1610620

## Monitoring and recording conditions

### *M1 Monitoring records*

**M1.1** The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

**M1.2** All records required to be kept by the licence must be:

in a legible form, or in a form that can readily be reduced to a legible form;

kept for at least 4 years after the monitoring or event to which they relate took place; and

produced in a legible form to any authorised officer of the EPA who asks to see them.

**M1.3** The following records must be kept in respect of any samples required to be collected: the date(s) on which the sample was taken;

the time(s) at which the sample was collected;

the point at which the sample was taken; and

the name of the person who collected the sample.

## Reporting conditions

### *R1. Annual returns*

**R1.1** The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable.

## Special conditions

### *E1. Air quality management plan*

**E1.1** The Applicant must develop and implement an Air Quality Management Plan (AQMP) that includes all project particulate emissions from all sources and a ranking of the project particulate sources.

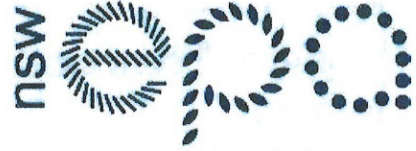
The AQMP must identify the control measures that will be implemented for each emission source.

The AQMP must nominate for each of the proposed controls.

- a. Key performance indicator;
- b. Monitoring method;
- c. Location, frequency and duration of monitoring;



# General Terms of Approval - Issued



Notice No: 1610620

- d. Record keeping;
- e. Response mechanisms; and
- f. Compliance reporting.

## **E2. Odour complaints**

### **E2.1 Odour validation report**

Based on odour complaints and when directed by the Environment Protection Authority (EPA) the Applicant must submit an Odour Validation Report (OVR) to the EPA.

The OVR must:

- g. Be carried out by a suitably qualified independent person experienced in the characterization and treatment of odours from chicken broiler farms;
- h. Include a summary of any odour complaints received and actions taken to reduce odour emissions where complaints are verified;
- i. Where possible includes a field odour survey that characterises the frequency, intensity, duration, offensiveness, location and extent of off-site odours;
- j. Benchmark the design and management practices at the premises against industry best practice for minimising odour emissions, including investigation of newly developed and emerging control technology.
- k. Determine the premises compliance with S129 of the *Protection of the Environment Operations Act 1997* and recommend if additional odour mitigation measures are required.
- l. Where additional odour mitigation measures are recommended, nominate appropriate mitigation measures or management practices to ensure that odour is minimised as far as practicable.
- m. Any odour mitigation measures nominated must include a timetable for implementation.

### **E2.2 De-stocking of sheds**

1. Where additional mitigation measures are recommended in any OVR submitted to the EPA, the applicant must de-stock sheds as directed by the EPA during the interim period until the mitigation measures have been physically installed, commissioned and are operating.

2. Should odour reports be received and verified by the EPA after the implementation of the additional odour mitigation measures the licensee must de-stock the premises as directed by the EPA until such time as the odour issues are addressed to the satisfaction of the EPA.

*Note: The intent of this condition is to stagger de-stocking in consultation with the applicant until offensive odours are not leaving the boundary of the premises. Bird age and batch stage may be taken into consideration by the EPA when directing the de-stocking of sheds.*

# General Terms of Approval - Issued



Notice No: 1610620

## Attachment 'B' – Mandatory Conditions for all EPA licences

### Operating conditions

#### Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes:

- a. the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

#### Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licensed activity:

- n. must be maintained in a proper and efficient condition; and
- o. must be operated in a proper and efficient manner.

### Monitoring and recording conditions

#### Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

The record of a complaint must be kept for at least 4 years after the complaint was made.

The record must be produced to any authorised officer of the EPA who asks to see them.

## General Terms of Approval - Issued



Notice No: 1610620

### Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

This condition does not apply until 3 months after this condition takes effect.

## Reporting conditions

### Annual Return documents

#### *What documents must an Annual Return contain?*

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- a. Statement of Compliance; and
- b. Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

#### *Period covered by Annual Return*

An Annual Return must be prepared in respect of each reporting, except as provided below

*Note:* The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Where this licence is transferred from the licensee to a new licensee,

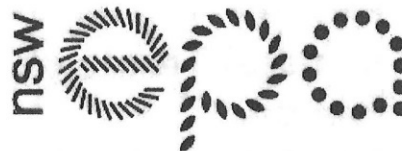
- a. the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b. the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

*Note:* An application to transfer a licence must be made in the approved form for this purpose.

Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on

- a. in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b. in relation to the revocation of the licence – the date from which notice revoking the licence operates.

## General Terms of Approval - Issued



Notice No: 1610620

### ***Deadline for Annual Return***

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

### ***Notification where actual load can not be calculated***

(Licences with assessable pollutants)

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- a. the assessable pollutants for which the actual load could not be calculated; and
- b. the relevant circumstances that were beyond the control of the licensee.

### ***Licensee must retain copy of Annual Return***

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

### ***Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary***

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. the licence holder; or
- b. by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

### ***Notification of environmental harm***

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

### ***Written report***

Where an authorised officer of the EPA suspects on reasonable grounds that:

- a. where this licence applies to premises, an event has occurred at the premises; or



## General Terms of Approval - Issued



Notice No: 1610620

- b. where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

The request may require a report which includes any or all of the following information:

- a. the cause, time and duration of the event;
- b. the type, volume and concentration of every pollutant discharged as a result of the event;
- c. the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d. the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- g. any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

### General conditions

#### Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies.

The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.

# WATER NSW – GENERAL TERMS OF APPROVAL



## General Terms of Approval

for proposed development requiring approval  
under s89, 90 or 91 of the Water Management Act 2000

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<b>Reference Number:</b>	IDAS1139282
<b>Issue Date of GTA:</b>	17 December 2021
<b>Type of Approval:</b>	Water Supply Work
<b>Description:</b>	120ML Storage Dam
<b>Location of work/activity</b>	Lot 12-14 DP 756073, 701 Carrathool Road Carrathool
<b>DA Number:</b>	DA 2021/035 CNR-23016
<b>LGA:</b>	Carrathool Shire Council
<b>Water Sharing Plan Area:</b>	Murrumbidgee Unregulated River Water Sources

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The GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to WaterNSW for the relevant approval **after** development consent has been issued by Council **and before** the commencement of any work or activity.

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<b>Condition Number:</b>	<b>Details</b>
GTA00001	A. This General Terms of Approval (GTA) only applies to the proposed water supply work(s) described in the plans and associated documents found in Schedule 1, relating to development application DA 2021/035 provided by Council to WaterNSW. B. Any amendments or modifications to the proposed water supply work(s) may render the GTA invalid. If the proposed water supply work(s) is amended or modified, WaterNSW, Deniliquin Office must be notified in writing to determine if any variations to the GTA will be required.
GTA00002	Before constructing or carrying out any proposed water supply work(s), an application must be submitted to WaterNSW, and obtained, for a new or amended water supply work(s) approval under the Water Management Act 2000.
GTA00003	A. The application for a water supply work(s) approval must include the document(s) listed in Schedule 1.

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8-20 Edwardes Street, Deniliquin NSW 2710 | PO Box 453 Deniliquin NSW 2710  
Telephone 1300 662 077 | [www.waternsw.com.au](http://www.waternsw.com.au)

GTA00004	Any water management work(s) must comply with the conditions of the rules of the Water Sharing Plan where the work is to be constructed and used.
GTA00005	Water NSW reserves the right to apply discretionary conditions to any approval granted, from time to time as required.
GTA00006	The water supply work must be constructed and maintained in a way that will: <ul style="list-style-type: none"> <li>A. Ensure the work's safe construction and operation, and</li> <li>B. Prevent the possibility of damage being caused by the work resulting from the work, to any public or private interest</li> </ul>
GTA00007	Monitoring piezometers must be installed to monitor the groundwater levels and quality. If monitoring shows adverse changes or impacts on groundwater levels, remedial work will be required.
GTA00008	The application for a water supply work(s) approval must include the following: <ul style="list-style-type: none"> <li>The location proposed of monitoring piezometers;</li> <li>a) The proposed sampling regime of proposed monitoring piezometers.</li> <li>b) Proposed mitigation measures should dam leakage be identified.</li> </ul>
GTA00009	a) The water management work must be constructed in accordance with the document listed in Schedule 1.
GTA10	The water supply work authorised by this approval must be used in accordance with Murrumbidgee Irrigation Ltd's Guidelines and Rules

#### SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with DA 2021/35 as provided by Council:

Development Application for proposed 120 Storage Dam, Lot 12-14 DP 756073  
(Land to be developed) 701 Carrathool Road Carrathool NSW dated 18 May 2021.

