

Peer Review  
Planning Permit Application No. 2012-356

Proposed Broiler Farm  
4695 Goulburn Valley Highway, Murchison East

January 2013  
(2526R01)

FocusCDS Consultants

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## 1 INTRODUCTION

FOCUS CDS Consultants has been requested to undertake a peer review of Planning Permit Application No. 2012-356. This planning permit application is for the use and development of the land at 4695 Goulburn Valley Highway, Murchison East, for the purposes of a 320,000 bird broiler farm (Intensive Animal Husbandry).

This encompasses a review of the proposal against the provisions of the following:

1. The Victorian Code for Broiler Farms 2009,
2. The provisions of Clause 52.31 of the Greater Shepparton Planning Scheme,
3. The State Planning Policy Framework of the Greater Shepparton Planning Scheme, and
4. The Municipal Strategic Statement and Local Planning Policy Framework of the Greater Shepparton Planning Scheme.

## 2. THE APPLICATION

It is the applicant's intention to establish a 320,000 bird conventional broiler farm. The application is detailed in the following documents provided by the applicant:

- The application for Planning Permit dated 25<sup>th</sup> October 2012
- The planning report in support of the application
- Various plans including:
  - Development Overview
  - Development Plan
  - Farm Layout Plan
  - Plan showing elevations
  - Miscellaneous Building Details
  - Access Layout

Contact has been made with the applicant's consultant in order to clarify some matters in the application.

In summary the application includes:

- Use and development of the land for Intensive Animal Husbandry (320,000 bird broiler farm);

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- Buildings & works including eight chicken sheds, a machinery shed, workshop, staff amenities building, backup generator shed, feed silos, water tanks and composting pad;
- Access road construction; and
- Use and development of a caretaker's residence.

The siting and design of the farm as described in the application generally accords with the objectives and standards of the Victorian Code for Broiler Farms 2009.

### **3 THE SITE AND SURROUNDS**

#### **3.1 THE SITE**

##### **3.1.1 Location**

The site is located on the western side of the Goulburn Valley Highway south of Pretty John Road.

##### **3.1.2 The subject land**

The Application for Planning Permit form gives the street address of the land as 4695 Goulburn Valley Highway, Murchison East. This address covers an area of approximately 131 hectares situated on both sides of an unmade Government Road. All of this land is owned by the applicant.

The Application for Planning Permit form states subject land is made up of the following titles:

- Lot 1 TP392586L (Vol 5383 / Fol 582), and
- Lot 1 TP836805F (Vol 1135 / Fol 909).

This area is 79.07 hectares in size and is rectangular in shape. It is this area of land that is referred to in the Planning Report and the various plans.

It is important to note that if the subject land encompasses the whole of the land described as 4695 Goulburn Valley Highway, Murchison East, the proposed use and development is permissible pursuant to the Greater Shepparton Planning Scheme.

If the subject land is only the area made up of the 2 titles described above, the proposed use and development is prohibited as it cannot comply with the requirements of Clause 52.31 of the Greater Shepparton Planning Scheme. This is because it cannot meet the separation distance to off-site sensitive uses specified for a Class B 320,000 bird broiler farm required in the Victorian Code for Broiler Farms 2009.

If the latter is the case, this prohibition can be overcome by amending the planning permit application to specifically include the title to the north of the Government Road within the application.

I have spoken with Mr Bruce Mitchell of Land Management Surveys (Melbourne) who is the consultant handling the application on behalf of the applicant. I informed him of the above matter and he advises that he will submit an amended application form and relevant Certificate of Title to the responsible authority so that it is clear that the application includes the property directly to the north of the Government Road (owned by the applicant).

The assessment of the application in this report is undertaken on the basis that the land immediately to the north of the Government Road is included within the subject land and hence the proposed use and development is permissible.

The land is mostly gently undulating. The main improvements on the property include a dwelling with associated buildings. The location of these is evident from the Development Plan. There is evidence of previous horticultural activity in the land. This includes some disused irrigation channels. Trees have been planted along the southern channel and also in the vicinity of the dwelling and outbuildings.

### **3.1.3 Access**

Access is available to the land via the access track constructed on the Government road reserve. This access track connects directly onto the Highway. The intersection of the access track will be upgraded to the specification required by VicRoads as shown on the Access layout plan.

## **3.2 SURROUNDING LAND**

The surrounding land is predominantly open farmland on larger properties. Land use activities are mainly broad acre grazing with some viticulture. The land to west of the Goulburn River is made up of smaller allotments used for hobby farming and a vineyard.

The closest off-site dwelling is located to the south of the subject land, some 640 metres from the proposed sheds. The next closest is to the east of the Highway some 727 metres from the sheds. There is a dwelling located some 1,256 metres to the north west of the proposed sheds. The closest houses to the west and north west are at least 1,317 m away on the western side of the River.

## 4 THE VICTORIAN CODE FOR BROILER FARMS 2009

The Victorian Code for Broiler Farms 2009 (the Code) is an Incorporated Document in the planning scheme. A definition of Broiler Farming is included in the planning scheme and a Broiler Farming Policy is contained within the SPPF.

The Code adopts the following terms:

**Boundary setback:** *the fixed setback of at least 100 metres required between the nearest external edge of any new broiler shed (or litter stockpile /compost pile) and the broiler farm boundary.*

Boundary setbacks mitigate visual amenity issues, and the immediate impact of odour dust and noise emissions from broiler sheds, litter stockpiles or compost piles on the amenity of the surrounding area.

**Separation distance:** *the distance from the nearest external edge of the new or existing broiler shed to the nearest external edge of the sensitive use (that is, the nearest external edge of the house) on land beyond the broiler farm property. It excludes sensitive uses directly associated with the broiler farm operations eg. dwellings on the broiler farm property.*

The separation distance is required to minimise the risk of routine and abnormal odour and dust emissions from the broiler sheds adversely impacting on nearby sensitive uses.

The Code has four categories of poultry farm permit applications based upon whether the boundary setback and separation distance requirements can be met. The farm classes are defined as follows:

**Class A farm:** *A broiler farm is classified as Class A if all of the following apply:*

- *The farm capacity is less than or equal to 400,000 birds*
- *The minimum separation distance requirement is fully contained within the broiler farm boundary.*

Class A farms are exempt from third party notification and appeal rights under the *Planning and Environment Act 1987*.

**Class B farm:** *A broiler farm is classified as Class B if all of the following apply:*

- *The farm capacity is less than or equal to 400,000 birds*
- *The development can meet the minimum separation distance requirement but this distance is not fully contained within the broiler farm boundary.*

Third party notification and appeal rights apply to Class B farms.



**Special Class farm:** *A broiler farm is classified as Special Class if any of the following apply:*

- *The farm capacity is greater than 400,000 birds, or*
- *The development is unable to meet the separation distance requirement but a reduction in the separation distance is warranted through the adoption of odour reduction technology on farm.*

An Odour Environmental Risk Assessment (Odour ERA) must be completed in accordance with Section 6 of the Code and notification of the application must be given to the EPA.

**Farm Cluster:** *A broiler farm is classified as a Farm Cluster (or part of a farm cluster) if all of the following apply:*

- *the minimum separation distance requirement (as defined by Formula 1) overlaps with the minimum separation distance requirement of any existing broiler farm, a broiler farm approved by a planning permit or a proposed broiler farm that is the subject of a permit application that has been lodged with the responsible authority*
- *The combined farm capacity of the broiler farms with overlapping minimum separation distances (as defined by Formula 1) is greater than 400,000 birds.*

An Odour Environmental Risk Assessment (Odour ERA) must be completed in accordance with Section 6 of the Code and notification of the application must be given to the EPA.

The Code contains six best practice elements of broiler farm siting, design and operation against which all applications are to be assessed. These are:

#### **PART 1 Location, farm size and setback requirements**

Element 1 (E1): Location, siting and size

#### **PART 2 Farm design**

Element 2 (E2): Farm Design, Layout and Construction

Element 3 (E3): Traffic, site access, on farm roads and parking

Element 4 (E4): Landscaping

Element 5 (E5): Waste Management

#### **PART 3 Farm operation and management**

Element 6 (E6) Farm operation and management

The Code defines Objectives, Standards and Approved Measures for each of the elements as follows:

**Objectives:** *An objective describes the desired outcome to be achieved from the completed development and operation of the broiler farm. All permit applications must satisfy the objectives for each element.*

**Standards:** *A standard contains the requirements to meet the objective. In most cases, a standard is expressed as a design or operational requirement. All permit applications must comply with all relevant standards.*

**Approved measures:** *An approved measure is an approach, action, practice or method that permit applicants should incorporate into their development proposal to comply with the standard. Where the development proposal adopts all the approved measures for a standard, the application is deemed to comply with the standard.*

**Alternative measures:** *Development proposals will usually meet an approved measure. Circumstances of a particular development proposal may however provide a need or an opportunity to propose alternative ways of meeting the objectives and standards. The responsible authority may consider an alternative measure if the applicant can demonstrate that the relevant Code objectives and standards can still be met with equivalent or superior performance. Responsible authorities should consider development proposals that include new technology and innovative approaches if these can be demonstrated to satisfy Code requirements.*

All broiler farm planning permit applications (regardless of the farm classification) are required to meet the objectives and standards of the 6 Elements of this Code.

