

Prepared for: Gadens Lawyers

Prepared by: FocusCDS Consultants  
9-10 Garden Court, Narre Warren, Victoria AUSTRALIA 3805

Statement of Evidence

Issues relating to Greenvale Poultry Farm

Hume Planning Scheme Amendment C154  
Greenvale Central Precinct Structure Plan

January 2013  
(2525R01)

FocusCDS Consultants

## CONTENTS

1.0	INTRODUCTION	1
1.1	REQUIREMENTS OF PLANNING PANELS VICTORIA – GUIDE TO EXPERT EVIDENCE	1
2.0	GREENVALE CENTRAL PRECINCT STRUCTURE PLAN	4
3.0	EGG LAYER FARM SYSTEMS	4
3.1	FREE RANGE FARMS	5
3.2	BARN SYSTEMS	5
3.3	CAGED SYSTEMS	6
4.0	EXISTING POULTRY FARM INFRASTRUCTURE AND OPERATIONS	7
4.1	POULTRY FARMING OPERATION	7
4.2	EXISTING INFRASTRUCTURE	8
4.3	POULTRY MANURE	8
5.0	ASSESSMENT OF GHD REPORT	9
6.0	CAPACITY OF EXISTING POULTRY FARM INFRASTRUCTURE	10
7.0	FEASIBILITY TO INCREASE FARM BIRD CAPACITY	10
7.1	LAND SIZE	10
7.2	EXISTING INFRASTRUCTURE	10
7.3	NECESSARY INFRASTRUCTURE AND WORKS	11
7.4	LIKELY CAPITAL INVESTMENT REQUIREMENTS	12
7.5	EXISTING AND PROPOSED SURROUNDING LAND USES	13
7.6	AMENDMENT C154 – FEASIBILITY OF EXPANSION	14
7.7	LIKELY DEMAND IN THE AREA	15
8.0	COMMENTARY ON SUBMISSIONS	15
8.1	GROWTH AREA AUTHORITY	15

*Statement of Evidence – Hume Planning Scheme Amendment C154  
Greenvale Central Precinct Structure Plan  
January 2013*

8.2	HUME CITY COUNCIL	16
8.3	GREENVALE POULTRY FARM	16
8.4	LOCAL LANDOWNERS	16
9.0	CONCLUSIONS	16

## **APPENDICES**

**APPENDIX 1 – CURRICULUM VITAE**

**APPENDIX 2 - INSTRUCTIONS**

**APPENDIX 3 – PLAN 5 – IMAGE CHARACTER AND HOUSING**

**APPENDIX 4 – EXAMPLE OF CAGED LAYER SYSTEM**

**APPENDIX 5 – GHD REPORT FIGURE 2**

**APPENDIX 6 – POULTRY FARM PHOTOGRAPHS**

## **1.0 INTRODUCTION**

This statement of evidence has been prepared by Jack Hendrik Kraan, Principal of Focus CDS Consultants on the instructions of Gadens Lawyers.

It addresses agri-business and planning aspects of the proposal within Amendment C154 to impose a site specific land use buffer around the existing poultry farm located at 30 French Road, Greenvale.

### **1.1 REQUIREMENTS OF PLANNING PANELS VICTORIA – GUIDE TO EXPERT EVIDENCE**

#### **Name and address of expert:**

Jack Hendrik Kraan  
Director, Focus CDS Consultants  
9-10 Garden Court, Narre Warren Victoria 3805.

#### **Expert's qualifications and experience:**

- Bachelor of Agricultural Science (1<sup>st</sup> Class Hons)
- Master of Urban Planning
- Member – Victorian Planning & Environmental Law Association

Experience is outlined in the Curriculum Vitae provided in Appendix 1.

#### **Expert's expertise to make the report:**

For a period of more than 30 years I have undertaken planning and environmental management assignments for a wide range of projects. These include intensive animal husbandry, rural industry, extractive industry, mineral resources, industrial and residential projects. These assignments have included the assessment of planning and environmental impacts of proposals. One of my areas of speciality is the poultry industry.

#### **Other significant contributors to the report:**

Nil.

