



Southern Joint Development Assessment Panel Agenda

Meeting Date and Time: 22 December 2015; 1:30pm
Meeting Number: SJDAP/8
Meeting Venue: Department of Planning
140 William Street
Perth

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Anthony Casella (Specialist Member)
Cr Ian Pedler (Local Government Member, Shire of Kojonup) - *via teleconference*
Cr Ronnie Fleay (Local Government Member, Shire of Kojonup) - *via teleconference*

Officers in attendance

Mr Phil Shephard (Shire of Kojonup) – *via teleconference*

Department of Planning Minute Secretary

Mr Sean O'Connor

Applicant and Submitters

Mr Andrew Rado (Stone Axe Pastoral Company)

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member declares the meeting open and acknowledges the past and present traditional owners and custodians of the land on which the meeting is being held.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Note the Minutes of the Metro West JDAP meeting No. 7 held on the 14 December 2015.



5. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

Nil

8. Form 1 - Responsible Authority Reports – DAP Application/s

8.1	Property Location:	Lot 11 Albany Highway, Boscabel
	Application Details:	Cattle feedlot
	Applicant:	Stone Axe Pastoral Company Pty Ltd
	Owner:	Michael Graham Shields under contract of sale to Stone Axe Pastoral Company Pty Ltd
	Responsible authority:	Shire of Kojonup
	DoP File No:	DAP/15/00943

9. Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval

Nil

10. Appeals to the State Administrative Tribunal

Nil

11. General Business / Meeting Closure



Form 1 - Responsible Authority Report (Regulation 12)

Property Location:	Lot 11 Albany Highway, Boscabel
Application Details:	Cattle feedlot
DAP Name:	Southern JDAP
Applicant:	Stone Axe Pastoral Company Pty Ltd
Owner:	Michael Graham Shields under contract of sale to Stone Axe Pastoral Company Pty Ltd
LG Reference:	DB.BDA.8
Responsible Authority:	Shire of Kojonup
Authorising Officer:	Phil Shephard – Town Planner
Department of Planning File No:	DAP/15/00943
Report Date:	14 December 2015
Application Receipt Date:	26 November 2015
Application Process Days:	60-days
Attachment(s):	1. FSA Consulting, 2015, Planning Consent and Works Approval Application & Supporting Information Report for a Proposed Feedlot – Cheviot Hills Feedlot, FSA Consulting Report 8365/2, Toowoomba Office, QLD. 2. Site location map.

Officer Recommendation:

That the Southern JDAP resolves to:

Approve DAP Application reference DAP/15/00943 for the intensive agriculture (cattle feedlot) at Lot 11 Albany Highway, Boscabel in accordance with Clause 6.3 of the Shire of Kojonup Town Planning Scheme No. 3, subject to the following conditions:

1. This decision constitutes planning approval only and is valid for a period of 10 years from the date of approval. If the subject development is not substantially commenced within the 10-year period, the approval shall lapse and be of no further effect.
2. The development and operations shall be generally in accordance with the attached stamped approved document being FSA Consulting, 2015, Planning Consent and Works Approval Application & Supporting Information Report for a Proposed Feedlot – Cheviot Hills Feedlot, FSA Consulting Report 8365/2, Toowoomba Office, QLD with any minor variations to be approved by the Shire of Kojonup Chief Executive Officer.
3. All runoff from feedlot, wash pens, buildings, storage areas, manure handling/carcass composting areas and roadways being drained into the sediment basins and holdings ponds on the property to the satisfaction of the Shire of Kojonup.
4. The silage pits, hay storage areas and feed preparation areas to be contained in sheds or sealed/enclosed to reduce potential for dust and odour emissions to the satisfaction of the Shire of Kojonup.
5. A Tree Planting/Landscaping Plan being prepared and implemented to the satisfaction of the Shire of Kojonup. The Plan shall show location, species and size of trees and shrubs to be planted within the proposed tree plantation and around the perimeter of the feedlot to assist screen the development and

reduce potential for dust and odour emissions. The perimeter landscaping shall be undertaken at the completion of each stage and the proposed tree plantation shall be undertaken prior to the development of Stage 2.

6. The loading and unloading of stock and all commodities/goods to and from the premises shall be carried out entirely within the feedlot site.
7. The upgrading of Cherry Tree Pool Road and intersection of Cherry Tree Pool Road/Albany Highway to the satisfaction of the Shire of Kojonup in conjunction with Main Roads WA as recommended in the Traffic Impact Study – Cheviot Hills Feedlot Kojonup (Paul G Robertson & Associates November 2015) report. Crapella Road may not be used for access or to service the cattle feedlot.
8. The new crossover onto Cherry Tree Pool Road shall be located, designed and constructed to the satisfaction of the Shire of Kojonup.
9. Arrangements being made to the satisfaction of the Shire of Kojonup for disposal of general refuse/waste from the operations, dwellings and other non-feedlot sources.
10. A Fire Management Plan to be prepared and implemented to the satisfaction of the Shire of Kojonup in conjunction with the Department of Fire and Emergency Services.
11. Lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.