Approved measures are approaches deemed to comply with a standard. They are not mandatory. A permit application may propose an alternative measure(s) as long as the applicant can demonstrate to the responsible authority's satisfaction that the relevant Code objectives and standards can still be met with equivalent or superior performance.

#### **Comment**

The subject application is for a Class B 320,000 bird conventional broiler farm.

The siting and design of the farm complies with the requirements of the Broiler Code. The required separation distance is identified in the following table.

<b>Class B Farm</b>	<b>Required</b>	<b>Proposed</b>
Size 320,000 birds	(metres)	(metres)
Separation distance (to nearest off-site sensitive use)	608	640

Assessment of the proposal against the requirements of the Code is provided in Appendix 1.

## 5 PLANNING POLICIES AND CONTROLS

### 5.1 DEFINITIONS

A **broiler farm** is defined as:

*“Land used to keep broiler chickens which are housed permanently in sheds and reared for meat production”.*

It is included in the ‘intensive animal husbandry’ definition which is:

*“Land used to keep or breed farm animals, including birds, by importing most food from outside the enclosures.”*

### 5.2 ZONING CONTROLS – FARMING ZONE (CLAUSE 35.07)

The site is zoned **FARMING ZONE** (Clause 35.07) pursuant to the Greater Shepparton Planning Scheme.

The purpose of the Farming Zone is stated as follows:

*To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

*To provide for the use of land for agriculture.*

*To encourage the retention of productive agricultural land.*

*To ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.*

*To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

*To protect and enhance natural resources and the biodiversity of the area.*

#### 5.2.1 Use (Clause 35.07-1)

A Broiler farm is a Section 2 or ‘permit required’ use. An accompanying condition requires that a farm “Must meet the requirements on Clause 52.31 – Broiler Farms”. Intensive animal husbandry is also a Section 2 use. It does not have any accompanying conditions.

#### 5.2.2 Buildings and Works (Clause 35.07-4)

A permit is required for any buildings and works associated with a Section 2 Use.

### 5.2.3 Decision Guidelines (Clause 35.07-6)

The assessment of the proposal against the decision guidelines of this clause is provided in Appendix 2 of this submission.

#### *Comment:*

The proposal is consistent with the purpose and provisions of the Farming Zone. The broiler farm will allow for the continued use of the land for grazing and cropping whilst further value adding to the rural economy via diversification of agricultural activities without detriment to the natural resources and biodiversity of the area.

### 5.3 OVERLAY CONTROLS

The subject land is affected in two small areas by the Land Subject to Inundation Overlay (Clause 44.04). However the proposed buildings and works are located well clear of these LSIO areas so the requirements of this Overlay are not applicable.

### 5.4 STATE PLANNING POLICIES

The following State Planning Policies are relevant to this application.

#### 5.4.1 Noise abatement – (Clause 13.04-1)

The objective of this policy is:

*To assist the control of noise effects on sensitive land uses.*

The strategy for the achievement of this objective is:

*Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

#### *Comment:*

The proposed use and development is consistent with the objectives of this clause. Refer to Section 7.3.4 of this report for consideration of issues associated with Noise.

#### 5.4.2 Air quality – (Clause 13.04-2)

The objective of this policy is:

- *To assist the protection and improvement of air quality.*

The strategies for the achievement of this objective include:

*Ensure, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses.*

**Comment:**

The proposed use and development is consistent with the objectives of this clause. The proposal exceeds the separation distances specified in the Broiler Code for a 320,000 bird Class B farm.

**5.4.3 Sustainable agricultural land use – (Clause 14.01-2)**

The objective of this policy is:

*To encourage sustainable agricultural land use.*

The strategies for the achievement of this objective include:

*Facilitate the establishment and expansion of cattle feedlots, piggeries, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.*

Under policy guidelines, it is stated that planning must consider as relevant:

*Victorian Code for Broiler Farms (Department of Primary Industries, 2009), in considering proposals for use and development of broiler farms.*

**Comment:**

Sections 5 & 7 of this report demonstrate that the proposed farm will be established in a manner consistent with orderly and proper planning and will not be detrimental the environment. The assessment in Appendix 1 demonstrates that the proposal complies with the Broiler Code.

**5.4.4 Catchment planning and management – (Clause 14.02-1)**

The objective of this policy is:

*To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.*

The strategies for the achievement of this objective include:

*Undertake measures to minimise the quantity and retard the flow of stormwater runoff from developed areas.*

*Encourage measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.*

*Ensure land use and development proposals minimise nutrient contributions to waterways and water bodies and the potential for the development of algal blooms.*

Under policy guidelines, it is stated that planning must consider as relevant:

*Any regional catchment strategies approved under the Catchment and Land Protection Act 1994 and any associated implementation plan or strategy including any regional river health and wetland strategies.*

**Comment:**

The application has been referred for comment to the Goulburn Broken Catchment Management Authority and Goulburn Murray Water. Both authorities have no objections to the application subject to various conditions. From this it can be concluded that the objective of this policy is being met.

**5.4.5 Water quality – (Clause 14.02-2)**

The objective of this policy is:

*To protect water quality.*

The strategies for the achievement of this objective include:

*Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.*

*Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.*

**Comment:**

Refer to comments in Section 5.4.4 above.

**5.4.6 Water conservation – (Clause 14.02-3)**

The objective of this policy is:

*To ensure that water resources are managed in a sustainable way.*

The strategies for the achievement of this objective include:

*Encourage the use of alternative water sources such as rainwater tanks, stormwater and recycled water by governments, developers and households.*

**Comment:**

The water supply for the proposed farm activities can in part be sourced from the retention dam. Therefore the proposed farm will be consistent with the above strategy.

## **5.5 LOCAL PLANNING POLICY FRAMEWORK & MUNICIPAL STRATEGIC STATEMENT**

The following sections discuss the components of the Municipal Strategic Statement (MSS) and Local Planning Policies that are relevant to this application.

### **5.5.1 Municipal Strategic Statement (MSS)**

Clause 21.02 identifies Key Influences and Issues for the municipality. These include:

*The challenge in Greater Shepparton is to diversify and broaden its economic base in a manner that builds onto the inherent strength in primary production and processing, in a way that reduces wide spread vulnerability.*

Clause 21.03 presents the Council's Vision, Sustainability Principles and Strategic Directions. Under Economic Development it states:

*Promote economic growth, business development and diversification, with a focus on strengthening the agricultural industry.*

Clause 21.06-1 presents the Council's objectives and strategies for agriculture. Relevant objectives include:

*To protect the productive agricultural land base.*

Relevant strategies include:

*Support the growth and expansion of primary industries in irrigated and dry land farming.*

*Encourage value adding and new enterprises for agricultural production.*

**Comment:**

The proposal will assist in diversifying and broadening the agricultural economic base by providing a new agricultural enterprise.

### **5.5.2 Local Planning Policies**

There are no local planning policies within the Greater Shepparton Planning Scheme that are relevant to the subject proposal.



## 5.6 PARTICULAR PROVISIONS

### 5.6.2 Broiler Farm (Clause 52.31)

The purpose of this Clause is:

*"To facilitate the establishment and expansion of broiler farms in a manner that is consistent with orderly and proper planning and the protection of the environment".*

The requirement of this clause states that:

*"A permit application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, must comply with the Victorian Code for Broiler Farms 2009.*

#### **Comment:**

The design and siting of the chicken farm is consistent with the requirements of the Victorian Code for Broiler Farms 2009. An assessment against the requirements of the Code is provided in Appendix 1. Compliance with the various sections of the Broiler Code is discussed in further detail in Section 6 of this review.

Subject to the clear inclusion of the land on the north side of the Government Road in the application, the proposed use and development complies with the Code. There are a few matters of detail that require more attention but can be dealt with conditions on the permit.

Compliance with the Code ensures compliance with Clause 52.31.

## 5.7 REFERRALS

There are no statutory referrals required pursuant to the planning scheme.

## **6 PLANNING CONSIDERATIONS**

The following is a review of planning issues that may be associated with the proposed use and development.