#### **All instructions that define the scope of the report:**

On 21 December 2012 I was requested by Gadens Lawyers Melbourne to prepare an Expert Witness Statement of Evidence addressing agri-business and planning issues associated with the proposal in Amendment C154 to impose a site specific land use buffer around the existing poultry farm located at 30 French Road, Greenvale. This statement is the basis of the expert evidence to be presented to the Panel Hearing for this Amendment.

These instructions were conveyed in the letter dated 21 December 2012 which is presented in Appendix 2.

**Statement of Evidence – Hume Planning Scheme Amendment C154**  
**Greenvale Central Precinct Structure Plan**  
January 2013

(2525R01)



**Facts, matters and assumptions upon which the report proceeds:**

My statement of evidence relies on the following:

- Inspection of the infrastructure and operations of the egg farm at 30 French Road, Greenvale. This was undertaken on Tuesday 15<sup>th</sup> January 2013.
- Inspection of various properties in the immediate vicinity of the egg farm as well as the general surrounding area;
- Relevant documents forming the basis of Amendment C154 (post exhibition);
- The Odour Impact Assessment – Egg Layer Farm Buffer Review prepared by GHD (November 2012);
- The submissions to the Panel made by the following:
  - The Growth Area Authority
  - Hume City Council
  - The owners of the egg farm
  - Various land owners in the vicinity of the egg farm
- Discussions with Mr Tim Pollock of GHD.
- Discussions with Mr Sam Sassine and Mr John Kouroulis, owners of land adjoining the poultry farm.
- My own experience.

**Reference to those documents and other materials the expert has been instructed to consider or take into account in preparing his or her report and the literature or other material used in making the report:**

The matters listed above are those that I have taken into account.

**The identity of the person who carried out any tests or experiments upon which the expert relied in making the report and the qualifications of that person:**

The owner / operator of the poultry farm refused to answer any questions at the time of my inspection of the poultry farm. Therefore I spoke with Mr Tim Pollock of GHD seeking clarification of some aspects of the farm that were reported in the GHD report.

**A summary of the opinion or opinions of the expert:**

Refer to Section 9 – Conclusions.

**A statement identifying any provisional opinions that are not fully researched for any reason (identify the reason why such opinions have not been or cannot be fully researched):**

The owner / operator of the poultry farm refused to answer any questions at the time of my inspection of the poultry farm. Therefore I have relied on information relating to some aspects of the farm that were reported in the GHD report.

**A statement setting out any questions falling outside the expert's expertise and also a statement indicating whether the report is incomplete or inaccurate in any respect:**

I have not been requested to address any matters that are outside my expertise. To the best of my knowledge, the report is complete and accurate.

**Declaration:**

*I have made all the enquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.*



**Jack H Kraan**

Director  
Focus CDS Consultants

## 2.0 GREENVALE CENTRAL PRECINCT STRUCTURE PLAN

Gadens lawyers act for several property owners whose properties are located at 670, 680, 690 & 700 Somerton Road, 50 & 60 French Road and 35 & 65 Brendan Road, Somerton. These properties are located adjacent to or in the immediate vicinity of the Greenvale Egg Farm which is located at 30 French Road, Greenvale. All of the described properties are located within the area of the proposed Greenvale Central Precinct Structure Plan intended to be introduced into the Hume Planning Scheme via Amendment C154.

Within the Greenvale Central Precinct Structure Plan (post exhibition documentation) at Plan 5 – Image Character and Housing, the planning authority intends to impose a series of buffers around the egg farm (refer to Appendix 3). It is intended that an Urban Growth Zone Schedule 6 (**UGZ6**) be applied to the subject area with the intention that the land be eventually used for residential purposes. The proposed Urban Growth Zone Schedule 6 includes a requirement that:

*"An application for residential subdivision, use or development of land within the buffer designated on Plan 5 - Image Character and Housing in the Greenvale Central Precinct Structure Plan, relating to the adjacent land containing the Egg Farm at 30 French Road, Greenvale must be accompanied by a risk assessment prepared by a suitably experienced and qualified person. The risk assessment must acknowledge the existing poultry farm operations and assess the adverse amenity impacts of the poultry facility on the future residential use and development of the land, providing sufficient confidence of the suitability of any residential use within the buffer designated in the Greenvale Central Precinct Structure Plan.*

*The planning application for subdivision, use or development and the associated risk assessment must be referred to Environmental Protection Authority (EPA)."*

In effect, if Amendment C154 is approved in its current (post exhibition) form, any application for residential development on land affected by the abovementioned buffers will need to demonstrate to the satisfaction of the Responsible Authority that the residential development will not be detrimentally impacted upon by the existence of the Greenvale Egg Farm.