Advice Notes

Please be advised of the following:

- a) Where approval has lapsed, development is not to occur without the further approval of the relevant authority having first been obtained.
- b) Planning approval should not be construed as an approval to commence works as a separate Building Permit is also required.
- c) All on-site sewerage systems will require approval from the Department of Health and/or Shire of Kojonup.
- d) It is an offence to clear native vegetation without the authority of a permit from the Department of Environment Regulation unless the clearing is exempt from a permit. It is recommended to liaise with the Department of Environment Regulation in relation to whether a clearing permit or exemption applies.
- e) The works and operations will require Works Approval and Licensing from the Department of Environment Regulation prior to any activities commencing.

Alternate Recommendation:

Nil provided.

Background:

Insert Property Address:	Lot 11 Albany Highway, Boscabel
Insert Zoning	MRS: n/a
	TPS: Rural
Insert Use Class:	Intensive Agriculture
Insert Strategy Policy:	n/a
Insert Development Scheme:	n/a
Insert Lot Size:	1,461.9409ha
Insert Existing Land Use:	Rural Pursuit – broad acre cropping and grazing activities, machinery & shearing shed,

	stockyards, farm water supply dams, grain storage silos, farm dwelling
Value of Development:	\$25 million

The applicant/landowner wish to establish a long-fed cattle feedlot on their farming property with a maximum standing capacity of 20,000 Standard Cattle Units (SCU) to be developed in 4 stages comprising 5,000 SCU per stage over 10 years.

Details: outline of development application

The applicant is seeking planning consent to use/develop a cattle feedlot with a maximum standing capacity of 20,000 SCU in 4 stages of 5,000 SCU per stage over 10 years as outlined in the attached FSA Consulting report.

The feedlot proposal will include:

- Cattle production pens;
- Hospital (crush & treatment facilities, hospital pens);
- Internal site roads, feed delivery roads, cattle laneways;
- Cattle wash, induction/dispatch/handling facilities;
- Manure stockpile areas;
- Grain and hay storage facilities, silage pits;
- Sedimentation basins/channels, holding/evaporation ponds;
- Manure handling & carcass composting area;
- 2 20ML feedlot water supply dams;
- Weighbridge, associated office/workshop/amenity buildings and sheds;
- Planting of 25 hectares as an open forest to screen the feedlot from the closest adjoining neighbouring dwelling (to the north); and
- New primary access to the feedlot off Cherry Tree Pool Road.

Legislation & policy:

Legislation

Planning and Development Act 2005

Shire of Kojonup Town Planning Scheme No. 3 – Parts III ‘Zones’, Part V ‘Development Requirements’ and Part VI ‘Planning Consent’.

Health Act 1911

The Shire of Kojonup has an adopted Health Local Laws 2000 and the proposal requires approval under the Local Law.

Soil and Land Conservation Act 1945

The proposal must manage site impacts to prevent land degradation from occurring. The Act controls the conservation of soil and land resources, and mitigation of the effects of soil erosion, salinity and flooding.

Environmental Protection Act 1986

Environmental Protection Regulations 1987

The proposal is a prescribed premises under the Regulations and the proponent must hold a Works Approval (for construction) and a Licence (for operation).

Environmental Protection (Noise) Regulations 1997

The proposal must meet the assigned noise levels under the Regulations during construction and operations.

Environmental Protection (Clearing of Native Vegetation) Regulations 2004

The clearing of native vegetation requires a permit unless it is for an exempt purpose as set out in the Act and Regulations.

Waste Avoidance and Resource Recovery Act 2011

The storage and disposal of waste must comply with the requirements of the Act.

State Government Policies

WAPC State Planning Policy No. 2.5 Rural Planning Policy

The Policy seeks to protect and preserve the State's rural land and support its continued use for a variety of agricultural purposes.

Environmental Protection Authority Environmental Protection Guidance Statement No. 3: Separation Distances between Industrial and Sensitive Land Uses (under review)

The Statement provides guidance on recommended separation distances between industrial and sensitive land uses such as animal feedlots and adjoining residences.

Local Policies

There are no local planning policies that apply to the proposal.

Consultation:

Public Consultation

No consultation is required under TPS3.