**TRANSPORT FOR NSW CONDITIONS**

1. As a minimum the existing driveway shall be upgraded to meet the requirements of a “Rural Property Access” type treatment in accordance with the Austroads Guide to Road Design. The layout of the intersection shall be designed for the turning path of an A-double.
2. The driveway shall be sealed for at least 20 metres from its intersection with the carriageway of Carrathool Road to the satisfaction of Council.
3. Any entry gate to the subject site from Carrathool Road shall be located at least 40m from the edge of seal of the carriageway or at the property boundary whichever is the greater to allow for the standing of large vehicles when gates are to be opened.
4. Any driveway shall be designed and constructed to prevent water from proceeding onto, or ponding within, the carriageway of Carrathool Road. If a culvert is required to be installed and is to be located within the clear zone for the posted speed zone it shall be constructed with a traversable type headwall.

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CR DL JARDINE, CHAIRMAN



## **NSW RURAL FIRE SERVICE CONDITIONS**

### **Asset Protection Zones**

***The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:***

1. From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the property around any structures and associated buildings/infrastructure must be managed an inner protection area (IPA) for a distance of 10 metres. When establishing and maintaining an IPA the following requirements apply in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:

- Tree canopy cover should be less than 15% at maturity;
- Trees at maturity should not touch or overhang the building;
- Lower limbs should be removed up to a height of 2m above the ground;
- Tree canopies should be separated by 2 to 5m;
- Preference should be given to smooth barked and evergreen trees;
- Create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided;
- Shrubs should not be located under trees;
- Shrubs should not form more than 10% ground cover;

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CR DL JARDINE, CHAIRMAN

- Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- Leaves and vegetation debris should be removed.

2. At the commencement of building works and in perpetuity the property around the existing dwelling to a distance of 50 metres, shall be maintained as an inner protection area (IPA) as outlined within section 7.4 and Appendix 4 of *Planning for Bush Fire Protection 2019* and the NSW Rural Fire Service's document *Standards for Asset Protection Zones*.

#### **Construction Standards**

***The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:***

3. Essential equipment should be designed and housed in such a way as to minimise the impact of bush fires on the capabilities of the infrastructure during bush fire emergencies. It should also be designed and maintained so that it will not serve as a bush fire risk to surrounding bush.

#### **Access – Property Access**

***The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:***

4. With the exception of providing alternative egress, access to the site shall comply with the provisions for Property Access Roads as detailed in section 7.4 of *Planning for Bush Fire Protection 2019*.

5. To allow for emergency service personnel to undertake property protection activities a perimeter road shall be provided surrounding each Poultry farm and solar farm and shall comply with the following requirements in accordance with *Planning for Bushfire Protection 2019*;

- Two-wheel drive, allweather roads;
- The capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes), bridges and causeways are to clearly indicate load rating.
- There is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available;
- Minimum 4m carriageway width;
- In forest, woodland and heath situations, rural property roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m, at the passing bay;
- A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- Property access must provide a suitable turning area in accordance with Appendix 3 of PBP 2019;
- Curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- The minimum distance between inner and outer curves is 6m;
- The crossfall is not more than 10 degrees; and,
- Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

#### **Water and Utility Services**

***The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:***

6. The provision of water, electricity and gas services to comply with the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- A 20,000 litre static water supply must be provided on-site for each farm;

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CR DL JARDINE, CHAIRMAN

- An outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure, (5-20 metres);
- 65mm Storz connection with a ball valve is fitted to the outlet;
- The ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material;
- Underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank;
- A hardened ground surface for truck access is supplied within 4m of the water outlet or access hole;
- above-ground tanks are manufactured from concrete or metal;
- Raised tanks have their stands constructed from non-combustible material or bush fire-resisting timber. The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine;
- Unobstructed access can be provided at all times;
- Underground tanks are clearly marked;
- Tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters;
- All exposed water pipes external to the building are metal, including any fittings;
- Where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; any hose and reel for firefighting connected to the pump shall be 19mm internal diameter; and
- Fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005;
- A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
  - Markers must be fixed in a suitable location so as to be highly visible; and
  - Markers should be positioned adjacent to the most appropriate access for the water supply.
- Where practicable, electrical transmission lines are underground;
- Where overhead, electrical transmission lines are proposed as follows:
  - Lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
  - No part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- All fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- Connections to and from gas cylinders are metal;
- Polymer-sheathed flexible gas supply lines are not used; and
- Above-ground gas service pipes are metal, including and up to any outlets.

