



Hawkesbury City Council

Environment Item 48 Attachment

Chapter 8 and 9
of the Hawkesbury
Development
Control Plan

date of meeting: 28 September 2004
location: council chambers
time: 9.00 a.m.

Chapter 8

POLLUTION CONTROL PRINCIPLES



8.1. INTRODUCTION

As referred to in the General Information Chapter, it may be necessary to engage a suitably qualified person to prepare a report/s demonstrating compliance with this Chapter.

8.2. GENERAL PRINCIPLES

This part of the DCP applies to all development that potentially generates pollutants such as odour, noise, air, water, light and reduces solar access.

The general principles for pollution control within the city are:

- That pollutants are to be contained within the subject site.
- Adjoining and/or surrounding properties are not to be used as buffers for pollutants.

8.3. ODOUR

"Offensive Odour" means an odour that, by reason of its strength, nature, duration character or quality, or the time at which it is emitted, or any other circumstances:

- (i) is harmful to (or is likely to be harmful to) a person outside the premises from which it is emitted, or*
- (ii) interferes unreasonably with (or is unlikely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.*

Aims

- That proposed activities are managed and operated in such a way as to not cause unacceptable odour impact to nearby land uses and residences.

Objective

- Any development shall operate so as not to produce an offensive odour at the property boundary.

Rules

- (a) Where there is potential for an offensive odour to be generated from a proposed development, an odour impact assessment is required to be undertaken by a suitably qualified person and submitted with the development application.

- (b) As the number of receptors or potential receptors (residents, workers, etc.) around a proposed development increases then the higher the level of odour pollution control is required.

8.4. NOISE

Aims

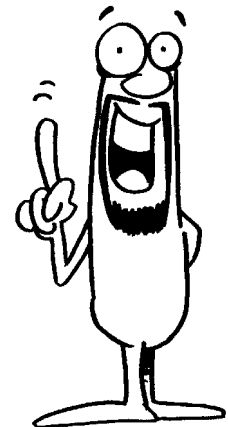
- Noise levels generated do not have unacceptable impacts on nearby land uses and residences.

Objectives

- The development is to be conducted in such a manner that noise levels are contained within the property boundaries.

Rules

- (a) Where there is potential for an offensive noise to be generated from a proposed development, a Noise Impact Statement is required to be undertaken by a suitably qualified person and submitted with the development application.
- (b) The development shall be conducted in such a manner that the L_{10} , L_{90} noise levels, measured at the boundary in accordance with the NSW EPA's Industrial Noise Policy (2000) do not exceed 5dB(A) above the measured background noise levels with respect to noise amenity of residential dwellings and associated outdoor areas. This requirement also applies to residential and/or commercial air-conditioners.
- (c) Enclosed fixed equipment (eg, compressor pumps and fans) are to be enclosed in insulated housing to muffle noise.
- (d) Noise generating equipment shall be kept away from boundaries.



8.5. AIR

Aims

- To minimise dust emissions generated from the proposed development that may affect the surrounding area.

Objectives

- Any development shall operate such that dust particles do not exceed the prescribed standards under the Protection of the Environment Operations Act 1997 and associated regulations at the subject property boundary.

Rules

- (a) Where there is potential for dust to be generated from a proposed development that is likely to degrade the amenity of adjoining land, an air quality impact assessment is required to be undertaken by a suitably qualified person and submitted with the development application.
- (b) The permitted increase in dust levels is to maintain the maximum concentration at $4\text{g/m}^2/\text{month}$.

The following table shall be used to determine whether the amount of dust deposited (as caused by an activity) on a populated premise is acceptable.

Criteria for Dust Deposition

Existing Dust Fallout Level (g/m ² /month)	Maximum Acceptable Increase Over The Existing Deposition Levels (g/m ² /month)	
	Residential	Other
2	2	2
3	1	2
4	0	1

Note: g/m²/month = grams/square metre/month

8.6. LIGHT

Aims

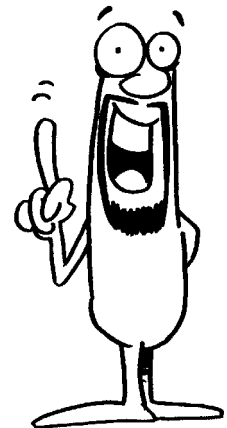
- ❑ To minimise light emissions generated from the proposed development that may affect the surrounding area.

Objectives

- To ensure any lighting associated with an activity is planned to minimise impact on amenity of surrounding properties and roads.

