

 Industry Assessments

 Contact:
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Justin & Renee Camilleri c/o Bob Lander Tatersall Lander Pty Ltd PO Box 580 RAYMOND TERRACE NSW 2324

16/14139 SEAR 1107

Dear Mr & Ms Camilleri

Poultry Farm (Livestock Intensive Industries) 180 Mockingbird Road, Pheasants Nest (Lot 264 DP 625326) Secretary's Environmental Assessment Requirements (SEAR) 1107

Thank you for your request for the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above development proposal. I have attached a copy of these requirements.

In support of your application, you indicated that your proposal is both designated and integrated development under Part 4 of the *Environmental Planning and Assessment Act 1979* and requires an approval under the *Protection of the Environment Operations Act 1997* and the *Water Management Act 2000*.

In preparing the SEARs, the Department has consulted with the Environment Protection Authority, the Department of Primary Industries and WaterNSW. A copy of their requirements for the EIS are attached.

If other integrated approvals are identified before the Development Application (DA) is lodged, you must undertake direct consultation with the relevant agencies, and address their requirements in the EIS.

If your proposal contains any actions that could have a significant impact on matters of National Environmental Significance, then it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of the Environment on (02) 6274 1111.

Should you have any further enquiries, please contact Bianca Thornton, Planning Services, at the Department on (02) 8217 2040.

Yours sincerely

18/11/16

Chris Ritchie / & Director Industry Assessments as delegate of the Secretary

Environmental Assessment Requirements

Section 78A (8) of the Environmental Planning and Assessment Act 1979.

Designated Development

SEAR Number	1107	
Proposal	Establishment of a 14 shed poultry farm and associated infrastructure to contain 742,000 birds.	
Location	180 Mockingbird Road, Pheasants Nest (Lot 264 DP 625326), in the Wollondilly local government area	
Applicant	Justin & Renee Camilleri	
Date of Issue	November 2016	
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000.	
Key Issues	 The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed: strategic context – including: a detailed justification for the proposal and suitability of the site for the development, including the need for any demolition of existing infrastructure; a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies; a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out; and a land use conflict risk assessment, including reference to separation distances and best management practices. air quality and odour – including: a description of all potential sources of air and odour emissions; an air quality impact assessment in accordance with relevant Environment Protection Authority guidelines; and a description and appraisal of air quality impact mitigation and monitoring measures. biodiversity – including: a cucarate predictions of any vegetation clearing on site or for any road upgrades; a detailed assessment of the potential impacts on any threatened species, populations, endangered ecological communities or their habitats, groundwater dependent ecosystems and any potential for offser requirements; and a detailed description of the measures to avoid, minimise, mitigate anc offset biodiversity impacts. 	

	 a description and appraisal of impact mitigation and monitoring measures. animal welfare, bio-security and disease management – including: details of how the proposed development would comply with relevant codes of practice and guidelines, including buffer distances from nearby operations; details of all disease control measures; and a detailed description of the contingency measures that would be implemented for the mass disposal of livestock in the event of disease outbreak. traffic and transport – including: details of road transport routes and access to the site; road traffic predictions for the development during construction and 	
	 operation; and an assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development. noise and vibration – including: a description of all potential noise and vibration sources during construction and operation, including road traffic noise; a noise and vibration assessment in accordance with the relevant Environment Protection Authority guidelines; and a description and appraisal of noise and vibration mitigation and monitoring measures. bushfire – including risk assessment level and a mitigation plan. heritage – including an impact assessment at private receptors and public 	
Environmental Planning Instruments and other policies	 vantage points. The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to: State Environmental Planning Policy (Infrastructure) 2007; State Environmental Planning Policy (Rural Lands) 2008; State Environmental Planning Policy No. 33 Hazardous and Offensive Development; State Environmental Planning Policy No. 44 – Koala Habitat Protection; State Environmental Planning Policy No. 55 Remediation of Land; Wollondilly Local Environmental Plan 2011; and 	

	Development Assessment Guidelines. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.
Consultation	 During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with the: Environment Protection Authority; Rural Fire Service; Office of Environment and Heritage; Department of Primary Industries; Roads and Maritime Services; WaterNSW; Wollondilly Shire Council; and the surrounding landowners and occupiers that are likely to be impacted by the proposal. Details of the consultation carried out and issues raised must be included in the EIS.
Further consultation after 2 years	If you do not lodge an application under Section 78A (8) of the <i>Environmental Planning and Assessment Act 1979</i> within 2 years of the issue date of these SEARs, you must consult with the Secretary in relation to any further requirements for lodgement.



DOC16/550505-01:MF SEAR 1107

> Ms Bianca Thornton Student Planner Department of Planning and Environment GPO Box 39 SYDNEY NSW 2001

Dear Ms Thornton

Proposal – SEAR 1107 – Poultry Farm (Livestock Intensive Industries) 180 Mockingbird Road, Pheasants Nest (Lot 264 DP 625326) Secretary Environmental Assessment Requirements

I am writing in reply to the Department of Planning and Environment's (DPE) request for the Environment Protection Authority (EPA) to provide key requirements for the preparation of an Environmental Impact Statement (EIS) for the above proposed project.

Based on a review of the submitted information, please find attached our key requirements (Attachment A). These relate to:

- General Planning Matters
- Environment Protection Licence
- Best Practice Guidelines
- Air Quality
- Water Quality
- Noise
- Waste Management
- Contaminated Land Management.

These should be assessed in accordance with the relevant guidelines/documents listed in Attachment B.

If you have any comments regarding the above, please phone the contact officer on (02) 4224 4100.