## 3.0 EGG LAYER FARM SYSTEMS

There are three broad types of egg layer farming systems, namely:

- Free range farms;
- Barn-laid systems (sometimes called shed systems), and
- Caged systems.



Within these broad types, particularly in the barn-laid and caged systems, there is no standard approach employed. There are many operational variations of the systems as a result of the different manufacturers and styles of equipment used. This can be contrasted with broiler (chicken meat) farms where the same general approach is used on all farms.

The bird stocking densities vary substantially with the type of farming system used and also as a result of the variations within the systems. The Animal Welfare Committee within the Federal Primary Industries Ministerial Council has prepared the *Australian Model Code of Practice for the Welfare of Animals Domestic Poultry 4<sup>th</sup> Edition (the Code)*. This Code is intended to provide detailed minimum standards for the husbandry of layer hens in cage, barn and free-range systems.

The Code is intended as a set of guidelines which provides detailed minimum standards for assisting people in understanding the standard of care required to meet their obligations under the animal welfare laws that exist within Australia's States and Territories. The stocking densities for laying hens referred to in the following three sections are based on the minimum requirements of the Code. These densities are dependent on the size of the bird being housed. Adult hen sizes in Australia vary typically between 2 kg to 3 kg.

The RSPCA have published the document *RSPCA Approved Farming Scheme Standards for Layer Hens*. The RSPCA standards are designed to assist the industry to continually improve and demonstrate high animal welfare outcomes. The stocking densities recommended in this document tend to be less than those specified in the Code.

### **3.1 FREE RANGE FARMS**

Birds in free range systems are housed in sheds and have access to an outdoor range. Acceptable stocking densities are based on the number of birds per hectare of outside range available.

The Code specifies a maximum of 1,500 birds per hectare.

### **3.2 BARN SYSTEMS**

Birds in barn systems are free to roam within a shed which may have more than one level. The floor may be based on litter and / or other material such as slats or wire mesh. Acceptable stocking densities are based on maximum live weight loading per square metre of usable floor area. The density below is based on sheds with cooling systems and ventilation fans in place to ensure adequate temperature control during extreme conditions. Lower densities should be used in the absence of these cooling systems and ventilation fans.

The Code specifies a maximum live weight of 30kg/m<sup>2</sup>. Assuming a smaller bird with a weight of 2.4 kg per bird, this translates to a density of 12.5 birds per m<sup>2</sup>. Layer birds can be larger than this and thus the number of birds per m<sup>2</sup> would be proportionally reduced. For example, a 2.7 kg bird would have a maximum density of 11 birds per m<sup>2</sup>.

The RSPCA in their *RSPCA Approved Farming Scheme Standards for Layer Hens* recommends a maximum density of 9 birds / m<sup>2</sup> for sheds with raised floors and 7 birds / m<sup>2</sup> for sheds with deep litter and no raised floor.

The minimum floor area required for birds within a barn system under the Welfare Code and the RSPCA standards are set out in the following table.

No of Birds	Area (m <sup>2</sup> ) <sup>1</sup> @ 12.5 birds / m <sup>2</sup>	Area (m <sup>2</sup> ) <sup>1</sup> @ 11 birds / m <sup>2</sup>	Area (m <sup>2</sup> ) <sup>2</sup> @ 9 birds / m <sup>2</sup>	Area (m <sup>2</sup> ) <sup>3</sup> @ 7 birds / m <sup>2</sup>
2,000	160	182	222	286
5,000	400	455	555	714
10,000	800	910	1,110	1,428
20,000	1,600	1818	2,220	2,856
30,000	2,400	2727	3,330	4,284
40,000	3,200	3636	4,440	5,712
45,000	3,600	4091	4,995	6,426

1 Australian Model Code of Practice for the Welfare of Animals Domestic Poultry

2 RSPCA Approved Farming Scheme Standards – raised floor

3 RSPCA Approved Farming Scheme Standards – no raised floor

### 3.3 CAGED SYSTEMS

Birds in cage systems are continuously housed in cages within a shed. Cage systems vary and modern systems generally have at least three levels of cages. Cages are generally setup as double rows with access aisles between each set of double rows. An example of one such system is given in Appendix 4.