Rules

- (a) Any lighting on the subject site is to be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets. This includes any artificial glow or waste light from the development site.
- (b) Landscaping earth mounds shall be used to screen against any lighting impacts.
- (c) Internal roads are to be situated and adequately screened to prevent vehicle headlights from affecting surrounding properties.



8.7. WATER

Aims

- To protect water quality and quantity on the subject land and adjoining properties.

Objectives

- To ensure surface water and ground water are used sustainably and protected from contamination and degradation.

Rules

- (a) A Water Balance Report is to be undertaken by a suitably qualified consultant and submitted with the development application where there is potential for a significant impact on the subject land and adjoining properties resulting from the carrying out of the development both in the construction and operational phases.
- (b) There should be no increase in the rate of discharge from the development site/subject land.
- (c) There should be no reduction in water quality or quantity on the site as a result of the development.

8.8. SOLAR

Aims

- To protect the solar access and collectors on adjoining land.

Objectives

- To ensure that solar access and collectors on adjoining land are not restricted.

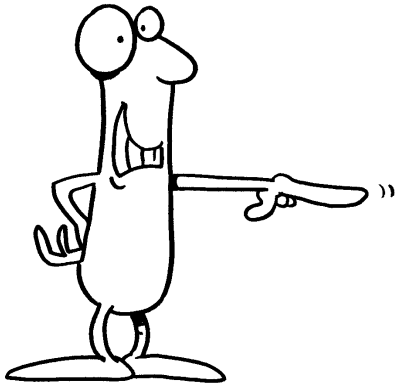
Rules

- (a) Development shall be conducted in such a manner that it does not detrimentally impact upon the solar access, including solar collectors, of adjoining/surrounding properties.

Chapter 9

INTENSIVE AGRICULTURE

9.1 INTRODUCTION



The Intensive Agriculture chapter has been developed to provide guidelines to those wanting to be involved in intensive agriculture in the Hawkesbury.

Other chapters that are relevant to the Intensive Agriculture chapter include:

- Part A Chapter 2 General Information
- Part D Chapter 8 Pollution Control Principles
- Part C Chapter 1 Landscaping
- Part C Chapter 4 Erosion and Sedimentation Control
- Part C Chapter 2 Carparking and Access

9.1.1 Intensive Agriculture Activities

This chapter applies to intensive agriculture activities such as:

- Poultry Farms (including extensions to existing farms) - means *"The rearing of all types of poultry where imported feed and water is provided as a whole or supplementary ration. The birds maybe housed or free range"*.
- Market Gardens - means *"The growing of plants in a field for sale using soil as the growing medium "*.
- Orchards - means *"The growing of fruit and nut trees on a commercial basis "*.
- Cut Flowers - means *"The growing of flowers in the open "*.
- Crop Protection Structure - means *"The growing of plants that uses protective structure over plants and can be include greenhouses, igloos, hail netting and shade houses"*.

9.1.2 Designated Development

Some intensive agriculture activities are also defined of schedule 3 Designated Development under the Environmental Planning and Assessment Regulation 2000. Should your activity fall into the definition of Designated Development then an Environmental Impact Statement (EIS) must be lodged with your application.

It is suggested that you discuss your activity with a town planner prior to lodging your application regarding whether your proposal requires an EIS.

9.1.3 Integrated Development

An intensive agriculture activity may require approval under other legislation. Please refer to Part A Chapter 2 General Information to determine whether any works required as part of your activity is Integrated Development.

Aims

The general aims for establishing intensive agriculture in the Hawkesbury area:

- ❑ To provide guidelines for the assessment of development applications for the establishment of intensive agricultural activities within the Hawkesbury Area.
- ❑ To ensure that farms are properly managed, designed and operated.
- ❑ To achieve optimum site selection to maximise agricultural production whilst protecting the environment and minimising potential land use conflict.
- ❑ To ensure that intensive agriculture activities maintain the rural amenity of the area.

9.2 GENERAL ISSUES

9.2.1 Site Layout /Site Selection

Aims

- ❑ To locate intensive agriculture to ensure sustainable operation of the farm with minimum impact on the natural and social environment.

Objectives

- All pollutants are to be contained within the property boundary to ensure suitable separation between the intensive agriculture activity and adjoining land uses.
- To have a well designed farm that allows for sustainable production whilst protecting and conserving the natural environment.