Yours sincerely +/11/16 01

PETER BLOEM Manager Illawarra Environment Protection Authority Contact officer: MATT FULLER (02) 4224 4100

Attachments A and B

PO Box 513, Wollongong NSW 2520 Level 3, 84 Crown Street Wollongong NSW 2500 Tel: (02) 4224 4100 Fax: (02) 4224 4110 ABN 43 692 285 758 www.epa.nsw.gov.au

ATTACHMENT A

KEY ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

1. General Planning Matters

Details should be documented on the location of the proposed development including the affected environment to place the proposal in its local and regional environmental context. This should include but not be limited to details of land ownership, maps and/or aerial photographs showing surrounding land uses, planning zonings, potential sensitive receptors and catchments. Details should also be provided on the proposals relationship to any other industry or facility.

2. Environment Protection Licence

The proposal seeks the construction of 14 poultry sheds and associated facilities to contain 742,000 birds. The proposal is designated development as it will accommodate over 250,000 birds. Under the *Protection of the Environment Operations Act* 1997 (POEO Act) premises with a capacity to accommodate more than 250,000 birds at any time for commercial production are required to hold an Environment Protection Licence (EPL) for *"Livestock Intensive Activities – Bird Accommodation"*. It appears the activity will require an EPL (if approved). The EIS should include information justifying the need for an EPL and information that would also be relevant to an EPL application. Details on the information that should be included with an EPL Application are outlined in the *EPA Guide to Licensing* (see Attachment B).

3. Best Practice Guidelines

The proponent should consult the NSW Department of Primary Industry, "Best Practice Management for Meat Chicken Production in NSW". This guideline provides a useful summary of the environmental considerations for new development and Best Management Practice for these activities. In particular, this document highlights the importance of adequate separation distance from sensitive land uses for both environmental and biosecurity reasons. In particular, this document states that:

Appropriate siting is the most cost-effective way of minimising environmental performance issues such as odour, dust, noise, stormwater management and the protection of surface water and ground water. If these issues are addressed at the planning stage, then ongoing operational costs and management issues can be significantly reduced.

A copy of this guideline can be obtained from the following web site: http://www.dpi.nsw.gov.au/__data/assets/pdf_file/0019/448210/BPM-for-meat-chicken-production-innsw-manual-1.pdf.

4. Air Quality

The environmental outcome for the project should ensure:

- no offensive odour beyond the boundary of the premises, including appropriate boundary offsets
- · emissions do not cause adverse impact upon human health or the environment
- · compliance with the requirements of the POEO Act and its associated regulations
- all dust emissions from material handling, storage, processing, roadways, transport and material transfer systems are prevented or minimised
- vehicular kilometres travelled are minimised.

The EIS should document how the above outcomes will be achieved.

Poultry activities if not appropriately sited, designed and managed have the potential to generate offensive odours beyond their boundary which can cause community complaint. Offensive odour can result from a range of activities associated with poultry operations including but not necessarily limited to:

 moist litter (bedding material in use on the shed floor, for example, sawdust, and the associated manure). When moist litter and manure accumulates for even short periods, the mass becomes putrescent and supports anaerobic bacteria, which produce highly offensive odours which can be evident a considerable distance from the shed. Excessively wet litter can also be a source of odour in poultry sheds.

- stockpiling of litter outside of the shed can also give rise to complaints from offensive odours and provide potential for surface and groundwater pollution.
- the management of bird carcasses needs to be undertaken in a manner that prevents offensive odour emissions, pollution to waters and land pollution.

Poultry operations can also be a potential source of dust emissions from a range of activities including bulk feed storage silos. In particular, these facilities require dust controls to manage any dust emissions during silo filling operations.

An Air Impact Assessment must be prepared in accordance with the Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales. A thorough assessment needs to be undertaken of the proposed operations to assess the impact of any air emissions and the adequacy of proposed air pollution controls. In particular, the assessment should include but not necessarily be limited to:

- (b) all potential sources of dust/particulate matter (TSP and PM10) during the construction and operation of the development
- (c) all potential sources of odour during the construction and operation of the development (for example, handling of dead stock; odour from wastewaters; wastes; etc)
- (d) details of the measures proposed to mitigate the impacts and quantify the extent to which the mitigation measures are likely to be effective in achieving the relevant environmental outcomes (for example, refrigeration of dead stock, appropriate odour control technologies)
- (e) any cumulative impacts.

5. Water Quality

The environmental outcome for the project should ensure:

- there is no pollution of waters (including surface and groundwater) except in accordance with an EPL
- polluted water (including process waters, wash down waters, polluted stormwater or sewage) is captured on the site and directed to reticulated sewer where available or else collected, treated and beneficially reused, where this is safe and practicable to do so
- bunds are designed in accordance with the "EPA's Bunding and Spill Management Guidelines".

The EIS should document how the above outcomes will be achieved.

The EIS should also include but not necessarily be limited to the following matters:

- a) Describe the catchment including proximity of the development to any waterways and provide an assessment of their sensitivity/significance.
- b) Provide details of the project relevant to any water impacts of the development such as drainage works and associated infrastructure; land-forming and excavations; working capacity of structures; and water resource requirements of the proposal.
- c) Details on proposed water management at the site, in particular details on the management and separation of clean and dirty areas. This should include water management associated with activities including:
 - any equipment and maintenance areas, including wash down facilities, oil and water separation
 - stockpiles of materials or waste
 - unsealed/sealed areas
 - poultry farm sheds (these should be constructed in such a manner that water from rain and irrigation sprays does not wet litter or manure. The floor should be sealed with a suitable material to prevent groundwater pollution)
 - feed material processing and transfer areas
 - loading facilities
 - roadways
 - sewage management
 - any associated treatment and reuse systems
 - provide a description of the receiving waters including surface and groundwater.
- d) Provide information on any water discharges including location, volumes, water quality, monitoring programs and frequency of discharge.

- e) Describe the nature and degree of any likely impacts that the proposed project may have on the receiving environment. This should include a characterisation of any potential water pollutants at the site, an assessment of impact on receiving waters to ensure water quality outcomes are not compromised and any associated mitigation and management measures.
- f) Demonstrate that all practical options to avoid discharge have been implemented and environmental impact minimised where discharge is necessary.
- g) Describe how stormwater will be managed during the construction phase.