Any proposal involving a broiler farm must be assessed against the Broiler Code.

### **6.1 VICTORIAN CODE FOR BROILER FARMS 2009**

The Broiler Code requires the consideration of an application against the elements of the Code, namely:

Element 1 (E1): Location, siting and size

Element 2 (E2): Farm Design, Layout and Construction

Element 3 (E3): Traffic, site access, on farm roads and parking

Element 4 (E4): Landscaping

Element 5 (E5): Waste Management

Element 6 (E6) Farm operation and management

An assessment of the application against the Victorian Code for Broiler Farms 2009 is presented in Appendix 3.

Consideration of the various elements of the broiler code is discussed below.

### **6.2 LOCATION, SITING AND SIZE**

#### **6.2.1 Amenity protection**

The proposed farm has been sited in accordance with the requirements of the Victorian Code for Broiler Farms 2009.

The siting of the sheds and associated infrastructure on the allotment ensures that they are adequately separated from existing and planned residential and rural living areas, sensitive uses and chicken farm property boundaries.

The spreading of spent litter will not occur on the property.

### **6.2.2 Waterway protection**

The proposed chicken sheds are located a substantial distance from the closest waterway. Litter spreading will not occur on the property. Therefore potential adverse impacts on any waterways are avoided.

### **6.2.3 Protecting the visual quality of the landscape**

The subject land has relatively flat topography.

The sheds and associated infrastructure will be screened on all sides by a 10 metre deep landscape buffer of trees and shrubs. This will provide effective upper and lower screening of the buildings and works. The proposed plantings will minimise the visual impact of the sheds from nearby locations.

### **6.2.4 Biosecurity**

There are no other poultry farms in the general area. Thus the setback distance of 1000 metres specified in the Biosecurity Guidelines is complied with.

### **6.2.5 Future use and development of neighbouring land**

The subject proposal is a Class B farm according to the Code. The prescribed separation distance to off-site sensitive uses is exceeded by the proposal (provided the land owned by the applicant to the north of the Government Road is included within the application). There should be no adverse impact on the orderly and sustainable use of adjoining land.

## **6.3 FARM DESIGN, LAYOUT AND CONSTRUCTION**

### **6.3.1 Protecting the visual quality of the landscape**

The setbacks and proposed landscape buffer should minimise farm's visual impact on the landscape.

### **6.3.2 Efficient farm operation**

The farm design is consistent with efficient farm operations and the provision of environmental and amenity protection. This is assessed in Appendix 1.

The operation of the chicken sheds is capable of being undertaken in accordance with the requirements of the Victorian Code for Broiler Farms 2009. The use of dripless drinking nipples to minimise water spillage, the regular removal and replacement of the litter, stringent vermin control and the removal of dead and diseased birds should ensure that the sheds are operated in a safe and efficient manner. This should minimise the potential for any odour or vermin issues that may be associated with the farm.

### **6.3.3 Avoiding environmental impacts from chicken sheds**

The shed floors will be made of concrete. The areas adjacent to the sheds will be made of compacted clay. These surfaces will be impermeable. Their finished levels will be at least 300 mm above surrounding surface level. This should ensure that moisture will not enter the sheds and nutrients will not leach into the soil.

### **6.3.4 Noise management**

There should be no noise impact from the operation of the farm upon the residents of the nearby properties. The minimum ventilation tunnel vent type sheds are inherently low noise generators. Also, the separation distances specified in the Broiler Code are exceeded by the proposal.

Mechanical equipment will be located substantial distances away from the nearest sensitive uses. The operation of the farm should meet the requirements of the Noise from Industry in Regional Victoria (EPA Publication 1411).

The access point from the government road, the access road and the intersection of the Government Road and the Highway are located away from sensitive uses. This should ensure that noise impacts from vehicles on neighbouring properties will be negligible.

### **6.3.5 Stormwater drainage**

Stormwater should be prevented from entering the sheds because the sheds will be built on concrete pads with the finished levels being at least 300 mm above the surrounding surface level. Further protection will be obtained from the dwarf concrete walls.

Stormwater should not come into contact with waste materials. Any spills of waste materials should be promptly cleaned up as per the farm's EMP. All surface water flows will be directed via table drains to the proposed stormwater retention dam.

The topography of the subject land is relatively flat and thus the risk of soil erosion is low. All areas disturbed by earthworks should be revegetated as soon as practical upon completion.

## **6.4 TRAFFIC, SITE ACCESS, ONFARM ROADS AND PARKING**

### **6.4.1 Site access**

The existing access point to the farm from Goulburn Valley Highway will be upgraded to ensure the easy movement of B-Double trucks. The farm access road will be constructed to enable all-weather access.

The existing access point is located some 500 metres from the nearest off-site dwelling. Therefore there should be minimal noise and vehicle light impacts on existing sensitive uses.

#### **6.4.2 Internal roads and car parking**

All access roads and hard standing areas will be designed and constructed to operate in all weather conditions. Ample areas for vehicle parking are provided on the 30 metre wide hard stand areas at the north and south ends of the sheds and adjacent to the amenities shed. The ring road around the sheds complex ensures efficient traffic flow and provides easy access to all areas for articulated vehicles.

Given the baffled lighting and large setbacks from the site boundaries, lighting will not spill beyond the site boundaries.

### **6.5 LANDSCAPING**

#### **6.5.1 Landscaping**

A 10 metre wide landscape buffer is to be established around all sides of the shed complex to provide effective screening of the proposed sheds and associated infrastructure. The Development Plan demonstrates that there will be adequate access and clearance around the sheds.

The landscape buffer will consist of a mix of trees and large shrubs to ensure effective upper and lower screening of the sheds complex.

### **6.6 WASTE MANAGEMENT**

#### **6.6.1 Spent litter**

All of the spent litter is to be removed from the property at the end of each batch. This approach ensures minimal odour and dust generation and minimal likelihood of disease transmission. It also ensures that there will be no nutrient loaded run-off to surrounding land, waterways or ground water.

#### **6.6.2 Dead birds**

Dead birds will be collected on a daily basis, and composted in a purpose built composter located to the north of the sheds as shown on the Development Plan. This approach minimises the likelihood of disease transmission and minimises odour and dust generation.

#### **6.6.3 Chemical waste**

The storage of chemicals and chemical waste will be undertaken within a shed. However no further details are provided. This requires clarification and addressing in the farm's EMP.

## 6.7 FARM OPERATION AND MANAGEMENT (EMP)

An environmental management plan (EMP) for the proposed farm accompanies the planning permit application. However it is a very generalised plan and is only loosely based on the approved generic EMP. It contains many motherhood statements. It should be tailored to meet the subject farm's specific characteristics. The EMP should be based on the approved generic EMP that accompanies the Code and be tailored to meet the subject farm's characteristics.

Any planning permit to issue should require this via a condition on the permit (refer to assessment in Appendix 1).

An appropriate condition could be worded along the lines of:

*Prior to the commencement of buildings and works, an amended Environmental Management Plan (EMP) must be submitted to the Responsible Authority. This EMP must be to the satisfaction of, and approved by the Responsible Authority and once approved will then form part of the permit. The EMP submitted must be generally in accordance with the EMP submitted with the application but modified to be specific to the approved use and development. The EMP must be prepared in accordance with Standard E6 S1 of the Victorian Code for Broiler Farms 2009.*

## 6.8 STATE AND LOCAL PLANNING POLICY FRAMEWORK

The following discusses the proposed development when assessed against the purpose and objectives of the State and Local Planning Policy Framework.

### 6.8.1 State Planning Policy Framework

Section 5.4 of this review concludes that the proposed development satisfies the objectives of the relevant sections of the State Planning Policy Framework, in particular those listed at Clauses 13.04, 14.01 and 14.02.

Clause 14.01-2 – Sustainable agricultural land use aims to encourage sustainable agricultural land use. The strategies to support this objective include:

*Facilitate the establishment and expansion of cattle feedlots, piggeries, poultry farms and other intensive animal industries in a manner consistent with the orderly and proper planning and protection of the environment.*

This clause provides strong support for the proposal.

The Victorian Code for Broiler Farms 2009 is incorporated into all planning schemes at Clause 52.31 to ensure that this occurs. Consideration of the proposal against the requirements of the Broiler Code has been previously described and demonstrates compliance.

### **6.8.2 Local Planning Policy Framework (MSS)**

It is considered that the proposed use and development satisfies the objectives, intent and purposes of the MSS. It is noted that agriculture is important to the municipality.

There are no local planning policies within the Greater Shepparton Planning Scheme that are relevant to the subject proposal.