#### **Emergency Management Planning**

***The intent of measures is to provide suitable emergency and evacuation arrangements for occupants:***

7. A Bush Fire Emergency Management and Operations Plan shall be prepared for the site and shall identify all relevant risks and mitigation measures associated with the construction and operation of the Poultry farms and solar farms. This should include:

- Detailed Measures To Prevent Or Mitigate Fires Igniting;
- Work That Should Not Be Carried Out During Total Fire Bans;
- Availability Of Fire-Suppression Equipment, Access And Water;
- Storage And Maintenance Of Fuels And Other Flammable Materials;
- Notification Of The Local NSW Rural Fire Service Fire Control Entire For Any Works That Have The Potential To Ignite Surrounding Vegetation, Proposed To Be Carried Out During A Bush-Fire Fire Danger Period To Ensure Weather Conditions Are Appropriate; And
- Appropriate Bush Fire Emergency Management Planning.

8. A Bush Fire Management Plan (BFMP) shall be prepared in consultation with NSW RFS District Fire Control Centre. The BFMP shall include:

- 24/7 contact details including alternative telephone contact;
- Site infrastructure plan;
- Fire fighting water supply plan;
- Site access and internal road plan;
- Construction of asset protection zones and their continued maintenance;
- Location of hazards (Physical, Chemical and Electrical) that will impact on fire fighting operations and procedures to manage identified hazards during fire fighting operations;
- Such additional matters as required by the NSW RFS District Office (Plan review and update).

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**CR DL JARDINE, CHAIRMAN**

## CARRATHOOL SHIRE COUNCIL

- a) Developer to erect 2 x Truck Turning signs on the Carrathool Road either side of their private entrance and in accordance with Australian Standards.
- b) Developer to construct 2 x 375mm min (double cell) culvert across their private access – adjacent to Carrathool Road. Culvert to be complete with rock rip-rap at both ends with fully constructed headwalls. Culverts to be constructed in a lean mix concrete, fully surrounding the pipes. Culverts to be suitably located in the table drain to allow for both low floods and flash floods to pass uninterrupted.
- c) Private access to be a double sealed bitumen (10mm/14mm stone) from the Carrathool Road and terminate 50m inside the private boundary. This will reduce potential dust hazards crossing the Carrathool Road and improve road user safety.
- d) Private access is to be of suitable width and radius for turning movements of A-Double vehicles.
- e) Payment of \$190 be made payable to Council (as outlined in Council's Fees & Charges) for working in Council's road reserve during construction activity.
- f) Submission of a traffic control plan for signage and culvert works to be submitted to Council (from a suitably qualified person) for approval.
- g) Council to be given reasonable notification for inspection prior to works commencing in Council's road reserve.
- h) Construction photos (before, during and after) of the culvert works to be submitted to Council for their records.

### PRIOR TO THE ISSUE OF ANY CONSTRUCTION CERTIFICATE

8. Prior to the issue of a Construction Certificate, a contribution in the amount of **\$259,000.00** is payable to Council in accordance with the Carrathool Shire Council Section 7.12 Fixed Levy Plan. This figure is subject to increase under the consumer price index (CPI) and the final amount payable will be calculated by Council at the date of payment.
9. In relation to the proposed dams, details and justification of the developments stock water requirements and water management arrangements must be provided to Council for approval prior to the issue of a Construction Certificate. Geotechnical and any other associated design information supporting the suitability of soils for the proposed dams must also form part of documentation provided to a certifying authority for a Construction Certificate.
10. Prior to the issue of a Construction Certificate, a suitably qualified and experienced environmental consultant/ecologist is to be appointed to provide advice and monitoring throughout the development, specifically in relation to the felling of trees approved for removal and potential fauna impacts. Details of the consultant/ecologist are to be provided to Council and the certifying authority.
11. Prior to the issue of a Construction Certificate, a Construction Management Plan is to be submitted to Council for approval that details at minimum the following information:
  - a) Traffic management, including safe access to and from the site, including heavy equipment, plant, materials delivery and the like. It must include proposed methods and locations of loading and unloading excavation machines within the site.
  - b) The proposed areas within the site to be used for a site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
  - c) How it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on the roadway.
  - d) Proposed dust suppression measures during construction.