A poultry farm should be located, designed and operated to avoid impact to surface and groundwater. Where a poultry farm is sited on permeable soils over a water resource, then great care must be taken to ensure that nutrients from manures do not leach through to the groundwater.

Water from the roof and uncontaminated stormwater should be diverted away from waste generation, collection and disposal areas. All sheds should be designed to prevent the ingress of all water except that used for drinking and shed cleaning activities.

Shed and truck washings (hosed down waste) should be contained and utilised by irrigation or disposed of in a manner which will not pollute waters.

An integrated *Water Management Plan* should be developed for the site, which addresses all aspects of the water cycle. The aim of the plan should be to maximise the potential for reuse and minimise water demand and the risk of water pollution. It should evaluate options such as:

- (a) Using rainwater tanks to utilise the significant catchment area on the roofs of the sheds to substitute water supplied from other sources and reduce stormwater impacts
- (b) Collecting and storing stormwater and using it for dust control
- (c) Designing and locating poultry sheds to maximise water efficiency, and minimise the need for water for evaporative cooling.

6. Noise Impact

The environmental outcome of the project should be to minimise adverse impacts due to noise from the project. The Environmental Assessment must clearly outline the noise mitigation, monitoring and management measures the proponent intends to apply to the project to minimise noise pollution.

Poultry operations can generate significant noise impact from a range of activities including the handling of stock.

The assessment should be undertaken in accordance with the NSW *Industrial Noise Policy*. In particular, the assessment should include, but not necessarily limited to: the identification and assessment of all potential noise sources associated with the development, the location of all sensitive receptors, proposed hours of operation and proposed noise mitigation measures. The assessment should also take into account adverse weather conditions including temperature inversions. Sound power levels measured or estimated for all plant and equipment should be clearly stated and justified. It should also include an assessment of cumulative noise impacts, having regard to existing surrounding industrial activities and development.

If 24 hour work is proposed, specific measures to address noise impact during night time hours will need to be specified in the EIS. In assessing night time activity sleep disturbance criteria would apply. Where found to be necessary, determine the most appropriate noise mitigation measures and expected noise reduction including noise controls and management of impacts for construction noise.

The EIS must also identify the transport route(s) to be used, the hours of operation and assess any potential road traffic noise impacts in accordance with the "*NSW Road Noise Policy*".

Any construction noise should also be assessed and any proposed noise mitigations measures identified and documented in the EIS in accordance with the *Interim Construction Noise Guideline* (DECC 2009).

7. Waste Management

The goal of the development should be to ensure:

- it is in accordance with the principles of the waste hierarchy and cleaner production
- the handling, processing and storage of all materials used at the premises does not have negative environmental or amenity impacts
- land pollution is prevented
- the beneficial reuse of all wastes generated at the premises are maximised where it is safe and practical to do so
- no waste disposal occurs on site except in accordance with an EPA Licence.

Any waste generated at the site should be assessed and classified in accordance with the *Waste Classification Guidelines* and documented in the EIS. Detail on this guideline is available in Attachment B.

The proponent should also consult NSW *EPA's* Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities (Dec 2012). This guideline provides information on better waste management practice in design, establishment, operation and ongoing management of waste services in commercial and industrial developments. This guideline can be accessed at: http://www.epa.nsw.gov.au/warr/BPGuideCIFacilities.htm.

The EIS should also detail the type and quantity of any chemical/pesticide substances to be used or stored at the site and describe arrangements for their safe use and storage in accordance with any legislative or EPA policy requirements.

Management of dead stock

A potential issue relates to the handling and treatment of dead stock generated as a result of daily mortality or incidents involving possible disease outbreak.

The proponent should explore waste management in accordance with the waste management hierarchy of avoidance, resource recovery and lastly disposal, which covers all environmentally responsible disposal options. As stated in the *Best Practice Management for Meat Chicken Production in NSW* (DPI 2012) it is important that carcass disposal practices must not contaminate ground and surface waters or cause odour nuisance or land contamination. Poor management of dead and or diseased birds can also increase biosecurity risks.

Best Management Practice for the treatment of dead birds requires daily collection from the shed and removal from the farm for rendering. If farms do not have ready access to a rendering plant, the next preferred method of disposal is composting. Other methods of disposal, subject to approval, include transport to existing EPA licensed waste disposal facilities or composting on site. The EIS should detail information on the management of dead stock.

We advise that an *Emergency Contingency Plan* would need to be developed for the disposal of birds from endemic disease, heat stress or exotic disease in accordance with the *"Best Practice Management for Chicken Production in NSW"* requirements.

8. Contaminated Land Management

The environmental outcome of the project is to ensure any contaminated land is identified and appropriately managed for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

The requirements of *State Environmental Planning Policy (SEPP) 55* will need to be satisfied and documented in the EIS. SEPP 55 states that as part of the development process the following key considerations should be addressed:

- Whether the land is contaminated.
- If the land is contaminated whether it is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes to which the land will be used.

If the land requires remediation; will be made suitable for any purpose for which the land will be used.

In cases where land is potentially contaminated, the investigation and any remediation and validation work is to be carried out in accordance with the guidelines made or approved by the EPA under Section 105 of the *Contaminated Land Management Act 1997* and be in accordance with the requirements and procedures in the following:

- Contaminated Land Management Act 1997
- Contaminated Land Management Regulation 2013; and
- SEPP 55 Remediation of Land.