Consultation with other Agencies or Consultants

The applicant has consulted with the Department of Environment Regulation and Shire of Kojonup in preparing the application.

The applicant provided a briefing on the proposal to the Shire of Kojonup Councillors and Senior Staff on 8 December 2015 including a site visit.

The Shire sought comment from Paul Robertson (Consulting Engineer/Senior Road Safety Auditor) and Main Roads WA (Great Southern Region Office) regarding the use of local roads and Albany Highway for accessing the cattle feedlot.

Planning assessment:

Summary of proposal

The cattle feedlot will have a maximum standing capacity of 20,000 SCU which is proposed to be developed in 4 stages of 5,000 SCU per stage over 10 years. The cattle feedlot has been designed in accordance with the National Guidelines for Beef Cattle Feedlots in Australia (Meat and Livestock Australia) 2012 and the National Beef Cattle Feedlot Environmental Code of Practice (Meat and Livestock Australia in

association with Australian Lot Feeders' Association and Feedlot Industry Accreditation Committee) 2012 which is best practice for the industry.

The cattle feedlot will include the development of:

- 80 cattle production pens at 250 SCU/pen (or 160 cattle production pens at 125 SCU/pen) including earthworks & drainage, bunks, fencing, water troughs and sewerage facilities;
- Shade areas;
- Hospital (crush & treatment facilities, hospital pens);
- Internal site roads, parking, feed delivery roads, cattle laneways;
- Security/bio-security controls;
- Cattle wash, receipt/induction/drafting/dispatch and handling facilities;
- Grain and hay storage facilities, silage pits;
- Solid waste management areas (manure handling & carcass composting and 30 hectare manure spreading area);
- Liquid waste management areas (2 4.5ML sediment basins, 2 50ML holding ponds, 140 hectare effluent irrigation area);
- Use of the licensed groundwater bores to supply 2 20ML water supply dams;
- Weighbridge, associated workshop/machinery sheds, chemical storage and other office/administration and staff amenity buildings;
- Manager/staff accommodation units;
- Planting of 25 hectares as an open forest to screen the feedlot from the closest adjoining neighbouring dwelling (to the north); and
- New primary access to the feedlot off Cherry Tree Pool Road.

The cattle feedlot design is modular and allows the feedlot to fully operate from the beginning of Stage 1 (5,000 SCU). The facility can operate at 10,000, 15,000 or 20,000 SCU as the subsequent stages take place without sacrificing operational efficiencies.

The cattle numbers will vary within the cattle feedlot due to market demands and seasonal conditions. The cattle feedlot will be a big user of grain and other foodstuffs (hay, silage etc.) and at full capacity of 20,000 SCU the stock will require 200 tonne of feed per day or 73,000 tonne of feed per year. The majority of this feed is expected to be sourced from within the region with only an estimated 6,500 tonne of feed (hay) to be produced on-site (or about 9% of the total requirement).

The cattle will enter the feedlot around 350kg and stay approximately 400-days leaving with an estimated final live weight of 750kg.

The life of the cattle feedlot is indefinite and the design and effluent/manure management systems are based on long-term sustainability. The FSA Consulting report advises that the site can also be decommissioned if required and returned to pasture.

Due to the nature of the activity, the cattle feedlot will operate between 6am – 7pm (daylight hours) and 5am – 7pm (summer daylight hours), 7 days a week performing feed distribution, cattle handling, induction and dispatch of cattle and general maintenance procedures.

Some transport activity will occur outside of these hours, particularly during summer months, when it is more desirable to transport cattle in cooler temperatures for animal welfare reasons.

It is expected the cattle feedlot will employ 20 full-time staff when in full operation.

Site location

The cattle feedlot area including feedlot pens, induction/dispatch/wash area, manure handling/carcass composting, holding ponds and sediment basins will occupy an area of 66.3 hectares and the associated hay/silage storage areas, water supply dams, commodity sheds, grain storage, office/administration/amenity buildings etc. will occupy an area of approximately 12.2 hectares.

The feedlot site is located centrally within the existing 3,130 hectare Cheviot Hills farming property which includes surrounding Locations/Lots 7411, 7066, 7417, 11 6853, 4113 & 4112.

The cattle feedlot will be located centrally within Lot 11 (1,461 hectares in area). The cattle feedlot site is approximately 20km north of the main townsite of Kojonup and approximately 6.5km east of the undeveloped minor townsite of Boscabel (see Attachment 2 – Site location map).

Topography

The property is undulating with broad flat areas between 230-240m Australian Height Datum (AHD) flanked by areas rising up from the flats to 260-275m AHD.