Rules

- (a) A written statement justifying the land suitability for the particular intensive agriculture activity and will need to include:
 - ❑ Previous land uses
 - ❑ Climate
 - ❑ Irrigation availability
 - ❑ Soils



- Drainage and water table
 - Slope
 - Aspect
 - Compatibility with adjoining land uses.
- (b) Evidence of suitable water and power supply shall be provided.
- (c) Compliance with Part 9 Chapter C Pollution Control Principles

9.2.2 Erosion and Sedimentation Control

Aims

- To minimise soil erosion during construction and throughout the life span of the farm.

Objective

- To prevent soil erosion on the site
- To ensure that runoff is controlled on the site so soil erosion does not occur.

Rules

- (a) Runoff from the site (including chemicals) shall be collected from the farm and stored in sedimentation ponds.
- (b) Plant crops or construct buildings along the slopes natural curve or contours.
- (c) Development on steep slopes (>20%) shall be avoided.

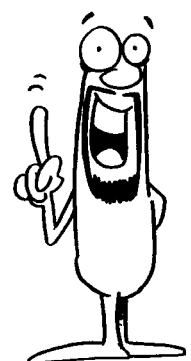
9.2.3 Waste Management

Aim

- To minimise the impact of waste from intensive agriculture activities in relation to air and water quality.

Objective

- Ensure that all waste generated by an intensive agriculture activity is contained wholly within the property boundary.



Rules

- (a) Farm operations need to meet the requirements of waste management legislation such as the Protection of the Environment Operations Act 1997.
- (b) Manure/spent litter where managed on the site shall not cause an odour or dust nuisance to adjoining owners.
- (c) Any contaminated water is to be collected, treated and disposed of without causing pollution.
- (d) Where a waste water irrigation system is to be incorporated into the farm activity a water balance report is to be submitted and undertaken by a suitably qualified person.

9.2.4 Traffic and Access

Aims

- ❑ To minimise the impact of farm and associated transport on adjoining and surrounding land.

Objectives

- To prevent dust from vehicle movement on the site.
- To control vehicle and equipment movement on the site.
- To ensure that there is adequate area to provide for carparking, and movement of articulated vehicles on site
- To plan internal roads and carparking to minimise impact to adjoining land uses.

Rules

- (a) All internal access roads, carparking areas and loading areas are to be of all weather design
- (b) Turning areas adequate for large articulated vehicles shall be provided where necessary.
- (c) All vehicles associated with the farm activity are to enter and leave in a forward direction.
- (d) The farm gate is to be setback from the front boundary to allow onsite parking while awaiting entry into the farm.
- (e) Refer to Part C Chapter 2 Car Parking and Access for further requirements regarding access roads and carparking.

9.2.5 Visual Amenity

Aims

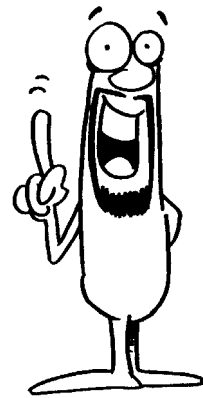
- ❑ To provide for agricultural production while maintaining the visual amenity of the rural area.
- ❑ To minimise aesthetic impact of buildings and their uses on the rural character and amenity.

Objectives

- To ensure that the proposed intensive agriculture activity and associated buildings do not detract from the landscape and character of the area.
- To ensure that the management, operation and design of the proposed intensive agriculture activity minimises visual impact.
- To provide landscaping to mitigate against any potential environmental impacts.

Rules

- (a) Buffer zones (areas of vegetated land) are to be established between the area of farm activity and other areas such as:
 - ❑ Watercourses
 - ❑ Wetlands
 - ❑ Drainage lines
 - ❑ Adjoining properties
 - ❑ Roads
- (b) Buildings associated with the proposed farm activity including crop protection structures shall be constructed of materials and colours that compliment the surrounding landscape.
- (c) Any structure associated with farm activity (excluding dwelling houses and poultry sheds) are to be setback a minimum of 30m from the front boundary and 10m from the side boundary unless specified otherwise in the noise, dust and odour reports if required.
- (d) A landscape plan is to be undertaken by a suitably qualified person. Such plan shall include planting density, depth, location, species, growth characteristics and maintenance.
- (e) The use of landscaped, earth mounds or stands of vegetation may be required to assist in the screening of some agricultural pursuits from public view. If required, these mounds shall not exceed a height of two metres.



- (f) Trees existing on the site should be retained and incorporated into the landscape plan as far as practicable.
- (g) Trees, shrubs and grasses shall be planted along the property boundaries to provide buffers to adjoining properties and shall be a minimum 20m wide.
- (h) Strips of grass and shrubs shall be planted along any watercourse and drainage lines.