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ATTACHMENT B - GUIDANCE MATERIAL

Title	Web address
	Licensing
Guide to Licensing	www.environment.nsw.gov.au/licensing/licenceguide.htm
	Air Issues
Air Quality	
Approved methods for modelling and assessment of air pollutants in NSW (2005)	http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf
Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC 2007)	http://www.environment.nsw.gov.au/resources/air/07001amsaap.pdf
POEO (Clean Air) Regulation 2010	http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+428+2010+cd+0 +N
The Assessment and Management of Odour from Stationary Sources in NSW: Technical Framework	http://www.environment.nsw.gov.au/resources/air/20060440framework.pdf
The Assessment and Management of Odour from Stationary Sources in NSW: Technical Notes	http://www.environment.nsw.gov.au/resources/air/20060441notes.pdf
NSW Government Resource Efficiency Policy, (OEH 2014)	http://www.environment.nsw.gov.au/resources/government/140567NSWGREP.pdf
	Noise and Vibration
Interim Construction Noise Guideline (DECC, 2009) and Industrial Noise Policy Application Notes	http://www.environment.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (DEC, 2006)	http://www.environment.nsw.gov.au/noise/vibrationguide.htm
Industrial Noise Policy (EPA, 2000) and Industrial Noise Policy Application Notes	http://www.environment.nsw.gov.au/noise/industrial.htm
NSW Road Noise Policy (EPA, 2011)	http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoisepolicy.pdf
Waste, Chemicals	and Hazardous Materials and Radiation
Waste Classification Guidelines (DECC, 2008)	http://www.environment.nsw.gov.au/waste/envguidIns/index.htm
Resource Recovery Exemptions	http://www.epa.nsw.gov.au/waste/RRecoveryExemptions.htm
EPA's Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities (Dec 2012)	http://www.epa.nsw.gov.au/warr/BPGuideCIFacilities.htm
	Water and Soils
Stormwater Management	
Managing Urban Stormwater - Soils and Construction Vol 1 (Landcom 2004) and Vol 2 (A. Installation of services; B Waste Landfills; C Unsealed Roads; d Main	Vol 1 – Available for purchase at http://www.environment.nsw.gov.au/resources/water/BlueBookVol1.pdf
	Vol 2-

Title	Web address
Roads; E Mines and quarries (DECC 2008)	http://www.environment.nsw.gov.au/resources/stormwater/0801soilsconststorm2a. pdf
Wastewater	
National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC 1997)	http://www.environment.gov.au/water/policy-programs/nwqms/
National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC 2000)	http://www.environment.gov.au/water/policy-programs/nwqms
Environmental Guidelines for the Utilisation of Treated Effluent by Irrigation (NSW DEC 2004)	http://www.environment.nsw.gov.au/resources/water/effguide.pdf
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods- water.pdf
NSW Government Water Quality and River Flow Environmental Objectives	http://www.environment.nsw.gov.au/ieo/)
Groundwater	
State Groundwater Policy Framework Document (DLWC 1997)	
The NSW State Groundwater Quality Protection Policy (DLWC 1998)	
NSW State Groundwater Dependent Ecosystems Policy (DLWC, 2002)	
National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ & ANZECC, 1995)	
Metropolitan Water Sharing Plan	http://www.water.nsw.gov.au/Water-management/Water-sharing-plans/Water-sharing
Bunding and Spill Management	
Storing and Handling Liquids: Environmental Protection - Participants Manual	http://www.environment.nsw.gov.au/resources/licensing/2007210liquidsManual.pdf
Environmental Compliance Report: Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation	http://www.environment.nsw.gov.au/resources/licensing/ecrchemicalsb05590.pdf



bianca.thornton@planning.nsw.gov.au

Department of Planning & Environment Industry Assessments GPO Box 39 SYDNEY NSW 2001

Attention: Ms Bianca Thornton

Contact: Wayne Conners Phone: 02 8838 7531 Fax: 02 8838 7554 Email: wayne.conners@waternsw.com.au

Our ref: RM8 Ref: V16/7030#7 Your ref: SEAR 1107

Dear Ms Thornton

Request for Secretary's Environmental Assessment Requirements – SEAR 1107 – Poultry Farm (Livestock Intensive Industries) - 180 Mockingbird Road, Pheasants Nest (Lot 264 DP 625326)

Thank you for your email of 31 October 2016 concerning the request for Secretary's Environmental Assessment Requirements for the above project.

Water NSW on behalf of DPI Water has reviewed the supporting documentation accompanying the request for Secretary's Environmental Assessment Requirements (SEAR's) and provides the following comments below, and further detail in **Attachment A**.

It is recommended that the EIS be required to include, where applicable:

- Annual volumes of surface water and groundwater proposed to be taken by the activity (including through inflow and seepage) from each surface and groundwater source as defined by the relevant water sharing plan.
- Assessment of any volumetric water licensing requirements (including those for ongoing water take following completion of the project).
- The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Full technical details and data of all surface and groundwater modelling.

- Proposed surface and groundwater monitoring activities and methodologies.
- Assessment of any potential cumulative impacts on water resources, and any proposed options to manage the cumulative impacts.
- Consideration of relevant policies and guidelines.
- A statement of where each element of the SEARs is addressed in the EIS (i.e. in the form of a table).
- It is noted that proposed Shed 14 in the south-eastern corner of Lot 264 DP625326 will be located within 40 metres of a 1st order watercourse. The EIS will need to address the need for a controlled activity approval under the Water Management Act 2000.

Should you have any enquiries about this matter, please contact Wayne Conners at Water NSW's Parramatta office on (02) 8838-7531.

Yours sincerely

Wayne Conners

Wayne Conners

Senior Water Regulation Officer Water Regulation Coastal 7 November, 2016

ATTACHMENT A

Water NSW General Assessment Requirements for general projects

The following detailed assessment requirements are provided to assist in adequately addressing the assessment requirements for this proposal.

For further information visit the DPI Water website, <u>www.water.nsw.gov.au</u>

Key Relevant Legislative Instruments

This section provides a basic summary to aid proponents in the development of an Environmental Impact Statement (EIS), and should not be considered a complete list or comprehensive summary of relevant legislative instruments that may apply to the regulation of water resources for a project.