The site for the cattle feedlot is between 260m AHD (north-west corner) sloping down to 235m AHD (south-east corner) with a slope of approximately 3% across the site. This area drains naturally towards the south-east and the intermittent winter watercourse (some 75m away) which flows to the north-east through the property. This watercourse is a tributary of the Beaufort River some 3kms north of the proposed cattle feedlot site.

The Cheviot Hills farming property includes 2 wetlands being Fitches Lakes (in the north-west corner) and Southern Lake (in the south). These are registered wetlands under the *Environmental Protection (South West Agriculture Zone Wetlands) Policy 1998*. Neither are located on Lot 11.

The local topography of the cattle feedlot site and surrounding areas minimises the visual impact of the development from adjoining roads and properties.

Soils

The site has been mapped as part of the Department of Agriculture and Food's Land Resource Surveys project (Katanning Area) and the site for the cattle feedlot is included within the Boscabel 1 Subsystem characterised as hillcrests with deep sandy gravels.

The geotechnical assessment of the feedlot site indicates the site is underlain by a thin layer of sand overlying clayey sand and weathered rock (FSA Consulting report Appendix G Galt Geotechnical Study October 2015).

This report concludes the site is geotechnically capable of supporting the development of the cattle feedlot and associated infrastructure and provides recommendations for the construction phase.

Groundwater and water supply

The property is not within a proclaimed or public drinking water supply catchment area.

Groundwater testing levels taken from existing bores indicates groundwater between 5-10m below ground level with some likely perched groundwater below 2m in the existing salt pan area on the property.

The landowner has 2 groundwater water well licences for 3 bores on the property from the Department of Water valid until August 2024 authorising the extraction of up to 634ML/year for water supply purposes.

The cattle feedlot at the maximum capacity of 20,000 SCU requires approximately 480ML/year as a conservative estimate. The bores will supply the 2 proposed 20ML storage dams which are capable of sustaining 10,000 SCU each for up to 4-weeks should the pump/bore fail.

Remnant vegetation

The property is largely cleared with some isolated pockets of remnant vegetation still remaining on-site. The application includes clearing of a 2.7 hectare area of dead remnant vegetation for the cattle feedlot site which will be determined by the Department of Environment Regulation.

The proposal does not affect natural environmentally sensitive area including Ecological Sensitive Areas, Threatened Flora/Fauna or Threatened Ecological Communities or Registered Wetlands (Southern Lake & Fitches Lake).

Waste disposal

The management of the cattle feedlot conforms to the management hierarchy in *Waste Avoidance and Resource Recovery Act 2011*.

The solid wastes from the cattle feedlot include manure, carcasses and compost. It is anticipated that 95% of all manure and 100% of carcasses will be stockpiled/composted and then taken off-site to other properties owned by the applicant/landowner and used as soil fertiliser/improver. The remaining manure will be spread on-site on Lot 11 within the proposed 30 hectare manure spreading area on the property.

The liquid effluent runoff from the cattle feedlot and manure stockpiling and carcass composting area will be directed by drains to 2 sediment basins and holding ponds.

Diversion banks/drains will be constructed around the cattle feedlot to exclude clean stormwater where the land slope does not facilitate this and to contain all contaminated runoff within the controlled drainage area. The liquid effluent will be irrigated onto the proposed 140 hectare effluent irrigation area on Lot 11 as a fertiliser and to manage the holding pond levels.

The cattle feedlot at maximum capacity of 20,000 SCU is expected to produce 7,482 tonnes of manure and 77.9ML of effluent annually. The manure will be spread by machine on the 30 hectare manure spreading area which exceeds the recommended minimum on-site spreading area of 23.2 hectares. The effluent will be spread/sprayed by machine on the 140 hectare effluent irrigation area which exceeds the recommended minimum on-site spreading area of 7.8 hectares.

It is expected that the licence to operate the cattle feedlot from the Department of Environment Regulation will include controls on manure and effluent disposal from the feedlot operations.

Erosion & sediment controls

The applicant has committed to developing an Erosion and Sediment Control Plan to minimise effects on the adjacent watercourse both during construction and operation of the cattle feedlot.

Environmental assessment and management

The applicant acknowledges that the cattle feedlot will have potential impacts on the environment including:

- Impacts to the amenity of nearby land users

The applicant acknowledges the operation of the cattle feedlot may impact on the amenity of the neighbouring dwelling on Location 4845 Crapella Road due to the potential for odour, dust, noise and traffic impacts.

The applicant intends to plant a 25 hectare open forest area between the cattle feedlot and neighbour on adjoining Location 4845 Crapella Road (to the north) prior to the development of Stage 2 to provide a visual buffer and to enhance odour dispersion.