## **6.9 SOCIAL AND ECONOMIC BENEFITS**

The proposed development should provide positive social and economical effects to the surrounding area. This should be seen via:

- The creation of direct employment for an equivalent of 1 full time staff plus some casual workers;
- The creation of indirect employment in local trades and services used in the operation of the farm;
- Increased spending in the region associated with the general day to day operation of the chicken farm including the purchases of goods.

## 7 CONCLUSION

The proposed use and development to allow for a broiler farm is appropriate for the site and should be of economic benefit to the municipality.

The proposed use and development complies with the requirements of the Victorian Code for Broiler Farms 2009 for a Class B 320,000 bird farm, subject to the land to the north of the Government Road being included in the application.

The proposed development should not impact upon the environment via the emission of noise, generation of dust or odour, impacts upon water quality or flows or on visual amenity.

The proposed development satisfies the objectives and intent of the Greater Shepparton Planning Scheme through compliance with:

- The requirements of the State Planning Policy Framework;
- The purposes and objectives of the Local Planning Policy Framework, including the Municipal Strategic Statement as they apply to the site; and
- The purpose and decision guidelines of the Farming Zone, Clause 52.31 - Broiler Farms and Clause 65 – Decision Guidelines.

It is therefore appropriate that a planning permit be issued subject to appropriate conditions being placed on the permit.





## **APPENDIX 1**

### **COMPLIANCE WITH VICTORIAN CODE FOR BROILER FARMS**

## Victorian Code for Broiler Farms 2009

### Assessment against Best Practice Farm Design and Operation

#### ELEMENT 1 (E1) – LOCATION, SITING AND SIZE

ELEMENT 1(E1): LOCATION, SITING AND SIZE	
<p><b><u>OBJECTIVE, ELEMENT 1</u></b></p> <p>To ensure the location and size of the broiler farm, and the siting of the broiler sheds, temporary litter stockpiles, compost piles and litter spreading areas:</p> <ul style="list-style-type: none"><li>• minimise the risk of adverse amenity impacts on nearby existing, planned and potential future sensitive uses as a result of odour, dust and noise</li><li>• do not adversely affect the use and development of nearby land</li><li>• avoid pollution of ground and surface waters</li><li>• avoid adverse impacts on the visual quality of the landscape</li><li>• minimise biosecurity risks.</li></ul>	
<p><b><i>STANDARD E1 S1: AMENITY PROTECTION</i></b></p> <p>Adverse impacts on the amenity of the surrounding area are minimised by ensuring broiler sheds, temporary litter stockpiles, compost piles and litter spreading areas are adequately separated from existing and planned residential and rural living areas, sensitive uses and broiler farm property boundaries.</p>	
Approved measures	Comment
<p><b>E1 M1.1</b></p> <p>The nearest external edge of a new or existing broiler shed(s) or temporary litter stockpile / compost pile is / are set back by at least 1000 m from the boundary of a:</p> <ul style="list-style-type: none"><li>• residential zone, urban growth zone or other urban zone where housing is a primary purpose of the zone, or</li><li>• future residential area, shown on a plan or strategy incorporated in the planning scheme.</li></ul>	<p><u>Complies</u></p> <p>The nearest external edge of the sheds is located some 1.9 kilometres from the nearest residential zone (Township Zone) at Murchison. There are no other urban zoned areas or future residential areas in the general area.</p> <p>Any temporary litter stockpile pad or compost shed will be at least 1.6 km from this zone.</p>

Approved measures (cont)	Comment (cont)
<p><b>E1 M1.2</b></p> <p>The nearest external edge of a new or existing broiler shed(s) or litter stockpile / compost pile is / are set back by at least 750 m from the boundary of a:</p> <ul style="list-style-type: none"> <li>• zone that provides for rural living (ie. a Rural Living Zone or Green Wedge A Zone), or</li> <li>• future rural living area shown on a plan or strategy incorporated in the planning scheme.</li> </ul>	<p><u>Complies</u></p> <p>There are no existing or future zones that provide for rural living in the general area.</p>
<p><b>E1 M1.3</b></p> <p>Prevailing meteorological conditions and topographical features are taken into account in determining the adequacy of separation distances to nearby sensitive uses. The minimum separation distances (as prescribed by Formula 1 of the Code) may need to be greater for some limited site specific circumstances. For example, the separation distance to a sensitive use located downslope in a drainage valley may need to be increased to minimise the risk of odour impacts.</p>	<p><u>Complies</u></p> <p>The topography in the general area of the subject land is relatively flat. There are no prevailing meteorological conditions or topographical features that require separation distance to be increased to minimise the risk of odour impacts on nearby sensitive uses.</p>
<p><b>E1 M1.4</b></p> <p>The nearest external edge of any new shed or temporary litter stockpile / compost pile is / are set back at least 100 m from the broiler farm property boundary. This distance is referred to as the boundary setback.</p> <p>For the purposes of this measure, a new shed includes an extension to an existing shed to house an increased number of birds.</p>	<p><u>Complies</u></p> <p>The shortest boundary buffer is 186 metres between the shed edges and the southern boundary of the subject land.</p> <p>The compost pad is to be located more than 100 metres from the nearest boundary.</p>
<p><b>E1 M1.5</b></p> <p>The nearest external edge of a temporary litter stockpile / compost pile is / are set back at least 300 m from an existing sensitive use beyond the broiler farm property boundary.</p>	<p><u>Complies</u></p> <p>The compost pad is to be located more than 300 metres from the nearest off-site sensitive use.</p>

Approved measures (cont)	Comment (cont)
<b>E1 M1.6</b>  The nearest external edge of a litter spreading area is set back at least 20 m from the broiler farm boundary.	<u>Complies</u>  No litter spreading to occur on property.
<b>E1 M1.7</b>  The nearest edge of a litter spreading area is set back at least 100 m from any existing sensitive use beyond the broiler farm property boundary.	<u>Complies</u>  No litter spreading to occur on property.
<b>STANDARD E1 S2: WATERWAY PROTECTION</b>  Adverse impacts on waterways are avoided by ensuring that broiler sheds, temporary litter stockpiles, compost piles and litter spreading areas are adequately separated from waterways, or other risk mitigation measures are incorporated and approved by the responsible authority.	
Approved measures	Comment
<b>E1 M2.1</b>  A natural vegetative buffer zone of at least 30 m (or any greater distance specified in the planning scheme or by the Catchment Management Authority) is maintained along waterways. No buildings, roads or litter storage or litter re-spreading areas are located in the vegetative buffer zone. The measuring point for a waterway is the point water may reach before flowing over a bank (the bank-full discharge level).	<u>Complies</u>  Inspection confirms that there is no waterway on the subject land - Irrigation channels are disused.
<b>E1 M2.2</b>  A clearance of a further 20 m from the edge of the Natural vegetative buffer zone to the nearest external edge of any broiler shed is provided to ensure adequate shed ventilation, minimise vermin habitat and provide adequate access to the sheds and fire-fighting protection.	<u>Complies</u>  There is no waterway or natural vegetation buffer on the subject land.

Approved measures (cont)	Comment (cont)
<p><b>E1 M2.3</b></p> <p>No solid or liquid waste (including temporary litter stockpiles, compost piles and litter spreading areas) is stored or disposed of within:</p> <ul style="list-style-type: none"> <li>• 800 m of any potable water supply take-off controlled by a statutory authority</li> <li>• 200 m of any waterway supplying potable water</li> <li>• 100 m of any other type of waterway.</li> </ul>	<p><u>Complies</u></p> <p>There are no potable water supply take-offs controlled by a statutory authority, any waterway supplying potable water or any other type of waterway in the nearby vicinity of any likely waste storage locations on the subject land.</p>
<p><b>STANDARD E1 S3: PROTECTING THE VISUAL QUALITY OF THE LANDSCAPE</b></p> <p>Buildings and works are sited to account for the topography of the site and views from public roads, to minimise their visual impact on the landscape.</p>	
Approved measures	Comment
<p><b>E1 M3.1</b></p> <p>Buildings and works are not sited on steep slopes (greater than 20 per cent slope).</p>	<p><u>Complies</u></p> <p>The slope of the subject land where the sheds are to be located is generally flat.</p>
<p><b>E1 M3.2</b></p> <p>Buildings and works are oriented to follow the contours of the land.</p>	<p><u>Complies</u></p> <p>The slope of the subject land where the sheds are to be located is generally flat.</p>
<p><b>E1 M3.3</b></p> <p>Existing ridgeline vegetation is maintained to avoid breaking the ridgeline silhouette.</p>	<p><u>Not Applicable</u></p> <p>The slope of the subject land where the sheds are to be located is generally flat.</p>

**STANDARD E1 S4: BIOSECURITY**

An appropriate distance is provided between the broiler farm (that is the broiler sheds, temporary litter stockpiles, compost piles and litter spreading areas), and other existing poultry farms under separate management, to minimise the risk of disease transmission.