The Code specifies a minimum floor space allowance of 550cm<sup>2</sup> per bird for cages with three or more birds per cage where the birds weigh less than 2.4 kg. This increases to 600 cm<sup>2</sup> for birds weighing more than 2.4 kg.

The following table provides an example of the space requirements for a 3 tier caged system providing 600 cm<sup>2</sup> of cage space per bird (birds > 2.4 kg).



No of Birds	Cage Floor Area (m <sup>2</sup> )	Shed Floor Area for Cages (3 tier) (m <sup>2</sup> )	Allowance for Aisles (m <sup>2</sup> )	Total Shed Floor Area (m <sup>2</sup> )
5,000	300	100	100	200
10,000	600	200	200	400
20,000	1,200	400	400	800
30,000	1,800	600	600	1,200
40,000	2,400	800	800	1,600
45,000	2,700	900	900	1,800

#### 4.0 EXISTING POULTRY FARM INFRASTRUCTURE AND OPERATIONS

An inspection of the property at 30 French Road, Greenvale and surrounding land was undertaken on Tuesday 15<sup>th</sup> January 2013. Weather conditions at the time were fine with a temperature in the order of 23°C and a strong breeze coming from a northerly direction.

At the time of the inspection of the poultry farm I was instructed that I could not enter any buildings, take any photographs or ask any questions.

The description of the poultry farm property can be referenced to Figure 2 in the GHD report. A copy of this figure is reproduced at Appendix 5.

The property is about 2 ha and is accessed from French Road by a gravel driveway running along its southern boundary. It is enclosed in a cyclone wire fence approximately 2 m high.

The western third of the property is devoted to a substantial dwelling & garden, various outbuildings and vegetable and fruit growing areas. The middle contains a collection of adjoining buildings of various ages. These contain a shop, small layer hen shed, storage facilities and a substantial area of derelict buildings that at one point housed poultry. The eastern part contains a derelict poultry shed alongside the eastern boundary and a vacant area which appears to have once housed poultry shedding. There are two water dams located adjacent to the northern boundary.

#### 4.1 POULTRY FARMING OPERATION

The egg laying operation on the property is a very small activity. It is confined to a very small area of shedding near the southern boundary as shown on Figure 2. This shed has been built or rebuilt in recent years and appears to be constructed from

insulated sandwich panels with a metal exterior. It is approximately 10 m wide by 25 m long giving it a floor area of about 250 m<sup>2</sup> (Refer to Photos 1 & 2 in Appendix 6).

From the viewing window inside the shop, it appears that the shed consists of a raised floor along the eastern side above which sits a line of feeders, a water line with drinking nipples and a single row of nests. It also includes a conveyor system for collecting eggs. Although I could not personally see it, there is also a conveyor belt which collects manure (according to GHD report). The western part of the shed has a floor covered with litter (probably wood shavings and / or sawdust).

According to the GHD report, the shed is stocked with 2,000 laying hens. This appears consistent with my observations. I estimate that the hens weigh in the order of 2.7 kg each.

Ventilation of the shed is provided by two extraction fans located on the southern end of the shed. Air appears to be drawn through an inlet mounted at the northern end of the eastern wall. According to the GHD report, this inlet forms part of an evaporative cooling system for the shed.

I observed only a small amount of poultry odour being emitted from the shed. It was consistent with what I would expect from the small number of birds on the farm. At a distance of approximately 20 m from the ventilation outlet, the odour was barely detectable.