The EIS should take into account the objects and regulatory requirements of the *Water Act 1912* (WA 1912) and *Water Management Act 2000* (*WMA 2000*), and associated regulations and instruments, as applicable.

Water Management Act 2000 (WMA 2000)

Key points:

- Volumetric licensing in areas covered by water sharing plans
- Works within 40m of waterfront land
- SSD & SSI projects are exempt from requiring water supply work approvals and controlled activity approvals as a result of the *Environmental Planning* & Assessment Act 1979 (*EP&A Act*).
- No exemptions for volumetric licensing apply as a result of the EP&A Act.
- Basic landholder rights, including harvestable rights dams
- Aquifer interference activity approval and flood management work approval provisions have not yet commenced and are regulated by the *Water Act 1912*
- Maximum penalties of \$2.2 million plus \$264,000 for each day an offence continues apply under the *WMA 2000*

Water Act 1912 (WA 1912)

Key points:

- Volumetric licensing in areas where no water sharing plan applies
- Monitoring bores
- Aquifer interference activities that are not regulated as a water supply work under the *WMA 2000*.
- Flood management works
- No exemptions apply to licences or permits under the *WA 1912* as a result of the *EP&A Act*.
- Regulation of water bore driller licensing.

Water Management (General) Regulation 2011 Key points:

- Provides various exemptions for volumetric licensing and activity approvals
- Provides further detail on requirements for dealings and applications.

Water Sharing Plans – these are considered regulations under the WMA 2000

Access Licence Dealing Principles Order 2004

Harvestable Rights Orders

Water Sharing Plans

It is important that the proponent understands and describes the ground and surface water sharing plans, water sources, and management zones that apply to the project. The relevant water sharing plans can be determined spatially at <u>www.ourwater.nsw.gov.au</u>. Multiple water sharing plans may apply and these must all be described.

The *Water Act 1912* applies to all water sources not yet covered by a commenced water sharing plan.

The EIS is required to:

- Demonstrate how the proposal is consistent with the relevant rules of the Water Sharing Plan including rules for access licences, distance restrictions for water supply works and rules for the management of local impacts in respect of surface water and groundwater sources, ecosystem protection (including groundwater dependent ecosystems), water quality and surface-groundwater connectivity.
- Provide a description of any site water use (amount of water to be taken from each water source) and management including all sediment dams, clear water diversion structures with detail on the location, design specifications and storage capacities for all the existing and proposed water management structures.
- Provide an analysis of the proposed water supply arrangements against the rules for access licences and other applicable requirements of any relevant WSP, including:
 - $\circ\,$ Sufficient market depth to acquire the necessary entitlements for each water source.
 - $\circ\,$ Ability to carry out a "dealing" to transfer the water to relevant location under the rules of the WSP.
 - Daily and long-term access rules.
 - Account management and carryover provisions.
- Provide a detailed and consolidated site water balance.
- Further detail on licensing requirements is provided below.

Relevant Policies and Guidelines

The EIS should take into account the following policies (as applicable):

- State Environmental Policy (Sydney Drinking Water Catchment) 2011
- NSW Guidelines for Controlled Activities on Waterfront Land (NOW, 2012)
- NSW Aquifer Interference Policy (NOW, 2012)

- Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW, 2012)
- Australian Groundwater Modelling Guidelines (NWC, 2012)
- NSW State Rivers and Estuary Policy (1993)
- NSW Wetlands Policy (2010)
- NSW State Groundwater Policy Framework Document (1997)
- NSW State Groundwater Quality Protection Policy (1998)
- NSW State Groundwater Dependent Ecosystems Policy (2002)
- NSW Water Extraction Monitoring Policy (2007)

The EIS will need to ensure that the project is consistent with Controlled Activity Approval guidelines and that any Controlled Activity Approval requirements are addressed. Guidelines for instream works on waterfront land can be found at:

http://www.water.nsw.gov.au/__data/assets/pdf_file/0020/547040/licensing_approvals_controlled_ activities_instream_works.pdf

DPI Water policies can be accessed at the following links: <u>http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/default.aspx</u> <u>http://www.water.nsw.gov.au/Water-licensing/Approvals/Controlled-activities/default.aspx</u>

An assessment framework for the NSW Aquifer Interference Policy can be found online at: <u>http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/Aquifer-interference</u>.

Licensing Considerations

The EIS is required to provide:

- Identification of water requirements for the life of the project in terms of both volume and timing (including predictions of potential ongoing groundwater take following the cessation of operations at the site such as evaporative loss from open voids or inflows).
- Details of the water supply source(s) for the proposal including any proposed surface water and groundwater extraction from each water source as defined in the relevant Water Sharing Plan/s and all water supply works to take water.
- Explanation of how the required water entitlements will be obtained (i.e. through a new or existing licence/s, trading on the water market, controlled allocations etc.).
- Information on the purpose, location, construction and expected annual extraction volumes including details on all existing and proposed water supply works which take surface water, (pumps, dams, diversions, etc).
- Details on all bores and excavations for the purpose of investigation, extraction, dewatering, testing and monitoring. All predicted groundwater take must be accounted for through adequate licensing.
- Details on existing dams/storages (including the date of construction, location, purpose, size and capacity) and any proposal to change the purpose of existing dams/storages
- Details on the location, purpose, size and capacity of any new proposed dams/storages.
- Applicability of any exemptions under the *Water Management (General) Regulation 2011* to the project.

Water allocation account management rules, total daily extraction limits and rules governing environmental protection and access licence dealings also need to be considered.

The Harvestable Right gives landholders the right to capture and use for any purpose 10% of the average annual runoff from their property. The Harvestable Right has been defined in terms of an equivalent dam capacity called the Maximum Harvestable Right Dam Capacity (MHRDC). The MHRDC is determined by the area of the property (in hectares) and a site-specific run-off factor. The MHRDC includes the capacity of all existing dams on the property that do not have a current water licence. Storages capturing up to the harvestable right capacity are not required to be licensed but any capacity of the total of all storages/dams on the property greater than the MHRDC may require a licence.