Approved measures	Comment
<p><b>E1 M4.1</b></p> <p>The nearest external edge of new or existing broiler sheds is / are set back from sheds on other poultry farms by the distance specified in Table 1 of <i>Biosecurity Guidelines for Poultry Producers</i> (Agnote AG1155 at <a href="http://www.dpi.vic.gov.au/notes">www.dpi.vic.gov.au/notes</a>).</p>	<p><u>Complies</u></p> <p>There are no other chicken farms in the general area. Thus the set back distance of 1000 metres specified in the Biosecurity Guidelines is complied with.</p>
<p><b>E1 M4.2</b></p> <p>Temporary litter stockpiles or compost piles are separated by at least 100 m from a new or existing broiler shed on the subject land, or are sited and managed as otherwise stipulated by the processor to meet biosecurity requirements.</p>	<p><u>Complies</u></p> <p>The compost pad is to be located more than 100 metres from the nearest chicken shed.</p>
<p><b>E1 M4.3</b></p> <p>The litter spreading area is separated by at least 20 m from a new or existing broiler shed on the subject land, or is sited and managed as otherwise stipulated by the processor to meet biosecurity requirements.</p>	<p><u>Complies</u></p> <p>No litter spreading to occur on the property.</p>





**STANDARD E1 S5: FUTURE USE AND DEVELOPMENT OF NEIGHBOURING LAND**

Broiler sheds are sited so that offensive odour, dust and noise emissions will not adversely impact the orderly and sustainable use and development of land located beyond the farm property boundary, including the ability to establish a dwelling (excluding a bed and breakfast or caretaker's house) on a vacant property, having regard to:

- the existing and likely future use and development of the land including any approved sensitive uses
- the existing physical and environmental characteristics of the land
- the purpose and requirements of the zone applying to the land
- any applicable land use decision guidelines, policies and strategies in the planning scheme.

Approved measures	Comment
<b>E1 M5.1</b>  Class B Farms – The required minimum separation distance covers no more than 50 per cent of the area of a property located beyond the broiler farm property boundary.	<u>Complies</u>  Coverage of adjacent properties does not exceed 20%.
<b>E1 M5.2</b>  <u>Class B Farms</u> – Where a property located beyond the broiler farm property boundary is not currently developed with a dwelling (excluding a caretaker's house or a bed and breakfast) the remaining area of the property (unaffected by the separation distance requirement) is capable of providing a 20 metre x 30 metre building envelope for a dwelling taking into account the following siting considerations: <ul style="list-style-type: none"><li>• any applicable planning scheme requirements including zoning considerations and any setback requirements for buildings not requiring a planning permit under the applicable zoning provisions</li><li>• whether the land is encumbered by steep terrain, native vegetation, offsite impacts of an existing intensive animal industry or any other significant topographic, environmental or land use characteristic that may significantly limit the ability to establish and use a dwelling</li></ul>	<u>Complies</u>  20 m x 30 m building envelopes are readily available on adjacent properties outside the 608 m separation distance for the proposed farm taking into account the criteria specified in this Approved Measure.

Approved measures (Cont)	Comment (Cont)
<b>E1 M5.2 (Cont)</b>	
<p>whether the land is identified in the planning scheme as being subject or susceptible to flooding (both river and coastal inundation), landslip or any other form of hazard that may limit the ability to establish and use a dwelling. However, the remaining land does not need to be capable of providing a building envelope if the land covered by the minimum separation distance requirement is equally unacceptable in terms of providing the building envelope having regard to the siting considerations listed above.</p> <p>However, the remaining land does not need to be capable of providing a building envelope if the land covered by the minimum separation distance requirement is equally unacceptable in terms of providing the building envelope having regard to the siting considerations listed above.</p> <p><u>Special Class and Farm Clusters</u> – There are no approved measures for Special Class and Farm Clusters under Standard E1 S5. These broiler farm applications must be assessed against this standard on a case-by-case basis using the information produced by the Odour ERA (see the 'Odour Environmental Risk Assessment (Odour ERA)' section of this Code).</p>	

## ELEMENT 2 (E2) – FARM DESIGN, LAYOUT AND CONSTRUCTION

ELEMENT 2 (E2): FARM DESIGN, LAYOUT AND CONSTRUCTION	
<p><b><u>OBJECTIVE, ELEMENT 2</u></b></p> <p>To ensure the design and construction of the broiler farm minimise the risk of adverse amenity and environmental impacts, and support the cost effective operational efficiency of the farm.</p>	
<p><b><i>STANDARD E2 S1: PROTECTING THE VISUAL QUALITY OF THE LANDSCAPE</i></b></p> <p>Buildings and works are designed and constructed to minimise their visual impact. Site topography and existing and proposed vegetation are used to best advantage to screen new buildings and works from public roads and neighbouring properties.</p>	
Approved measures	Comment
<p><b>E2 M1.1</b></p> <p>Buildings are constructed in response to the topography of the land as follows:</p> <ul style="list-style-type: none"> <li>On flat land, buildings directly in the view line of adjacent roads and dwellings on neighbouring properties are screened by vegetation (see Element 4: Landscaping).</li> <li>On hilly terrain, the construction of terraces or earth platforms avoids unnecessary or excessive earthworks, and suitable erosion control measures are in place (see also Standard E1 S3 and Approved measures E1 M3.1-3.3).</li> </ul>	<p><u>Complies</u></p> <p>The topography of the subject land is relatively flat. The proposed sheds can be screened by a landscape buffer.</p>
<p><b>E2 M1.2</b></p> <p>Broiler shed walls are clad externally in materials that are non-reflective and finished in natural colours and tones of surrounding vegetation, soil, rocks or other natural features, to improve the visual integration of buildings with the natural landscape.</p>	<p><u>Complies</u></p> <p>The cladding of the walls of the sheds and utility sheds will be non-reflective and finished in natural colours (mist green).</p>

**STANDARD E2 S2: EFFICIENT FARM OPERATION**

The design and layout of the whole broiler farm provides environmental and amenity protection while maximising the efficiency of farm operations, including:

- orderly management of feed and water, including:
  - adequate (quality and quantity) water supply
  - drinker technology that minimises wetting of litter through water spillage
  - treatment and disinfection of non-potable drinking water supply (dams, rivers and bores).
- efficient placement of silos and feed systems
- efficient placement and collection of birds
- efficient placement of fresh litter
- collection, handling and treatment of all wastes
- cleaning and maintenance of collection areas
- protection against birds and other vermin
- efficient energy and water use.

Approved measures	Comment
<b>E2 M2.1</b>  New broiler sheds are orientated to minimise the risk of odour, dust and noise impacts on the surrounding community with tunnel ventilation fans being located at the furthestmost point away from the nearest sensitive use and taking into account the locality and concentration of other sensitive uses.	<u>Complies</u>  The tunnel ventilation fans are located on the northern end of the sheds. The closest off-site residences (not owned by the proponent) to the proposed sheds are to the east and south.
<b>E2 M2.2</b>  The design and construction of broiler sheds, associated works and roads facilitates the efficient delivery of feed and birds, collection of birds, and the cleaning and maintenance of sheds and collection areas.	<u>Complies</u>  The shed complex is well designed with a ring road around the external perimeter of the sheds and 25 metre wide hard standing areas at the ends of the sheds. This facilitates efficient traffic movement, delivery, collection, cleaning and maintenance.