This action combined with proper management and maintenance of the feedlot pens, sediment basins, holding ponds, solid manure storage and effluent irrigation are also important functions to reduce odour generation.

The cattle feedlot will increase significantly traffic movements in the local area, especially along Cherry Tree Poll Road, and the applicant acknowledges this can increase road maintenance requirements, traffic noise and dust problems (this matter is discussed further below).

Dust may be generated by the development and control measures will be implemented during the construction phase and feedlot operations to minimise impacts on surrounding properties.

Noise may also be generated by the development and control measures will be implemented during the construction phase and feedlot operations to minimise impacts on surrounding properties.

Additional screen landscaping around the cattle feedlot site is recommended to assist screen the overall development and act as a windbreak for dust control and assist odour dispersion.

- Impacts to groundwater of the site and surrounding area;

The applicant acknowledges the cattle feedlot may impact the supply/quantity and quality of groundwater due to the use of bores to supply the feedlot operations. The supply bores are licensed through the Department of Water and require monitoring and reporting by the applicant to the Department in accordance with the license conditions.

The pens, pads and drainage systems will be designed and constructed to meet relevant requirements and any area that may pose a risk to leachate movement will be underlain with an impermeable liner to prevent groundwater contamination.

- Impacts to the surface water of the site and surrounding area;
The applicant acknowledges the cattle feedlot could impact on the surface drainage systems in the area. The cattle feedlot site has been located away from the intermittent winter watercourse on the property and all runoff from the pens etc. will be contained within the controlled drainage area.

The manure and effluent irrigation disposal areas are setback more than 200m from the centre of the intermittent winter watercourse on the property.

- Impacts to flora and fauna; and
The cattle feedlot site will include clearing of a small area of dead remnant vegetation and the applicant has applied for a clearing permit through the Department of Environment Regulation. The feedlot site is not located near any area of ecological significance.

The proposed tree planting area to be planted as an open forest may provide additional habitat for fauna species in the area.

- Impacts to the soil.
The applicant acknowledges the cattle feedlot operations could impact the spoils through excessive water being added to the effluent irrigation area, excessive nutrients and salts being added to the effluent irrigation or manure spreading areas and soil erosion. All of these activities will be monitored and managed by the applicant to prevent problems arising. Dust will be managed with water trucks and sprinklers.

These commitments coupled with the attached Cheviot Hills Feedlot Quality Assurance Manual will ensure the cattle feedlot is managed in accordance with National Guidelines and procedures.

Surrounding uses

The areas surrounding the Cheviot Hills farming property are used for traditional rural farming activities including extensive cropping and livestock grazing with some tree plantations and includes isolated farm dwellings/sheds, silos, dams etc. An intensive piggery operates on the adjoining property to the west (Lot 10).

Risk assessment

The applicant has completed an environmental risk analysis and risk assessment in accordance with EPA requirements and concluded the cattle feedlot can be developed with only a medium risk to the environment. The highest risks are to vegetation, effluent/water quality and hydrological processes and the air from odour and dust (as discussed above).

As noted above, the applicants have made an application to the Department of Environment Regulation for Works Approval and this approval and the subsequent Licence to operate the cattle feedlot will assist ensure the proposal is constructed and operated in an acceptable manner to reduce potential for pollution and/or community harm.

Cherry Tree Pool Road and feedlot access

The applicant proposes to utilise Cherry Tree Pool Road to access the cattle feedlot site on Lot 11. Lot 11 does not have frontage to Cherry Tree Pool Road and access will be over other land forming part of the Cheviot Hills farm.

The existing main farm access is from Albany Highway with a secondary access off Crapella Road. Crapella Road (unsealed road with open drains) is a local road under the control of the Shire of Kojonup and connects to Albany Highway. Crapella Road is not considered suitable for use as access to the proposed cattle feedlot given its existing state of construction and the intersection with Albany Highway.

Cherry Tree Pool Road (single lane sealed road with open drains) is a local road under the control of the Shire of Kojonup and connects to Albany Highway. Albany Highway (two-lane sealed road with open drains) is a State Road under the control of Main Roads WA.

The assessment of the anticipated traffic movements from the cattle feedlot estimates that at 20,000 SCU capacity the feedlot will generate some 7,811 traffic movements per year or 150 traffic movements per week. The majority (approximately 90%) of this traffic will be generated by incoming cattle and commodities (foodstuffs etc.) at 7,125 traffic movements per year or 137 traffic movements per week with outgoing traffic movements of cattle and manure accounting for only 685 traffic movements per year or 13 movements per week.

The Shire sought comment from Paul Robertson (Consulting Engineer) on the FSA Consulting cattle feedlot report and the impacts of the proposal on the local road system.