9.2.6 Flora and Fauna

Aims

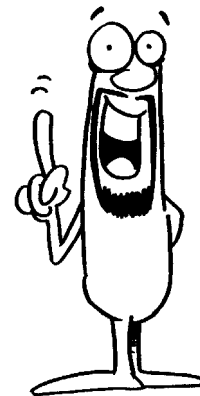
- ❑ To protect bushland, significant flora and fauna habitats and wildlife corridors from the impacts of intensive agriculture activities.

Objective

- The movement of fauna species on the sites should be maximised so as to maintain biological diversity within the area.
- To identify and protect land that contains Threatened Species, Populations, Endangered Ecological Communities and their habitats.

Rules

- (a) Should the development application for intensive agriculture require the removal of native vegetation or the disturbance of habitats to native bird and animals then a Flora and Fauna report is required addressing the eight part test. The Flora and Fauna report is to be carried out by a suitably qualified person. The Flora and Fauna report shall also address the requirements of State Environmental Planning Policy No. 44 - Koala Habitat.
- (b) Vegetation cover should be retained where ever practicable as it acts to stabilise soils, minimise runoff, acts as a pollutant trap along watercourses and is important as a habitat for native fauna.
- (c) Vegetation should be retained where it forms a link between other bushland areas.
- (d) Vegetation which is scenically significant shall be retained.
- (e) Vegetation which contributes to the soil stability of the land should be retained.



9.2.7 Chemical Use/ Spray Drift

Aims

- ❑ To protect farmers, consumers, adjoining residences and the environment from the chemicals associated with farm use.

Objective

- To minimise the risks to public health, property and the environment from chemical use.
- To minimise spray drift through proper farm management and landscaping.

Rules

Most of these rules are to be incorporated into a Farm Management Plan as defined in the next section.

- (a) Chemical containers shall be stored in a locked shed or cupboard. Chemical location to be included on site plan.
- (b) Attainment of a chemical user certificate. All persons applying chemicals on the farm require this certification.
- (c) Pesticide use shall meet the requirements of the Pesticides Act 1999 and application according to the Pesticide Regulations.
- (d) Chemical records are to be kept and cover the purchase, procurement of chemicals and details of their application. The Farm Management Plan or Environmental Management Plan will need to include strategies for minimising the environmental risk of chemical application and actions for dealing with problems as they may arise.
- (e) Spraying is to be carried out according to the label specifications ensuring that wind speeds and humidity levels are appropriate for application of the spray. Where practical adjoining neighbours are to be given 24hour notice prior to spraying occurring.
- (f) All chemicals are to be contained within the property. Farm Dams and vegetation may assist in containing sprays and runoff.
- (g) Farm dams/sedimentation ponds shall be constructed such that any runoff containing pesticides is detained in the dam to prevent contamination of adjoining land or waterways.

9.2.8 Farm Management Plan

Aims

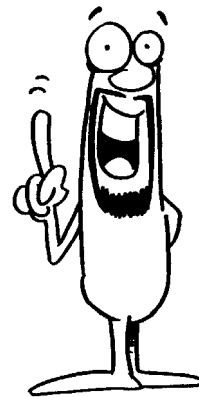
- ❑ To establish a framework in which farms are operated and managed to ensure minimal impact to surrounding area and the environment.

Objectives

- Apply management practices to farms to minimise environmental impacts associated with farm operation and management.
- Establish a community approach to better farm management.

Rules

- (a) A Farm Management Plan (FMP) is to be submitted with any intensive agriculture activity (excluding poultry farms which require an Environmental Management Plan)
- (b) A Farm Management Plan is to include but not limited to:
 - ❑ Contact details, description of farm operation
 - ❑ Aesthetic and Visual Impact
 - ❑ Chemical Management
 - ❑ Fertiliser Management
 - ❑ Odour Management
 - ❑ Noise Management
 - ❑ Water Management
 - ❑ Dust Management
 - ❑ Land Clearing / Tree Removal
 - ❑ Community Liaison



9.3 SPECIFIC ISSUES

9.3.1 Poultry Farms (New And Extensions To Existing)

Applicants should be aware of the provisions of Schedule 3 of the Environmental Planning and Assessment Act 1979 (Designated Development) that provide setback distances for poultry farms (Clause 21) from adjoining land uses, natural waterbody and wetlands.