Approved measures (cont)	Comment (cont)
<p><b>E2 M2.3</b></p> <p>Broiler sheds and feed silos are constructed to prevent access by wild birds, vermin and rodents.</p>	<p><u>Complies</u></p> <p>The chicken sheds will be fully enclosed with dwarf walls sunk below ground level. Floors are to be constructed of concrete. The silos and feed distribution are also fully enclosed. This infrastructure will be bird, vermin and rodent proof.</p>
<p><b>E2 M2.4</b></p> <p>A continuous water supply is available to the proposed development site (from reticulated town water supply, dams or a bore) for drinking, shed cooling and shed wash down (disinfection).</p>	<p><u>Complies</u></p> <p>Water for all purposes will be sourced from the Goulburn River. This can be supplemented by water from the stormwater retention dam in the south east corner of the property. Drinking water for the birds can be treated prior to entering the sheds if necessary.</p>
<p><b>E2 M2.5</b></p> <p>A back-up supply or storage of water is available to hold at least one day's total requirement, in case of a breakdown or loss of normal water supply.</p>	<p><u>Complies</u></p> <p>Backup water supply is provided by the two water tanks to be located at the northern end of the sheds</p>
<p><b>E2 M2.6</b></p> <p>When dam or river water is used to supply water, chlorination, ultraviolet light systems or other appropriate disinfection procedures are used to disinfect the water.</p>	<p><u>Complies</u></p> <p>Drinking water for the birds can be disinfected prior to entering the sheds.</p>
<p><b>E2 M2.7</b></p> <p>Feed and watering systems can be adjusted to meet the requirements of the birds as they grow.</p>	<p><u>Complies</u></p> <p>Both the automatic watering and feed delivery systems located within the sheds will be capable of adjustment as the birds grow.</p>
<p><b>E2 M2.8</b></p> <p>Nipple drinkers with trays are used to provide drinking water.</p>	<p><u>Complies</u></p> <p>Nipple drinkers with trays will be used to provide drinking water.</p>

Approved measures (cont)	Comment (cont)
<b>E2 M2.9</b>  Silos and feed systems are designed, sited and constructed to minimise spills of feed.	<u>Complies</u>  The feed silos and delivery systems are totally enclosed which ensures that the likelihood of any feed spills is negligible.
<b>STANDARD E2 S3: AVOIDING ENVIRONMENTAL IMPACTS FROM BROILER SHEDS</b>  Broiler shed floors and areas surrounding the sheds are designed and constructed to avoid the leaching of nutrients into the ground.	
Approved measures	Comment
<b>E2 M3.1</b>  A concrete hard stand area is located at the entrance to each broiler shed.	<u>Complies</u>  Concrete hard stand areas will be constructed at the doors at each end of the sheds.
<b>E2 M3.2</b>  The base of the broiler sheds is constructed from low permeability materials such as concrete, compacted clay or another sealed surface.	<u>Complies</u>  The base of the broiler sheds will be constructed of concrete.
<b>E2 M3.3</b>  The finished floor level of the broiler sheds is above the natural surface level to prevent the entry of stormwater run-off. Alternatively, the shed is bunded or a surface drainage system is installed to prevent the entry of stormwater run-off.	<u>Complies</u>  The finished floor levels of the sheds will be raised above the surrounding surface level. A surface drainage system will be constructed to drain all surface water flows away from the sheds and to the retention dam.

**STANDARD E2 S4: NOISE MANAGEMENT**

The broiler farm development meets the requirements of the Interim *Guidelines for Control of Noise from Industry in Country Victoria* N. 3/89 (or its most recent update). To achieve this, in addition to the requirements of Element 1, Standard 1 (E1 S1); and Element 3, Standard 2 and Standard 4 (E3 S2 and E3 S4), the broiler farm further manages noise levels by ensuring farm vehicles and equipment associated with farm operations do not cause adverse noise impacts on nearby sensitive uses.

Approved measures	Comment
<b>E2 M4.1</b>  The design, siting and selection of all mechanical equipment, including fans, pneumatic feed systems and other equipment, minimises the generation of mechanical noise and the likelihood of off-site vibration.	<u>Complies</u>  Equipment will be located well away from nearest off-site dwellings in compliance with the required separation distances.
<b>STANDARD E2 S5: STORMWATER DRAINAGE</b>  Stormwater and / or wastewater run-off from the broiler farm does not contaminate nearby waterways or groundwater, or cause erosion. Stormwater is also prevented from entering the broiler sheds.	
Approved measures	Comment
<b>E2 M5.1</b>  Clean stormwater collection areas are separated from areas that broiler farm waste may affect.	<u>Complies</u>  All surface drainage from roofs and hardstand areas is to be directed to the proposed stormwater retention dam. This system can be well separated from any waste storage area.
<b>E2 M5.2</b>  Stormwater from sheds and hard standing apron areas is collected and managed on site in a dam(s) or tanks within the broiler farm boundary.	<u>Complies</u>  All surface drainage is to be directed to the proposed on-site stormwater retention dam.

Approved measures (cont)	Comment (cont)
<b>E2 M5.3</b>  Stormwater table drains with an appropriate gradient are established along all building lines to collect stormwater run-off from sheds and hard standing apron areas.	<u>Complies</u>  Stormwater table drains at a grade of 1:300 will be constructed along all buildings and hard standing areas to direct stormwater flows to the proposed stormwater retention dam.
<b>E2 M5.4</b>  In areas subject to soil erosion, the system design incorporates mitigation methods such as crushed rock traps and drops.	<u>Complies</u>  The topography of the subject land is flat thus the risk of soil erosion is low. All areas disturbed by earthworks should be revegetated as soon as practical upon completion.
<b>E2 M5.5</b>  Stormwater management is consistent with any stormwater management plan of the responsible authority.	<u>Complies</u>  Goulburn Broken CMA have no objections
<b>E2 M5.6</b>  Retaining dams are constructed with the capacity to retain run-off from a one-in-ten-year storm.	<u>Complies</u>  The proposed stormwater retention dam can meet this requirement.



## ELEMENT 3 (E3) – TRAFFIC, SITE ACCESS, ONFARM ROADS AND PARKING

ELEMENT 3 (E3) – TRAFFIC, SITE ACCESS, ONFARM ROADS AND PARKING	
<p><b><u>OBJECTIVE, ELEMENT 3</u></b></p> <p>To ensure the location, design and construction of the farm access points, internal roads and parking areas, and the movement of vehicles for broiler farm operations support the safe and efficient operation of the farm, and minimise adverse amenity impacts on nearby sensitive uses.</p>	
<p><b><i>STANDARD E3 S1: SITE ACCESS</i></b></p> <p>Vehicle access points are designed and constructed to allow all-weather safe entry and exit for the anticipated type and frequency of vehicles, accounting for road and traffic conditions.</p>	
Approved measures	Comment
<p><b>E3 M1.1</b></p> <p>Access points are constructed to a standard that minimises deterioration in the road pavement, avoids sharp turns and provides sufficient road width for truck turning movements.</p>	<p><u>Complies</u></p> <p>The existing access point off Goulburn Valley Highway is to be upgraded to ensure the easy movement of B-Double trucks in and out of the site. The traffic impact report confirms the suitability of the arrangements.</p>
<p><b>E3 M1.2</b></p> <p>For site access from a public road, the gate to the broiler farm is at least 30 m inside the broiler farm boundary, so articulated vehicles requiring access can park off the public road while the gate is being opened.</p>	<p><u>Does Not Comply but Can Comply</u></p> <p>The gate on the access road into the farm is only setback 6 metres from the property boundary. It can readily be set back 30 metres which ensures ample off-road standing for articulated vehicles. <u>This can be specified via a Condition on the Permit.</u></p>

**STANDARD E3 S2: SITE ACCESS**

Vehicle access points to the broiler farm from public roads are located to minimise noise and vehicle light impacts on existing sensitive use.

Approved measures	Comment
<b>E3 M2.1</b>  Vehicle access points are located as far away as possible from a sensitive use not associated with the broiler farm.	<u>Complies</u>  The access point will be a substantial distance from the nearest off-site residence (approximately 500 m).
<b>E3 M2.2</b>  All lighting is located, directed and baffled to limit light beyond the development site boundaries.	<u>Complies</u>  Given the large boundary setbacks, lighting will not spill beyond the boundaries

**STANDARD E3 S3: INTERNAL ROADS AND CAR PARKING**

Internal roads and parking areas are designed, constructed and maintained to operate in all weather conditions. Adequate provision is made for the parking and movement on the property of articulated and other vehicles associated with the farm's operation, including the delivery of birds, litter and feed to the premises, and the collection of birds and waste.

Approved measures	Comment
<b>E3 M3.1</b>  Internal roads and parking areas are constructed of a compacted sub-base with table drains, and a compacted gravel layer with a camber to shed rainwater to the drains.	<u>Complies</u>  All access roads and hard standing areas are designed and will be constructed to meet this requirement.
<b>E3 M3.2</b>  An area(s) is provided for parking articulated vehicles involved in loading and unloading stock, feed, litter and waste.	<u>Complies</u>  Ample areas are provided on the 25 metre wide hard stand areas at the north and south ends of the sheds.

**STANDARD E3 S4: INTERNAL ROADS AND CAR PARKING**

Internal roads and parking areas are designed and sited to minimise noise and light impacts on neighbouring sensitive uses.