#### **4.2 EXISTING INFRASTRUCTURE**

The old poultry sheds in the middle of the property are of a sawtooth construction with a height ranging from about 3.5 m to about 4 m. Their combined dimensions are approximately 35 m x 60 m (including current layer shed). They are in poor condition. The roof is sheeted with corrugated iron as are most of the northern and southern ends of the sheds. The ends have a number of openings made up of wooden slats or bird wire. Some of these are or have been covered by plastic (or similar material) blinds (Refer to Photos 3 - 6 in Appendix 6). The eastern side is open with bird wire and disintegrated plastic blinds (Refer to Photos 7 & 8 in Appendix 6).

The shed contains rows of antiquated single deck layer cages. The floor underneath the cages is dirt and between the cages the floor is constructed of concrete.

The shed near the eastern boundary is in very poor condition. It is of similar construction to the middle shed and is approximately 10 m x 65 m (650 m<sup>2</sup>) with a roof height of approximately 2.5 m to 3.0 m. A large part of the roof of this shed is missing.

The old single layer cages in the existing sheds and the existing shed floor area do not appear to cater for a total capacity of 45,000 birds.

#### **4.3 POULTRY MANURE**

Adjacent to the eastern side of the middle sheds was a substantial pile of poultry manure (Refer to Photos 9 & 10 in Appendix 6). This was approximately 5 m wide,



0.9 m high and 10 m long. This was not contained on any bunded or impervious infrastructure. Parts of this pile had been very recently disturbed and were generating a strong odour.

At the time of inspection a utility vehicle departed the property containing a substantial number of white plastic or similar bags. As it passed where I was standing I detected a poultry manure odour.

Examination of the GHD Figure 2 shows what appears to be a windrow of material located along the eastern side of the middle shed in the same location as I observed the pile of manure. This windrow appears to be about 30 m long.

The GHD report refers to chicken manure being bagged and sold onsite in small quantities. I was advised by Mr Sassine that the operators of the poultry farm truck in poultry manure from other farms off-site and then sell this. The amount of manure located on site and shown in the GHD Figure 2 exceeds what would be expected to be generated by 2,000 hens. It is consistent with manure being imported onto the property.

Mr Sassine advised that his complaints about the farm in the past have related to the odour coming from the manure pile on the property, not the emissions from the poultry shed. This would be consistent with what I observed on the property.

## **5.0 ASSESSMENT OF GHD REPORT**

The GHD report at Section 1.4.1 refers to the capacity of the current farm as being 5,000 birds. I disagree with this capacity. In accordance with the Code, 250 m<sup>2</sup> of area can house a maximum of 2,750 birds at a weight of 2.7 kg. My observation of the existing shed was that it was getting close to capacity housing the reported 2,000 birds. The existing infrastructure cannot house 5,000 birds in accordance with the Code. Any assessment based on the current farm infrastructure should nominate a farm capacity of approximately 2,750 birds.

At Section 1.6 the GHD report refers to receptors that have complained of odour from chicken manure and other parts of the operation. Based on my observations, the main source of odour on the property is the pile of manure, particularly when it is disturbed. It is poorly managed and no attempts appear to be undertaken to minimise the generation of odour. I am of the view that if the manure pile was removed from the property, the likelihood of complaints from the 2,750 bird farm would be quite low.

At Section 4.1, GHD refer to the minimum current default buffer of 100 m for any industrial activity given in the EPA Publication AQ2/86 – Recommended Buffer Distances for Industrial Residual Air Emissions AQ 2/86 (Rev July 1990). They then state:

*"Given also that odour complaints (see section 4.3) have been registered at ~100 m range, GHD has increased the derated buffer distance to the minimum default of 100 metres found in the EPA guidelines."*

Given the preceding, I question the use of the 100 m default buffer. The farm is very small and can barely be classed as an "industrial activity" and hence have the default buffer apply. Also the source of odour complaints is the manure pile. If this was removed in accordance with proper farm management practices, GHD could not rely on complaints at ~100 metres to justify using the 100 m default buffer.

I am of the view that if a derated buffer is to be employed in this matter, it should be based on the very small farm capacity of some 2,750 birds.

## **6.0 CAPACITY OF EXISTING POULTRY FARM INFRASTRUCTURE**

The existing poultry shedding on the property has been described in Sections 4.1 and 4.2 of this statement.