- e) Construction noise control measures recommended within the noise impact assessment prepared by Reverb Acoustics, document ref: 20-2534-R1, dated March 2021.
- f) A Soil and Water Management Plan detailing all necessary erosion and sedimentation controls.

**PRIOR TO THE COMMENCEMENT OF ANY WORKS**

- 12. No activity is to be carried out on site until a Construction Certificate has been issued by a certifying authority, other than:
  - a) Site investigation for the preparation of the construction, and/or
  - b) Implementation of environmental protection measures, such as erosion control etc that are required by this consent.

- 13. The Construction Certificate for the work is to be issued and the person having the benefit of the development consent must appoint a Principal Certifier prior to the commencement of any building works.

The Principal Certifier (if not the Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than 2 days before the building work commences.

- 14. Approval is to be obtained from Council in accordance with section 68 of the *Local Government Act 1993* for the installation of all proposed on-site sewerage management systems. Plans and specifications of the type of system, including any required geotechnical reports are to be included with the application.
- 15. A Section 138 approval pursuant to the *Roads Act 1993* is required to be obtained from Council for any required works to be undertaken within Council's road reserve(s) in relation to the provision of a water supply pipeline to the development. The proponent will also be required to enter into an agreement with Council for the occupation of the road reserve. This agreement must be established prior to the commencement of works.
- 16. Erosion and sediment control measures shall be undertaken and maintained in respect to any part of the land where the natural surface is disturbed or earthworks are carried out. Measures are to be installed in accordance with the details specified in the Soil and Water Management Plan which forms part of the approved Construction Management Plan.
- 17. A Waste Management Plan is to be submitted to Council. The plan must detail estimated construction waste generation, on-site storage during construction and proposed disposal.
- 18. Prior to carrying out any works, a "Dial Before you Dig" enquiry must be undertaken in accordance with the requirements of *Part 5E (Protection of Electricity Power Lines) of the Electricity Supply Act 1995 (NSW)*.
- 19. Prior to the commencement of any landscaping works, a detailed Landscaping Plan is to be submitted to Council for approval. The plans must include proposed species, planted and mature heights suitable for the development proposal.

## DURING WORKS

20. All development activities and traffic movements must be carried out in accordance with the approved Construction Management Plan. All controls in the Plan must be maintained at all times. A copy of the Plan must be kept on site at all times and made available to the certifying authority and Council on request.
21. Prior to tree removal approved under this consent, the appointed environmental consultant/ecologist is to inspect the trees and provide a report to Council regarding the habitat value of the trees and any potential fauna impacts, specifically, the report must address the potential roosting habitat for microbats as identified by OEH along with any other native fauna. If any fauna is encountered (such as microbats) the report must detail proposed methods to be undertaken prior to tree felling to ensure the fauna population will not be adversely impacted upon.
22. All mature native vegetation to be retained within the vicinity of the proposed development must be suitably protected at all times during construction. Excess fill/spoil material resulting from the construction phase must also not be placed around any mature vegetation.
23. The internal driveway/road extension works to service the proposed development must be undertaken to as to not result in any tree removal or adverse impacts to condition and health of any existing trees.
24. Requirements of the Waste Management Plan shall be complied with during site preparation and throughout construction. Waste management and storage must not pose a threat to public health or the environment.
25. Appropriate dust monitoring and suppression in accordance with the approved Construction Management Plan is to be implemented on site. Dust suppression measures must also be implemented at the request of Council should any complaints be received.
26. A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifier or an officer of the Council.
27. The proposed development is to comply with the relevant requirements of the Disability (Access to Premises – Buildings) Standards 2010.
28. Any fill material which may be required to be brought onto site for the proposed development must be virgin excavated natural material (VENM) as defined under the *Protection of the Environment Operations Act 1997*. Any excess excavated material required to be removed from the site must be disposed of lawfully at a licenced landfill.
29. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW ([www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)) has publications that provide guidance when working close to electricity infrastructure. There include the Code of Practice – Work Near Overhead Power Lines and Code of Practice – Work Near Underground Assets.
30. Recommendations contained within the Aboriginal Cultural Due Diligence Assessment, titled Proposed Poultry Farm Carrathool Road, Carrathool, prepared by Austral Archaeology, dated 26 April 2021 are to be complied with at all times.
31. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
  - a) Not further harm the object
  - b) Immediately cease all work at the particular location;
  - c) Secure the area so as to avoid further harm to the Aboriginal object;

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CR DL JARDINE, CHAIRMAN



- d) Notify the Officer of Environment & Heritage (OEH) as soon as practical on 131555, providing any details of the Aboriginal object and its locations; and
- e) Not commence any work at the particular location unless authorised in writing by OEH

In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and OEH contacted.