Approved measures	Comment
<p><b>E3 M4.1</b></p> <p>Internal roads and parking areas are designed to ensure efficient traffic flow and to reduce the need for vehicles to reverse. The layout allows ease of access to the site, avoids the use of sharp turns, and for vehicles to leave the farm travelling in a forward direction.</p>	<p><u>Complies</u></p> <p>The access road, ring road and substantial hard stand areas meet this requirement.</p>
<p><b>E3 M4.2</b></p> <p>Internal roads and parking areas are located as far away as possible from a sensitive use not associated with the broiler farm.</p>	<p><u>Complies</u></p> <p>Roads and parking areas are at least 615 metres from the nearest off-site dwelling.</p>
<p><b>E3 M4.3</b></p> <p>All lighting is located, directed and baffled to limit light beyond the development site boundaries.</p>	<p><u>Complies</u></p> <p>Given the large boundary setbacks, lighting will not spill beyond the boundaries.</p>

## ELEMENT 4 (E4) – LANDSCAPING

ELEMENT 4 (E4) – LANDSCAPING	
<p><b><u>OBJECTIVE, ELEMENT 4</u></b></p> <p>To ensure landscaping is used to minimise the visual impact of broiler sheds and litter storage areas, further reduce the risk of adverse impacts from light and dust on nearby sensitive uses, and protect, manage and enhance on-farm native vegetation and biodiversity.</p>	
<p><b><i>STANDARD E4 S1: LANDSCAPING</i></b></p> <p>Landscaping provides substantial visual screening from roads, public areas, nearby sensitive uses not associated with the broiler farm; integrates the farm into the surrounding landscape; and provides adequate access and clearance around the sheds.</p>	
Approved measures	Comment
<p><b>E4 M1.1</b></p> <p>The landscape plan provides for dense vegetation and planting along frontages to public roads and other highly exposed site boundaries to provide screening of the broiler farm buildings, structures and handling areas.</p>	<p><u>Complies</u></p> <p>The Development and Access Layout Plans show 10 metre wide landscape buffer around the proposed sheds and associated infrastructure. As this matures, it will provide effective screening.</p>
<p><b>E4 M1.2</b></p> <p>The landscape plan incorporates a mix of trees and large shrubs to ensure effective upper level and lower level screenings of the farm.</p>	<p><u>Complies</u></p> <p>The Access Layout Plan and the planting listing demonstrate that a mix of trees and large shrubs will be provided to ensure effective upper and lower screening.</p>
<p><b>E4 M1.3</b></p> <p>As far as possible, the landscape plan retains existing trees, particularly native vegetation, and a mix of native and local indigenous plant species that blend into the landscape.</p>	<p><u>Complies</u></p> <p>Trees along disused irrigation channel are to be removed, however a vegetation buffer is to be established around the sheds.</p>

Approved measures (cont)	Comment (cont)
<p><b>E4 M1.4</b></p> <p>Mounds to a height of approximately 2 m are used if the combination of natural topography and tree planting cannot effectively screen a broiler farm. Soil from shed excavation, stormwater drains and farm dams may be suitable for constructing these mounds.</p>	<p><u>Complies</u></p> <p>Mounding is not required to provide effective screening of the proposed sheds and associated infrastructure.</p>
<p><b>E4 M1.5</b></p> <p>Plantings and vegetation are located no closer than 20 m from the perimeter of the broiler sheds to ensure adequate shed ventilation, minimise vermin habitats, and provide adequate shed access and fire-fighting protection.</p>	<p><u>Does Not Comply but Can Comply</u></p> <p>The landscape buffer is at least 16 metres from the sides of the sheds and 25 metres from the ends of the sheds. The 16 m setback should be increased to 20 m. <u>This can be specified via a Condition on the Permit.</u></p>
<p><b>E4 M1.6</b></p> <p>Unpaved areas around sheds are grassed to prevent soil erosion and minimise the heat load on the buildings through radiation from bare ground.</p>	<p><u>Complies</u></p> <p>All unpaved areas of the farm site will be grassed.</p>
<p><b>E4 M1.7</b></p> <p>Ground surfaces that are exposed to erosion are stabilised with ground cover planting or other means to minimise erosion.</p>	<p><u>Complies</u></p> <p>The topography of the subject land is flat thus the risk of soil erosion is low. All areas disturbed by earthworks should be revegetated as soon as practical upon completion.</p>
<p><b>E4 M1.8</b></p> <p>The permit approval requires the establishment of a landscape performance bond, to ensure effective implementation of a landscape plan approved by the responsible authority. This plan includes a reasonably detailed estimate of the quantity and types of materials, watering equipment, plants and other inputs required. The amount of the bond provides an incentive for the broiler farm operator to fully implement the landscape plan and maintain the vegetation during the establishment period.</p>	<p><u>Complies</u></p> <p>Bond to be provided by way of Bank Guarantee.</p>

## ELEMENT 5 (E5) – WASTE MANAGEMENT

ELEMENT 5 (E5) – WASTE MANAGEMENT	
<p><b><u>OBJECTIVE, ELEMENT 5</u></b></p> <p>To manage waste from broiler farm operations to:</p> <ul style="list-style-type: none"> <li>• minimise adverse amenity impacts from odour and dust on nearby sensitive uses</li> <li>• prevent the pollution of ground and surface waters and land</li> <li>• avoid biosecurity risks.</li> </ul>	
<p><b><i>STANDARD E5 S1: SPENT LITTER</i></b></p> <p>The management and disposal systems for spent litter are designed to minimise odour and dust generation and the likelihood of disease transmission, and to prevent nutrient run-off to surrounding land, waterways or groundwater.</p>	
Approved measures	Comment
<p><b>E5 M1.1</b></p> <p>Temporary litter stockpiles or compost piles are not visible or are well screened from neighbouring sensitive uses. If piles are visible from the broiler farm boundary, then they are screened by shedding or other suitable material.</p>	<p><u>Complies</u></p> <p>The used litter will be removed from the property at the end of each batch.</p> <p>Dead birds will be composted in a purpose built composting pad located adjacent to the access road to the north of the sheds.</p>
<p><b>E5 M1.2</b></p> <p>Temporary litter stockpiles or compost piles are located to prevent water run-off into sensitive areas, such as stormwater drains, waterways and catchments. Additional bunding may be required to prevent entry to, and contamination of, stormwater run-off. It may also be required to prevent extraneous stormwater run-off from entering the compost pile.</p>	<p><u>Complies</u></p> <p>The purpose built composting pad will have a concrete base and sidewalls which will prevent entry of stormwater into and out of the pad.</p>

Approved measures (cont)	Comment (cont)
<p><b>E5 M1.3</b></p> <p>Nutrient-rich run-off from the temporary litter stockpiles or compost piles is collected in a sump or dam and may be re-used to add Moisture to the pile.</p>	<p><u>Complies</u></p> <p>Refer to previous comments.</p>
<p><b>E5 M1.4</b></p> <p>Temporary litter stockpiles or compost piles are on an impermeable base such as concrete, compacted clay or cement-stabilised soils, to prevent nutrient leaching.</p>	<p><u>Complies</u></p> <p>Refer to previous comments.</p>
<p><b>E5 M1.5</b></p> <p>The litter application site is not on land subject to flooding, steep slopes (greater than 10 per cent), rocky, slaking or highly erodible land or highly impermeable soils where there is any risk of nutrient run-off to waterways, surrounding land or groundwater.</p>	<p><u>Complies</u></p> <p>No application of litter to pastures will occur.</p>

**STANDARD E5 S2: DEAD BIRDS**

The management and disposal of dead birds is designed to minimise the likelihood of disease transmission, complies with the *National Biosecurity Manual for Contract Meat Chicken Farming*<sup>13</sup> (or its most recent update) and minimises odour and dust generation.

Approved measures	Comment
<b>E5 M2.1</b>  Where birds are to be frozen before collection, adequate freezers and space for the freezers are provided.	Not Applicable
<b>E5 M2.2</b>  The collection point (for the collection vehicle) is as far as practical away from the farm site so that dead bird bins are not left in public view, and the collection vehicle does not come in close proximity to the broiler sheds.	Not Applicable
<b>E5 M2.3</b>  The collection point is appropriately constructed so the bins are protected from extreme weather conditions (for example, from winds that will cause lids to open or bins to tip over); and the site can be easily cleaned in the event of a spill.	Not Applicable
<b>E5 M2.4</b>  Dead bird collection vehicles and all containment systems are leak proof and vermin proof.	Not Applicable
<b>E5 M2.5</b>  Incineration of dead birds is conducted only in incinerators built for purpose.	<u>Complies</u>  There will be no incineration of dead birds on the property.