For more information on Harvestable Right dams, including a calculator, visit: <u>http://www.water.nsw.gov.au/Water-licensing/Basic-water-rights/Harvesting-runoff/Harvesting-runoff</u>

Dam Safety

Where new or modified dams are proposed, or where new development will occur below an existing dam, the NSW Dams Safety Committee should be consulted in relation to any safety issues that may arise. Conditions of approval may be recommended to ensure safety in relation to any new or existing dams.

See <u>www.damsafety.nsw.gov.au</u> for further information.

Surface Water Assessment

The predictive assessment of the impact of the proposed project on surface water sources should include the following:

- Identification of all surface water features including watercourses, wetlands and floodplains transected by or adjacent to the proposed project.
- Identification of all surface water sources as described by the relevant water sharing plan.
- Detailed description of dependent ecosystems and existing surface water users within the area, including basic landholder rights to water and adjacent/downstream licensed water users.
- Description of all works and surface infrastructure that will intercept, store, convey, or otherwise interact with surface water resources.
- Assessment of predicted impacts on the following:
 - o flow of surface water, sediment movement, channel stability, and hydraulic regime,
 - water quality,
 - o flood regime,
 - o dependent ecosystems,
 - o existing surface water users, and
 - planned environmental water and water sharing arrangements prescribed in the relevant water sharing plans.

Groundwater Assessment

To ensure the sustainable and integrated management of groundwater sources, the EIS needs to include adequate details to assess the impact of the project on all groundwater sources.

Where it is considered unlikely that groundwater will be intercepted or impacted (for example by infiltration), a brief site assessment and justification for the minimal impacts may be sufficient, accompanied by suitable contingency measures in place in the event that groundwater is intercepted, and appropriate measures to ensure that groundwater is not contaminated.

Where groundwater is expected to be intercepted or impacted, the following requirements should be used to assist the groundwater assessment for the proposal.

- The known or predicted highest groundwater table at the site.
- Works likely to intercept, connect with or infiltrate the groundwater sources.
- Identification of any predicted impacts on groundwater resulting from proposed earthworks at the construction phase.
- Any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- Bore construction information is to be supplied to DPI Water by submitting a "Form A" template. DPI Water will supply "GW" registration numbers (and licence/approval numbers if required) which must be used as consistent and unique bore identifiers for all future reporting.
- A description of the watertable and groundwater pressure configuration, flow directions and rates and physical and chemical characteristics of the groundwater source (including connectivity with other groundwater and surface water sources).
- Sufficient baseline monitoring for groundwater quantity and quality for all aquifers and GDEs to establish a baseline incorporating typical temporal and spatial variations.
- The predicted impacts of any final landform on the groundwater regime.
- The existing groundwater users within the area (including the environment), any potential impacts on these users and safeguard measures to mitigate impacts.
- An assessment of groundwater quality, its beneficial use classification and prediction of any impacts on groundwater quality.
- An assessment of the potential for groundwater contamination (considering both the impacts of the proposal on groundwater contamination and the impacts of contamination on the proposal).
- Measures proposed to protect groundwater quality, both in the short and long term.
- Measures for preventing groundwater pollution so that remediation is not required.
- Protective measures for any groundwater dependent ecosystems (GDEs).
- Proposed methods of the disposal of waste water and approval from the relevant authority.
- The results of any models or predictive tools used.

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including information on:

- Any proposed monitoring programs, including water levels and quality data.
- Reporting procedures for any monitoring program including mechanism for transfer of information.
- An assessment of any groundwater source/aquifer that may be sterilised from future use as a water supply as a consequence of the proposal.
- Identification of any nominal thresholds as to the level of impact beyond which remedial measures or contingency plans would be initiated (this may entail water level triggers or a beneficial use category).
- Description of the remedial measures or contingency plans proposed.
- Any funding assurances covering the anticipated post development maintenance cost, for example on-going groundwater monitoring for the nominated period.

Groundwater Dependent Ecosystems

The EIS must consider the potential impacts on any Groundwater Dependent Ecosystems (GDEs) at the site and in the vicinity of the site and:

- Identify any potential impacts on GDEs as a result of the proposal including:
 - the effect of the proposal on the recharge to groundwater systems;
 - the potential to adversely affect the water quality of the underlying groundwater system and adjoining groundwater systems in hydraulic connections; and
 - \circ the effect on the function of GDEs (habitat, groundwater levels, connectivity).
- Provide safeguard measures for any GDEs.

Watercourses, Wetlands and Riparian Land

The EIS should address the potential impacts of the project on all watercourses likely to be affected by the project, existing riparian vegetation and the rehabilitation of riparian land. It is recommended the EIS provides details on all watercourses potentially affected by the proposal, including:

- Scaled plans showing the location of:
 - o wetlands/swamps, watercourses and top of bank;
 - o riparian corridor widths to be established along the creeks;
 - existing riparian vegetation surrounding the watercourses (identify any areas to be protected and any riparian vegetation proposed to be removed);
 - the site boundary, the footprint of the proposal in relation to the watercourses and riparian areas; and
 - o proposed location of any asset protection zones.
- Photographs of the watercourses/wetlands and a map showing the point from which the photos were taken.
- A detailed description of all potential impacts on the watercourses/riparian land.

- A detailed description of all potential impacts on the wetlands, including potential impacts to the wetlands hydrologic regime; groundwater recharge; habitat and any species that depend on the wetlands.
- A description of the design features and measures to be incorporated to mitigate potential impacts.
- Geomorphic and hydrological assessment of water courses including details of stream order (Strahler System), river style and energy regimes both in channel and on adjacent floodplains.