## **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

- 32.** Application is to be made to the Principal Certifier for an Occupation Certificate.
- 33.** No use or Occupation of any component of the development proposal must occur until such time an Occupation Certificate is issued.
- 34.** Council must be provided with written certification from the operators of the facility that the completed development complies with the requirements of applicable standards, guidelines, codes of practice and requirements of the NSW Department of Primary Industries – Agriculture, including but not limited to the Best Practice Management for Meat Chicken Production in NSW Guidelines, Manuals 1 and 2, Australian Animal Welfare Standards and Guidelines and relevant poultry industry authorities relating to Intensive Livestock Agriculture (Poultry Production Facility) developments.  
  
This must include but is not limited to animal health and welfare matters and must certify that required infrastructure/works for heating, cooling, water, air, food, lighting and other relevant animal health and welfare matters are completed/installed and commissioned prior to any use and the issue of any Occupation Certificate.
- 35.** Certification is to be provided to the Principal Certifier that the development has been completed in accordance with the noise control recommendations as contained within the Noise Impact Assessment prepared by Benbow Environmental titled, Noise Impact Assessment for Carrathool Farm Carrathool NSW, document ref: 211033\_NIA\_Rev3, dated May 2021.
- 36.** A weather station is to be installed at a suitable location to measure meteorology in the area around the farm units.
- 37.** An Emergency Management Plan for the facility is to be provided to Council prior to the issue of any Occupation Certificate. The plan is to be prepared in accordance with any relevant SafeWork NSW guidelines and should address, biosecurity emergencies, natural hazards, bush and building fires, emergency training of staff and incident management.
- 38.** Stormwater must be disposed of in a manner so as to not cause interference of nuisance to adjoining allotments, the public and internal road network or adjoining landowners generally. Works must be completed as per hydraulic details approved via the relevant Construction Certificate(s) and to the EPA's requirements.
- 39.** An “Approval to Operate the Onsite Sewage Management Facilities” pursuant to Section 68 of the *Local Government Act 1993* must be applied for, and issued by Council, prior to the issue of any Occupation Certificate.
- 40.** Internal roads, driveways and carparking areas must be completed and be of all-weather purpose for heavy vehicles prior to the issue of an Occupation Certificate.
- 41.** All landscaping must be completed as per the approved Landscape Plan. A Landscape Management Plan must also be submitted to Council prior to the issue of an Occupation Certificate which details on-going landscaping management arrangements for the site.

42. A Biosecurity Management Plan and a Mortality Management Plan must be submitted to Council for approval prior to the issue of any Occupation Certificate. The plans must be prepared in accordance with any relevant Department of Primary Industry – Agriculture requirements, standards and/or guidelines.
43. Lighting installed in the open and/or public spaces must comply with AS1158 series-lighting for roads and public spaces. The design and placement must be so that lighting does not create a nuisance or negatively affect surrounding land owners or road users within the vicinity of the site. To this end, the lighting must also comply with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.
44. If any imported fill material has been brought onto the site, the Principal Certifying Authority is to be provided with certification that it meets the requirements to be VENM as defined within the *Protection of the Environment Operations Act 1997*.
45. Full plans, details and specifications as follows are to be included in documentation for an application for a Construction Certificate to a certifying authority (note that the certifying authority may also seek information additional to that listed below):
- a) Structural Engineering details for all structures proposed, prepared by a suitably qualified and practising structural engineer.
  - b) Hydraulic design details prepared by a suitably qualified and practising hydraulic engineer for the proposed disposal and drainage of stormwater from the development, including any system of on-site stormwater detention which may be required. The design must also take into account requirements of the EPA.
  - c) Civil design details for the proposed internal driveways/roads and parking areas. They are to be prepared by a suitably qualified and practising civil engineer.
- Council requires the submission of Works as Executed (WAE) plans relating to civil works for both b) and c) above, prior to issue of an Occupation Certificate.
46. The applicant must submit to Council the following information prior to the issue of an Occupation Certificate:
- a) Evidence that the proposed stormwater dam does not require a license or approval under the *Water Management Act 2000*, or another Act, or
  - b) If a licence or approval is required under the *Water Management Act 2000*, or another Act, a copy of such licence or approval.