9.3.1.1 Site Layout / Site Selection

Rules

- (a) The total roof area of the poultry sheds shall not exceed 10% of the total site area
- (b) Sheds shall be aligned on the long axis east -west to minimise shed surface area exposed to the sun and sun entering the shed.
- (c) Tunnel ventilated sheds shall be orientated so that the fan end of the shed will have minimal impact on neighbours.
- (d) Sheds on the same farm shall be separated at a minimum distance of 15m to allow for ventilation and access. This distance can be reduced should tunnel ventilated sheds be used.
- (e) If the whole property is not going to be used than a Development Site can be used to show the area to be farmed. The affects of the proposal will than be measured from the Development Site area rather than the whole property. Note: the Development Site Area has the same meaning as the definition of site area in the Part 4 Schedule 3 of the Environmental Planning andAssessment Regulation 2000.

9.3.1.2 Water Management

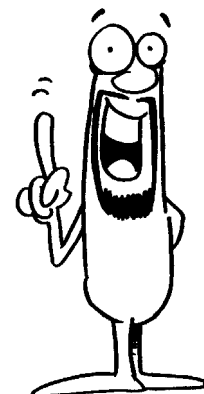
Rules

- (a) All sheds shall have an impermeable base.
- (b) Shed need to be designed to prevent entry of stormwater
- (c) Drainage is to be provided along all building lines to collect stormwater runoff to discharge into a catchment dam or filter within the property.

9.3.1.3 Waste Management

Rules

- (a) All sheds are to be thoroughly cleaned out at the end of each batch
- (b) Shed interiors are to be washed down with high pressure hoses, hot water or steam cleaning.
- (c) All detergents are to be biodegradable.
- (d) Dead birds are to be collected regularly. No dead bird disposal shall occur on site such as burial, incineration or composting.



- (e) Off farm collection service details are to be submitted.
- (f) All manure and spent litter are to be taken from the property in covered loads so as to prevent spillage.
- (g) New shavings are to arrive on site in covered loads and spent litter shall be removed from the sheds at the removal of each 'batch' of birds , each shed is to be replaced with fresh shavings.

9.3.1.4 Traffic and Access

Rules

- (a) Truck tyre washing area is to be located within the access road and the development site.
- (b) Movement of trucks and mobile equipment on the site is to be restricted to one (1) vehicle at any one point in time.

9.3.1.5 Vermin Control

Aim

- To control pests and vermin on the site.

Objective

- That the development is designed to ensure it will not attract pests and vermin to the site.

Rules

- (a) A Vermin Control Plan is to be submitted.

9.3.1.6 Environmental Management Plan

Aim

- To establish a framework in which farms are operated and managed to ensure minimal impact to surrounding area and the environment.

Objective

- Ensure that poultry farms minimise environmental impacts associated with farm operation and management both to the environment and the adjoining residences.

Rules

- (a) An Environmental Management Plan (EMP) shall be submitted with any development application for establishing new poultry farms or extending existing poultry farms.
- (b) An EMP shall include strategies, measures and contingency actions for the following:
 - contamination and degradation of surface water, ground water and soil
 - odour emission
 - dust problems
 - visual impact and landscaping
 - pest infestation
 - environmental risks and problems that may arise from chemical usage
 - waste management, including nutrient management plan for application of litter and disposal of dead birds including large scale disposal (disease outbreak).
 - community liaison and complaints about environmental impacts and problems that may arise
 - staff training
- (c) Annual reporting will be required to monitor the operation and management of poultry farms.
- (d) Poultry farms are generally approved in stages
- (e) A construction certificate will be required for any road works (including internal access roads) and buildings associated with the poultry farms.

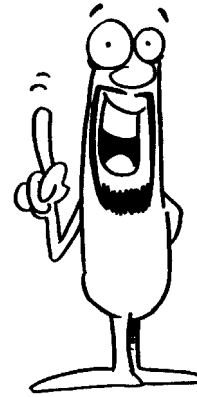
NOTE: Should you require further information regarding Environmental Management Plans you are advised to contact NSW Department of Primary Industries and the Rural Industries Research and Development Corporation.

9.3.2 ORCHARDS

9.3.2.1 Flora and Fauna

Rules

- (a) Control of bird and animal species within the orchard shall be conducted with non-lethal methods (eg sound deterrent devices, high intensity lighting flashing at random intervals and/or bird and bat exclusion netting) to align with current best practice management principles in sustainable agriculture.



9.3.3 CROP PROTECTION STRUCTURES

Rules

- (a) The roof pitch of a greenhouse should be more than 23 degrees so that condensation does not occur.
- (b) Adequate ventilation is to be incorporated into the design of crop protection structures.
- (c) Crop protection structures which are load bearing should comply with the Building Code of Australia.

TYPICAL FARM LAYOUT