The Traffic Impact Study – Cheviot Hills Feedlot Kojonup (Paul G Robertson & Associates November 2015) report provided the following summary of the existing road conditions:

Road Name	Surfacing & Width (m)	Pavement Width (m)	Clearing Width (m)	Concerns	Traffic Count Pre-Develop	Traffic Count Post-Develop
Albany Hwy	7.0m sealed lanes + 2x 1.0m sealed shoulders	11.0m top width	Adequate	Intersection seal geometry needs tapers. MRWA should consider a right turn treatment, and a deceleration left turn lane.	*1830 vpd (2-way) 15% heavy vehicles. 2014/15 7-day daily average South of Robinson W Road.	
Cherry Tree Pool Road	3.7m 14mm recent reseal	Top width ~7m	Culvert 9.8m long at 0.2km	Single lane seal is not suitable for higher traffic volumes as "blinding" dust is created by B-doubles for oncoming and passing vehicle drivers.	** 15 vpd (2-way) 1 or 2 CI 11 v/week. 3/2007 Carlecatup Rd end.	

Notes:

* Traffic count supplied from the MRWA website

** Traffic count supplied by the Shire of Kojonup

The Traffic Impact Study report concludes that the present construction of Cherry Tree Pool Road is not sufficient to sustain the proposed increase in traffic from the feedlot and is required to be upgraded.

The report recommends the following road improvements be completed:

Cherry Tree Pool Road controlled by the Shire of Kojonup

0.00km to 1.60km (check if adjacent crest needs to be included depending on volume and type of anticipated incoming traffic from that direction).

- (1) Widen pavement to 9.2m top width, incorporate a pavement design thickness for the widening appropriate for a design life of 40 years and check the capacity of the existing pavement; prime and seal to a seal width of 7.2m. It would be cost-effective to widen on the fill side of the road only. This would remove all trees from one side of the road and leave a wider, more sustainable width of vegetation on the other side of the road.*
- (2) Confirm that the sight distance from the proposed entrance to an approaching vehicle from the east is greater than the Austroads recommended reaction and stopping minimum distance of 215m (1.05m – 1.05m) for a car travelling at 110 km/hr on a 3% downgrade and 270m (1.05m to 2.4m) for a truck travelling at 100 km/hr on a 3% downgrade.*
- (3) Improve the entrance crossover to MRWA standard for B-double use and incorporate an Austroads Basic Right turn treatment with an asphalt surface to protect against damage from loaded tyre stresses.*

Albany Highway intersection with Cherry Tree Pool Road controlled by Main Roads WA

- (1) Widen the intersection sealed turnouts to a geometric standard appropriate for road-trains and B-doubles. Kerb to protect edges. Asphalt to protect surface from turning stresses.*
- (2) Construct right-turn and left turn deceleration lanes to a standard required by Main Roads WA.*

Main Roads WA (Great Southern Region) were provided with a copy of the Traffic Impact Study – Cheviot Hills Feedlot Kojonup (Paul G Robertson & Associates November 2015) report for comment and concurred with the Robertson report recommendations.

The road improvements to Cherry Tree Pool Road and property crossover shall be designed and constructed to the satisfaction of the Shire of Kojonup whilst improvements to the intersection with Albany Highway will need to be designed and constructed to the satisfaction of the Main Roads WA.

On-farm dwellings

The existing house on the farm is on Lot 11 and is used for farm manager/worker accommodation. The applicant has provided no further details regarding the proposed manager/staff accommodation units. The location of staff permanently on-site is considered an advantage to the operation of the cattle feedlot to minimise potential impacts.

Zoning/Land use

The land (Lot 11) is zoned Rural under the Shire of Kojonup Town Planning Scheme No. 3 (TPS3) and a cattle feedlot is consistent with the definition of intensive agriculture (Part (d)) under the Scheme (Schedule 1 Interpretations) as follows:

Intensive Agriculture - means the use of land for the purpose of trade, commercial reward or gain, including such buildings and earthworks, normally associated with the following:

- (a) *The production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts.*
- (b) *The establishment and operation of plant and fruit nurseries.*
- (c) *The development of land for irrigated fodder production and irrigated pasture (including turf farms).*
- (d) *The development of land for the keeping, rearing or fattening of pigs, poultry (for either eggs or meat production), rabbits (for either meat or fur production), and other livestock in feedlots.*
- (e) *Dairy milking sheds.*
- (f) *The development of land for the keeping, rearing or fattening of other livestock above those rates recommended by the Agriculture Western Australia for the applicable pasture type in consultation with the surrounding farmers.*
- (g) *Aquaculture. Aquaculture means any fish farming operation for which a fish farm licence issued pursuant to the provisions of Part V of the Fisheries Act 1905 (as amended) and the Fisheries Regulations 1938 (as amended) is required.*

The Zoning Table (Table 1) includes intensive agriculture land use as an AA discretionary land use class within the Rural zone, which means that the Council may, at its discretion, permit the use (c.3.3.2).