Landform rehabilitation

Where significant modification to landform is proposed, the EIS must include:

- Justification of the proposed final landform with regard to its impact on local and regional surface and groundwater systems;
- A detailed description of how the site would be progressively rehabilitated and integrated into the surrounding landscape;
- Outline of proposed construction and restoration of topography and surface drainage features if affected by the project; and
- An outline of the measures to be put in place to ensure that sufficient resources are available to implement the proposed rehabilitation.

Stream rehabilitation

The Environmental Impact Statement should include:

- A Stream Rehabilitation Plan and Vegetation Management Plan with details on how the watercourse and riparian corridor within the site would be progressively rehabilitated to mimic a natural system from the local area. The riparian corridor should be planted with suitable native species from the local vegetation community.
- An outline of measures to minimise erosion and sedimentation impacts to the local stream environment,
- An outline of measures to minimise impacts to bed and bank stability.
- An outline of measures to be put in place to ensure that sufficient resources are available to implement the proposed stream rehabilitation.
- Guidelines for Vegetation Management plans on waterfront land can be found at:

http://www.water.nsw.gov.au/__data/assets/pdf_file/0010/547219/licensing_approvals_controlled_ activities_veg_mgt_plans.pdf

Consultation and general enquiries

General licensing enquiries can be made to Advisory Services: <u>water.enquiries@dpi.nsw.gov.au</u>, 1800 353 104.

Assessment or state significant development enquiries, or requests for review or consultation should be directed to the Strategic Stakeholder Liaison Unit, <u>water.referrals@dpi.nsw.gov.au</u>.

A consultation guideline and further information is available online at: <u>www.water.nsw.gov.au/water-management/law-and-policy/planning-and-assessment</u>

End Attachment A



TRIM: OUT16/43431

Bianca Thornton Student Planner Industry Assessments Level 22, 320 Pitt Street | GPO Box 39 | Sydney NSW 2001 Bianca.Thornton@planning.nsw.gov.au

Dear Ms Thornton

Proposal – SEAR 1107 – Poultry Farm (Livestock Intensive Industries) 180 Mockingbird Road, Pheasants Nest (Lot 264 DP 625326)

Thank you for your correspondence of the 31 October 2016, DPI Agriculture provides recommendations for the SEAR in Attachment 1.

An important issue is that the proposed farm is within the 5km buffer distance recommendation of possibly two breeder farms. The proponent will need to determine if those breeder farms are still operating. The poultry industry has the buffer requirement to reduce the biosecurity risk which is noted in the DPI best practice guidelines.

DPI and Industry stakeholders have produced a range of publications that will support consent authorities, community and proponents in addressing the recommended SEAR (Attachment 2).

Should you require clarification on any of the information contained in this response, please contact Andrew Docking, Resource Management Officer 9842 8607.

Yours sincerely

Liz Rogers Manager Agriculture Land Use Planning Department of Primary Industries 11 November 2016

Attachment 1: SEARs Recommendations

Issue and desired	Detail / Requirement
outcome	
Site Suitable for development	 Determine if site is permissible in accordance with the Council Land and Environment Plan (LEP) and land zone. Determine whether the size of the site is adequate for the poultry sheds and feed silos, any amenity buildings, storage sheds, internal roads, litter composting and stockpile areas, dead bird management and storage areas and mitigation measures for odour, dust and noise impacts and general amenity. Issues such as topography and drainage can impact on the ability of a site to accommodate the farm and should be considered. Complete a Landuse Conflict Risk Assessment (LUCRA) to identify potential landuse conflict, in particular relating to separation distances and management practices to minimise odour, dust and noise from sensitive receptors. A LUCRA is described in the DPI Land Use Conflict Risk Assessment Guide. Include a map to scale showing the above operational and infrastructure details including separation distances from sensitive receptors.
Consideration for impacts to agricultural resources and land	 Describe the current and potential <i>Important Agriculture Land</i> on the proposed development site and surrounding locality. Demonstrate that all significant impacts on current and potential agricultural developments and resources can be reasonably avoided or adequately mitigated. Consider possible cumulative effects to agricultural enterprises and landholders.
Appropriate and secure power supply	• Power supply is to be reliable, adequate and sufficient for farm requirements. This includes access to 3 phase power, back up arrangements in the event of power failure and sufficient power for potential future farm expansion.
Bushfire risk identified and managed	• Risk assessment level and mitigation plan developed to address bush fire risk.
Suitable and secure water supply	 Estimated water demand and water availability should be clearly outlined in the proposal. Water supply is to be adequate, suitable and reliable for drinking, shed cooling, shed clean out, bush fire management and other facilities such as rest rooms, landscaping requirements etc. Water must meet standards detailed in the National Water Biosecurity Manual for Poultry Production and Model Code of Practice – Domestic Poultry (4th Edition). Poultry farms require back-up water supply or storage available equivalent to at least 2 days' total water requirement in case of a breakdown or loss of supply. The source of water and any sanitisation methods to be detailed in the application.
Surface & Groundwater protected	 Proposed development design, operation and by-product management should be undertaken to avoid nutrient and sediment build up and minimise erosion, off site surface water movement and groundwater accession. The proposal should detail how design and operation will be undertaken for by-product management in accordance with best practice to prevent excess build-up of nutrients and salts in the soil profile and increase the risk of leaching. A monitoring program should be developed if spent litter is stored and applied on the subject property