#### **ON-GOING USE**

47. The on-going use of the development must be undertaken in accordance with the requirements of applicable standards, guidelines, codes of practice and requirements of the NSW Department of Primary Industries – Agriculture, including but not limited to the *Best Practice Management for Meat Chicken Production in NSW Guidelines, Manuals 1 and 2*, Australian Animal Welfare Standards and Guidelines and relevant poultry industry authorities relating to Intensive Livestock Agriculture (Poultry Production Facility) developments.
48. The development must be operated in accordance with the recommendation contained within the Noise Impact Assessment prepared by Benbow Environmental titled, Noise Impact Assessment for Carrathool Farm Carrathool NSW, document ref: 211033\_NIA\_Rev3, dated May 2021 and the requirements of the EPA.



49. The storage of baits for pests, chlorine, chlorine dioxide, diesel and any other chemicals & fuels proposed to be stored on-site must not exceed the quantity thresholds as detailed within *State Environmental Planning Policy No. 33* and its relevant guidelines. They must at all times be kept in bunded areas and containers which comply with relevant and applicable Australian Standards for the storage of such materials.
50. Should the ownership of any of the allotments of land involved in this development consent change so as that they become owned by separate parties, and if any of these allotments contain one or more dwelling-houses, a Land Use Conflict Management Plan must be prepared in consultation with Council, the NSW Department of Primary Industries, the Environmental Protection Authority and any other relevant authorities, and be authorised by Council.

The plan must address how potential health, safety and amenity issues for any residents of the dwelling-houses and any on-going operational matters to protect the continued operation of the poultry farms will be managed. The title of the relevant allotment(s) must be amended to include a positive covenant in accordance with the *Conveyancing Act 1919* which enforces the requirements of the authorised Land Use Conflict Management Plan.

51. In the event of any mass mortality at the site Council will not accept carcasses or material from the site to any landfill. Alternate arrangements

#### **PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT**

52. Or a development that involves any building work, that the work must be carried out in accordance with the requirements of the *Building Code of Australia*.
53. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
54. For development that involves any building work, subdivision work or demolition work, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a) showing the name, address and telephone number of the principal certifier for the work, and
  - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

55. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

In the case of work for which a principal contractor is required to be appointed:

- (i) the name and licence number of the principal contractor, and
- (ii) the name of the insurer by which the work is insured under Part 6 of that Act,

In the case of work to be done by an owner-builder:

- (i) the name of the owner-builder, and
- (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

## ADVICE

56. A future development application for the LPG storage tanks which exceed thresholds to not be considered potentially hazardous, must be accompanied by a Preliminary Hazard Analysis (PHA) and any other documentation/information required the relevant environmental planning instruments.
57. Any future developments upon the site must take into consideration the potential future traffic generation which may result. This in turn may require road network upgrades within Carrathool Road. Future development applications to Council must provide relevant information to support the development and details any road network upgrades required.
58. Notations will be made on Council's property system against allotments subject to this consent with regard to ownership of allotments containing a dwelling-house listed in this development consent to ensure such requirements are identified on any future Planning Information Certificates issued by Council under section 10.7 of the *Environmental Planning and Assessment Act 1979*.
59. It is the sole responsibility of the owner, builder and developer, to ensure that the proposed development meets requirements of the *Disability Discrimination Act 1992 (Cth)*.

NOTE: The *Disability Discrimination Act 1992* (the DDA) is a Federal anti-discrimination law. The DDA covers a wide range of areas including employment, education, sport and recreation, the provision of goods, services and facilities, accommodation and access to premises. The DDA seeks to stop discrimination against people with any form of disability including physical, intellectual, sensory, psychiatric, neurological, learning, disfigurement or presence in the body of a disease-causing organism. This development consent issued by does not indicate nor confirm that the application satisfies requirements of the DDA.