The use of all land within the Rural zone must be consistent with the objectives for the zone (c.3.2.7) as follows:

- (a) *The zone shall consist of predominantly rural uses.*
- (b) *To protect land from urban uses that may jeopardise the future use of that land for other planned purposes which are compatible with the zoning.*
- (c) *To protect the land from closer development which would detract from the rural character and amenity of the area.*
- (d) *To prevent any development which may affect the viability of a holding.*
- (e) *To provide for limited commercial accommodation opportunities in a rural environment consistent with the Council's policy for 'Farmstay', 'Bed and Breakfast Accommodation' and 'Chalet' facilities.*

The cattle feedlot is considered to be consistent with objectives (a), (c) and (d) above.

The Scheme does not have any specific provisions relating to intensive agriculture and/or feedlot uses/developments in the Rural zone.

Any development (c.5.4) shall conform to the requirements for that use specified in Table II - Development Table. As there is no specific requirements specified for intensive agriculture uses, the Council must determine the relevant requirements to comply with having regard to the predominant use and objectives of the Rural zone (c.5.4.1).

Table II sets out standards for setbacks, plot ratio, landscaping and car parking and the proposal and relevant development standards are discussed below:

Setbacks

The cattle feedlot will be developed on Lot 11 and be setback:

- A minimum of 4km from the front boundary to Albany Highway;
- Between 300-400m from the side property boundary to the south (and between 1.5-2km from the boundary of Cheviot Hills farm);
- Approximately 800m from the side property boundary to the north; and
- A minimum of 1.8km from the rear boundary.

These setbacks are considered appropriate in this instance and consistent with other similar feedlot developments in the rural zone/areas of the Shire of Kojonup.

Plot Ratio

The cattle feedlot will not significantly increase the plot ratio on the property.

Landscaping

As discussed above, the proposal includes a 25 hectare tree planting area between the cattle feedlot and neighbouring house to the north and additional screen landscaping around the cattle feedlot site is recommended to assist screen the overall development and act as a windbreak to assist manage dust/odour impacts etc.

Car parking

All loading/unloading and parking will occur within the property and land is available to accommodate the expected demand.

Buffer distance

The cattle feedlot has the potential to create emissions including noise, odour and dust according to the EPA Guidelines.

The existing EPA Guidance Statement No. 3 Separation Distances between Industrial and Sensitive Land Uses (June 2005) requires the following separation distance for cattle feedlots:

Industry	Description of Industry	DoE Licence Impacts or Registration category	Key Government agencies for advice or approvals	Code of Practice/ environmental requirements	Impacts					Buffer distance in metres and qualifying notes
					Gas	Noise	Odour	Dust	Risk	
Animal feedlot	Intensive rearing of cattle (in rural zone, away from towns)	√ (1, 68)	Dept of Agriculture & Food, Department of Water, Local Government	Cattle Feedlots Guidelines 2002		√	√	√		1000-2000 depending on size

The closest dwelling (Location 4845 Crapella Road), not forming part of the Cheviot Hills farm, is 1.24km to the north of the proposed cattle feedlot site.

The EPA have reviewed the existing guidelines and released the draft Environmental Assessment Guideline for Separation distances between industrial and sensitive land uses (September 2015) which requires the following separation distance for cattle feedlots:

Industry	Description of Industry	Relevant codes of practice (CoP) and regulations	Emissions type or risk	Recommended separation distance in metres
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Animal feedlot (cattle)	Intensive rearing of cattle	National Guidelines for Beef Cattle Feedlots in Australia (Meat and Livestock Australia) 2012	Noise, dust and odour	1000 for noise and dust S-factor calculation for odour and at least 5km from towns – refer to National Guidelines
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As stated above, the closest dwelling, not forming part of the Cheviot Hills farm, is 1.24km to the north of the proposed cattle feedlot site.

As recommended by the EPA draft new Guideline, the assessment of the proposed cattle feedlot has been completed in accordance with the National Guidelines for Beef Cattle Feedlots in Australia (Meat and Livestock Australia) 2012 for odour emissions.