Issue and desired outcome	Detail / Requirement
Biosecurity Standards met	 Separation distances from other poultry farms should meet minimum distances as detailed in Manual 1 of Best Practice Management for Meat Chicken Production Include a biosecurity (pests, weeds and disease) risk assessment outlining the likely plant, animal and community risks as per guidelines in Attachment 2. Develop a biosecurity response plan to deal with identified risks as well as contingency plans for any failures as described in the guidelines in Attachment 2. Including monitoring and mitigation measures in weed and pest management plans. Dead animals must be effectively stored, handled and recycled or disposed of in a lawful manner that protects environmental values and biosecurity. Details of dead animal management and disposal must be fully detailed. If onsite disposal is proposed the management facility and operations must be fully documented. Management Practices comply with the minimum standards described in: Manual 1 & 2 of Best Practice Management for Meat Chicken Production in NSW; National Farm Biosecurity Manual for Poultry Production; National Water Biosecurity Manual for Poultry Production
Effluent and spent litter disposal handled appropriately	 Effluent and spent litter must be effectively stored, handled and recycled or disposed of in a lawful manner that protects environmental values and biosecurity. Any reuse areas should be appropriately designed on the basis of a nutrient budget that considers proposed annual volumes and nutrient loads, soil types, current soil nutrient levels and pasture or crop use rates via a reuse management plan.
Animal welfare compliance met	 Sheds and any range areas should be located, designed and managed to meet animal welfare standards and Best Practice Management as outlined in the guidelines in Attachment 2. Demonstrated compliance with the Model Code of Practice - Domestic Poultry and the Model Code of Practice - Land transport of poultry
Suitable traffic movements	 Traffic movements (internal and public roads) should be suitable to provide all weather vehicle access to a suitable standard to accommodate the anticipated types and numbers of vehicles. Consideration of the route for movements needs to be taken into account so that impacts on sensitive receptors are minimised (eg noise, dust, volume of traffic).
Visual amenity achieved	 Amenity impacts are assessed and any necessary response to mitigate visual impacts is described and illustrated.
Adequate consultation with community	 Consult with relevant agencies such as on the design, construction and operation of the proposed infrastructure. Consult with the owners / managers of affected and adjoining neighbours and agricultural operations in a timely and appropriate manner about; the proposal, the likely impacts and suitable mitigation measures or compensation. Establish a complaints register that includes reporting and investigating procedures and timelines, and liaison with Council in relation to complaint issues.
Contingency and Environmental Management Plan developed	• Contingency plans should be developed to enable the operation to deal with emergency situations. Commitment to the preparation of an Emergency Management plan that outlines procedures and responsibilities for responding to bushfire threats and possible mass mortality events which might result from extreme climatic conditions, routine or emergency animal disease outbreaks.

Appendix 2: Guidelines for assessment

Title	Location
Land Use Conflict Risk Assessment	www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-
Guide	assessment/lucra
Better site selection for meat poultry	www.dpi.nsw.gov.au/agriculture/livestock/poultry/development
developments	
Best Practice Management for Meat	www.dpi.nsw.gov.au/agriculture/livestock/poultry/development
Chicken Production in NSW, Manual 1 & 2	http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-
	assessment/lucra
Model Code of Practice for the Welfare of	http://www.publish.csiro.au/book/3451/
Animals - Poultry 4th Edition	
National Farm Biosecurity Manual Poultry	www.farmbiosecurity.com.au/wp-content/uploads/2013/01/National-Farm-
Production	Biosecurity-Manual-Poultry-Production.pdf
National Water Biosecurity Manual	www.farmbiosecurity.com.au/wp-content/uploads/2012/11/National-Water-
Poultry Production	Biosecurity-Manual-Poultry-Production.pdf
Planning for Emergencies a guide for	http://www.dpi.nsw.gov.au/data/assets/pdf_file/0005/209597/planning-for-
animal holding establishments	emergencies-guide-for-animal-holding-establishments.pdf
Best practice guidelines for using poultry	www.dpi.nsw.gov.au/content/agriculture/pastures/pastures-and-
litter on pastures	rangelands/management/poultry-litter
National Environmental Management	www.rirdc.gov.au/research-programs/animal-industries/chicken-meat
System for the Meat Chicken Industry -	
Version 2	

Bianca Thornton

From:	Carla Ganassin <carla.ganassin@dpi.nsw.gov.au></carla.ganassin@dpi.nsw.gov.au>
Sent:	Tuesday, 8 November 2016 2:04 PM
То:	Bianca Thornton
Subject:	Fwd: FW: HPRM: Proposal - SEAR 1107 - Poultry Farm (Livestock Intensive Industries), 180 Mockingbird Road, Pheasants Nest (Lot 264 DP 625326)
Attachments:	Form A SEAR 1107.pdf

Hi Bianca,

No comment from Fisheries on this one.

It doesn't trigger any assessment under the Fisheries Management Act.

Regards,

Carla Ganassin | Fisheries Manager | Aquatic Ecosystems Unit NSW Department of Primary Industries | Fisheries NSW Block E, Level 3, 84 Crown Street, Wollongong NSW 2500 SEND MAIL TO: Locked Bag 1 | Nelson Bay NSW 2315 T: 02 4222 8342 | F: 02 4225 9056 | E: carla.ganassin@dpi.nsw.gov.au W: www.dpi.nsw.gov.au

Conserve, Share, Provide

PERMIT APPLICATION FORMS & FISH HABITAT PROTECTION POLICIES AT: www.dpi.nsw.gov.au/fisheries/habitat/protecting-habitats/toolkit EMAIL COMPLETED APPLICATIONS TO: <u>ahp.central@dpi.nsw.gov.au</u> APPLICATION PROCESSING TIMES (from date received): 28 days for Permits & Consultations; 40 days for IDA Referrals

----- Forwarded message ------

From: <<u>ahp.central@dpi.nsw.gov.au</u>> Date: 3 November 2016 at 08:44 Subject: FW: HPRM: Proposal - SEAR 1107 - Poultry Farm (Livestock Intensive Industries), 180 Mockingbird Road, Pheasants Nest (Lot 264 DP 625326) To: Carla Ganassin <<u>carla.ganassin@dpi.nsw.gov.au</u>>

FYI

| Rebecca Philps | Administration Officer - Aquatic Ecosystems |

Department of Primary Industries - Fisheries

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