Approved measures (cont)	Comment (cont)
<p><b>E5 M2.6</b></p> <p>On-site burial of dead birds is undertaken only in an emergency situation and with the approval of the relevant authorities (the Chief Veterinary Officer of the Department of Primary Industries and EPA Victoria).</p>	<p><u>Complies</u></p> <p>On-site burial of dead birds is highly unlikely to occur. Should only be undertaken in an emergency situation and with the approval of the relevant authorities.</p>
<p><b>STANDARD E5 S3: CHEMICAL WASTE</b></p> <p>The management and disposal systems for chemical waste and general farm waste are designed to ensure the safe storage, use and disposal of chemicals.</p>	
Approved measures	Comment
<p><b>E5 M3.1</b></p> <p>Secure sheds, with an impermeable concrete base and appropriate bunding to avoid contaminated runoff, are provided to store chemicals, fuels, chemical waste and / or waste containers (before disposal).</p>	<p><u>Can Comply</u></p> <p>Storage is to be provided in a shed, however details are lacking. <u>This can be specified via a Condition on the Permit.</u></p>



## ELEMENT 6 (E6) – FARM OPERATION AND MANAGEMENT (ENVIRONMENTAL MANAGEMENT PLAN (EMP))

### OBJECTIVE, ELEMENT 6

To apply best practice management of the broiler farm to avoid or minimise the risk of adverse amenity and environmental impacts on the surrounding environment and nearby sensitive uses.

### **STANDARD E6 S1:**

An environmental management plan (EMP) is developed that includes strategies and measures to avoid or minimise environmental risks, and also contingency actions to manage environmental problems that may arise, as follows:

Approved measures	Comment
<p><b>E6 M1.1</b></p> <p>An environmental management plan (EMP) is developed that is site specific and based on the approved generic EMP (as amended and updated from time to time). If the EMP lodged with permit application does not address any part of the generic EMP, the applicant has addressed why that part is not relevant or applicable.</p> <p>Alternatively, the EMP may be developed under the Victorian Farmers Federation Chicken Care program. To expand an existing Chicken Care-accredited farm, the EMP must be updated to incorporate any new or additional risks as a result of the farm development and to ensure compliance with this Code. Where the EMP does not address any part of the generic EMP, the applicant has addressed why that part is not relevant or applicable.</p>	<p><u>Can Comply</u></p> <p>An environmental management plan (EMP) accompanies the planning permit application. However it is a very generalised plan and is only loosely based on the approved generic EMP. It contains many motherhood statements. It should be tailored to meet the subject farm's specific characteristics. The EMP is required to provide:</p> <ol style="list-style-type: none"> <li>1. Objectives that address the environmental issues listed in the Generic EMP with specific, measurable and time bounded targets.</li> <li>2. Day-to-day best practice management strategies that address the objectives and avoid or minimise the site specific risks of the property.</li> <li>3. Contingencies that identify trigger points for their implementation along with target response times for critical incidents.</li> <li>4. Details of respective responsibilities of the grower and processor for environmental management.</li> <li>5. Details of monitoring systems to assess environmental performance and procedures for monitoring recording.</li> <li>6. Procedures to respond to complaints.</li> <li>7. Procedures to investigate causes of incidents.</li> <li>8. Details of routine auditing of farm performance.</li> </ol> <p><u>This can be specified via a Condition on the Permit.</u></p>

Approved measures (cont)	Comment (cont)
<p><b>E6 M1.2</b></p> <p>The farm grower / operator maintains and updates (as required) a manual containing the EMP, which is available for inspection by the responsible authority.</p>	<p><u>Can Comply</u></p> <p>The proponent should keep the EMP up to date and available for inspection by the responsible authority.</p>

## **APPENDIX 2**

### **COMPLIANCE WITH ZONE & CLAUSE 65 DECISION GUIDELINES**

## DECISION GUIDELINES ASSESSMENTS

The following tables provide an assessment against the decision guidelines of the relevant provisions of the Greater Shepparton Planning Scheme, namely:

- Clause 35.07 – Farming Zone,
- Clause 65 – Decision Guidelines.

### 35.07 FARMING ZONE

Shown on the planning scheme map as **FZ**.

#### Purpose

*To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

*To provide for the use of land for agriculture.*

*To encourage the retention of productive agricultural land.*

*To ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.*

*To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

*To protect and enhance natural resources and the biodiversity of the area.*

#### 35.07-6 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

	Comment
<b>General issues</b>	
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	The proposal conforms with the SPPF, LPPF and MSS.

	<b>Comment (cont)</b>
Any Regional Catchment Strategy and associated plans applying to the land.	The proposal should not give rise to contaminated runoff. Storm water will be directed into the proposed retention dam. The proposal should not impact on water quantity and quality in the catchment. The Broken Goulburn CMA has no objections to the proposal.
The capability of the land to accommodate the proposed use or development including the disposal of effluent.	The subject land has the physical capability to accommodate the proposal. The proposed sheds and infrastructure occupy only a very small part of the property. The use does not generate effluent.
How the use or development relates to sustainable land management.	The land can continue to be used in a sustainable manner for grazing / cropping as well as supporting the proposed chicken farming operations.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	The site is suitable for the use and development and the proposal is compatible with adjoining and nearby land uses.
<b>Agricultural issues</b>	
Whether the use or development will support and enhance agricultural production.	The proposal should enhance agricultural production by introducing a new enterprise while having minimal impact on grazing and cropping uses.
Whether the use or development will permanently remove land from agricultural production.	The proposed sheds and infrastructure occupy only a very small part of the property. It will have minimal impact on grazing and cropping uses.
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	The use and development proposed should not have an adverse impact on surrounding land uses.

	<b>Comment (cont)</b>
The capacity of the site to sustain the agricultural use.	The proposed sheds and infrastructure occupy only a very small part of the property, hence the site can readily sustain the proposed agricultural use.
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	The agricultural quality of the land is good. Apart from power, the proposal does not require rural infrastructure. Three phase power is to be supplied to the property. The proposal should not detrimentally impact on rural infrastructure.
Any integrated land management plan prepared for the site.	An Environmental Management Plan for the farm has been prepared which should be modified to be specific to the farm.
<b>Dwelling Issues</b>	
Whether the dwelling will result in the loss or fragmentation of productive agricultural land.	The proposed dwelling will not result in the loss or fragmentation of productive agricultural land.
Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.	The proposed dwelling is reasonably required for the operation of the proposed broiler farm.
Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.	The dwelling should not be adversely affected by agricultural activities on adjacent and nearby land
Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.	The dwelling should not adversely affect the operation and expansion of adjoining and nearby agricultural uses.
The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.	There is no potential for the proposal to lead to a concentration or proliferation of dwellings in the area.



	Comment (cont)
<b>Environmental issues</b>	
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	Minimal, if any, impact
The impact of the use or development on the flora, fauna on the site and its surrounds.	The subject land contains minimal native vegetation and hence minimal faunal habitat. Hence there should be no impact.
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	See above.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	The on-site effluent disposal areas can be located to minimise the impact of nutrient loads on waterways and native vegetation.
<b>Design and siting issues</b>	
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.	The proposed broiler sheds and associated infrastructure are well setback from property boundaries and roads and occupy only a small area within the property.
The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.	There should be minimal, if any, impact. The sheds are well setback from areas of public accessibility and will be screened by vegetation. The sheds themselves will be low profile

	Comment (cont)
The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.	Subject site is well set back from main roads and areas generally accessible by the public. The setbacks and landscaping mitigate any visual impacts.
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	There should be no changes to external roads, nor should there be any negative impact on existing or proposed infrastructure. 3 phase power is to be supplied to the subject land and water for the broiler farm will be sourced from the Goulburn River.
Whether the use and development will require traffic management measures.	The proposal does not require traffic management measures apart from an upgrade of the intersection of the access road and the Highway which will be provided.

## CLAUSE 65 DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

### 65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

	Comment
The matters set out in Section 60 of the Act.	
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	The proposal should conformity with the SPPF, LPPF and MSS.
The purpose of the zone, overlay or other provision.	The proposal is consistent with sustainable land management practices, adds to the variety of productive agricultural uses in the area and does not detract from the environmental values of the area.
Any matter required to be considered in the zone, overlay or other provision.	Is consistent with these. Refer to Sections 5 & 6 and relevant assessments.
The orderly planning of the area.	The proposed broiler farm should not adversely impact upon the orderly planning of the area.
The effect on the amenity of the area.	The proposed broiler farm should not adversely impact upon the amenity of the area.
The proximity of the land to any public land.	There is no public land within the immediate vicinity of the subject land.

	Comment (cont)
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	The proposed chicken farm should not contribute to land degradation, salinity or reduce water quality.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	The proposed chicken farm should not impact on water quality in the area.
The extent and character of native vegetation and the likelihood of its destruction.	No remnant native vegetation will be removed. Additional planting will ensure a net gain for the area.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	Refer to above.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	The proposal should not be adversely impacted by flooding. The subject land is not within an area of high erosion hazard or high fire hazard. Normal management practices for the use and development of the proposal should ensure that these hazards are not increased.