The report concludes that under existing conditions the feedlot could achieve 9,630 SCU on-site without any changes being required. The report advises that to develop the cattle feedlot to the maximum stocking target of 20,000 SCU, the planting of an open forest (between the feedlot and dwelling on Location 4845 Crapella Road) is required, to achieve the required separation distance of 1,191m (Table 16 p.75).

The cattle feedlot achieves all of the required separation distances recommended in the EPA Guideline and National Guidelines for Beef Cattle Feedlots in Australia (Meat and Livestock Australia) 2012.

The applicant has made an application to the Department of Environment Regulation for Works Approval. The Department can refer any proposal that needs a Works Approval, Licence or Registration to the EPA if they determine the proposal has potential to cause significant environmental impacts. The Works Approval and Licence will assist ensure the proposal is constructed and operated in an acceptable manner to reduce potential for pollution and/or community harm.

Options/Alternatives

Nil.

Council Recommendation:

That Council advise the Southern Joint Development Assessment Panel that it supports the approval of the intensive agriculture (cattle feedlot) at Lot 11 Albany Highway, Boscabel in accordance with Clause 6.3 of the Shire of Kojonup Town Planning Scheme No. 3, subject to the following conditions:

1. This decision constitutes planning approval only and is valid for a period of 10 years from the date of approval. If the subject development is not substantially commenced within the 10 year period, the approval shall lapse and be of no further effect.
2. The development and operations shall be generally in accordance with the attached stamped approved document being FSA Consulting, 2015, Planning Consent and Works Approval Application & Supporting Information Report for a Proposed Feedlot – Cheviot Hills Feedlot, FSA Consulting Report 8365/2, Toowoomba Office, QLD with any minor variations to be approved by the Shire of Kojonup Chief Executive Officer.
3. All runoff from feedlot, wash pens, buildings, storage areas, manure handling/carcass composting areas and roadways being drained into the

- sediment basins and holdings ponds on the property to the satisfaction of the Shire of Kojonup.
4. The silage pits, hay storage areas and feed preparation areas to be contained in sheds or sealed/enclosed to reduce potential for dust and odour emissions to the satisfaction of the Shire of Kojonup.
 5. A Tree Planting/Landscaping Plan being prepared and implemented to the satisfaction of the Shire of Kojonup. The Plan shall show location, species and size of trees and shrubs to be planted within the proposed tree plantation and around the perimeter of the feedlot to assist screen the development and reduce potential for dust and odour emissions. The perimeter landscaping shall be undertaken at the completion of each stage and the proposed tree plantation shall be undertaken prior to the development of Stage 2.
 6. The loading and unloading of stock and all commodities/goods to and from the premises shall be carried out entirely within the feedlot site.
 7. The upgrading of Cherry Tree Pool Road and intersection of Cherry Tree Pool Road/Albany Highway to the satisfaction of the Shire of Kojonup in conjunction with Main Roads WA as recommended in the Traffic Impact Study – Cheviot Hills Feedlot Kojonup (Paul G Robertson & Associates November 2015) report. Crapella Road may not be used for access or to service the cattle feedlot.
 8. The new crossover onto Cherry Tree Pool Road shall be located, designed and constructed to the satisfaction of the Shire of Kojonup.
 9. Arrangements being made to the satisfaction of the Shire of Kojonup for disposal of general refuse/waste from the operations, dwellings and other non-feedlot sources.
 10. A Fire Management Plan to be prepared and implemented to the satisfaction of the Shire of Kojonup in conjunction with the Department of Fire and Emergency Services.
 11. Lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.

Advice Notes:

- a) *Where approval has lapsed, development is not to occur without the further approval of the relevant authority having first been obtained.*
- b) *Planning approval should not be construed as an approval to commence works as a separate Building Permit is also required.*
- c) *All on-site sewerage systems will require approval from the Department of Health and/or Shire of Kojonup.*
- d) *It is an offence to clear native vegetation without the authority of a permit from the Department of Environment Regulation unless the clearing is exempt from a permit. It is recommended to liaise with the Department of Environment Regulation in relation to whether a clearing permit is required or an exemption applies.*
- e) *The works and operations will require Works Approval and Licensing from the Department of Environment Regulation prior to any activities commencing.*

Conclusion:

The proposed cattle feedlot is considered to be consistent with requirements of the Shire of Kojonup Town Planning Scheme No. 3 and should be approved subject to conditions.

The applicant has made an application to the Department of Environment Regulation for Works Approval. The Department and subsequent Works Approval and Licence to operate will assist ensure the proposal is constructed and operated in an acceptable manner to reduce potential for pollution and/or community harm.

Attachment One:

<http://www.kojonup.wa.gov.au/doing-business/planning/>

Cheviot Hills (Stone Axe Pastoral) Feedlot Proposal