The existing 250 m<sup>2</sup> poultry shed has the capacity to house in the order of 2,500 to 3,000 birds depending on their size in accordance with the Code. With the size of the birds currently on the farm, the capacity is in the order of 2,750.

The old shedding in the middle of the property and at the eastern end has no capacity to house hens. This is due to its dilapidated state and the unusable equipment located within the sheds.

## **7.0 FEASIBILITY TO INCREASE FARM BIRD CAPACITY**

### **7.1 LAND SIZE**

The land upon which the egg farm is located is approximately 2 ha in size. A substantial portion of the property is encumbered by a house, various sheds including those previously used for poultry farming, dams and access tracks / hardstand areas.

There is insufficient land available to establish a free range egg farm, even for 2,000 birds. At 1,500 birds per ha, the outdoor range area by itself for 2,000 birds would need to be 1.33 ha, which would be difficult to locate on the property.

There is sufficient land available on the property to physically locate sheds of sufficient size to house 45,000 birds. For a barn-laid system, this would take up approximately a quarter of the total land area of the property, but most probably would require the relocation of some existing infrastructure.

### **7.2 EXISTING INFRASTRUCTURE**

The existing unused poultry shedding on the property is in poor to very poor condition.

The eastern shed requires to be rebuilt if it is to house poultry. Even if the frame is structurally sound and could meet relevant building codes, which is questionable



given its age, it would require a new floor, new walls, new roof, new ventilation system and new equipment.

The middle sheds also require substantial rebuilding. Even if the frame is structurally sound and could meet relevant building codes, which is questionable given its age, it would require a new floor, new walls, new ventilation system and new equipment. I am not sure of the status of the roof as I was denied access to the building and could not inspect it. Given the condition of the rest of the building, it is likely that a new roof is also required.

If it was economically feasible to rebuild the existing sheds, a total floor area of about 2,650 m<sup>2</sup> would be available. This would be physically capable of housing about 29,150 hens (@ 2.7 kg) using similar equipment to that used in the existing small shed. An additional 1,140 m<sup>2</sup> of shed floor space would need to be provided to house 45,000 hens. This may be difficult to achieve on the property given the configuration of buildings and infrastructure on the property at present.

If it was economically feasible to rebuild the existing middle sheds, a total floor area of about 2,000 m<sup>2</sup> would be available. This would be physically capable of housing just over 45,000 caged hens (@ 2.7 kg) using the example I presented in Section 3.3. A conveyor system for collecting manure would most likely be required due to the limited height of the sheds. A manure pit system and three tiers of cages would most likely not fit into the building. It would be physically possible to house 45,000 hens in a caged system on the property.

There is a difference however between being able to physically rebuild the existing infrastructure to house hens and for it to be economically feasible or viable to do so.

### **7.3 NECESSARY INFRASTRUCTURE AND WORKS**

The infrastructure and works required to facilitate the expansion of the poultry farm include:

- New or rebuilt sheds to house the birds;
- An appropriate ventilation system for the sheds, probably an evaporative cooling system;
- Appropriate equipment to provide feed and water for hens;
- A suitable nesting box and egg collection system or alternatively a suitable caged system;
- Equipment to remove manure from the sheds, most likely a conveyor system;
- A mains water supply of sufficient capacity;
- 3 phase power to run the ventilation system, feeders, watering system, egg collection equipment and manure removal system, and



- A road network of an appropriate standard including appropriate intersections.

Apart from possibly the mains water, 3 phase power and road network, the other infrastructure requirements are absent from the property.

#### **7.4 LIKELY CAPITAL INVESTMENT REQUIREMENTS**

A Barn system for 45,000 birds would require more than 4,000 m<sup>2</sup> of floor area. For a new or expanded farm, it would be wise to have more space as densities are tending to reduce. If the RSPCA standards are adopted then the farm would need floor space of 6,500 m<sup>2</sup> for non-raised floors.

I don't possess specific capital costing information for egg laying farms as there is so much variation in systems and equipment.

For comparison purposes, a modern broiler farm shed with a floor area of some 2,500 m<sup>2</sup> (approximately 160 m x 16 m) costs in the order of \$750,000 to build including ventilation systems and silos.

A new barn system layer shed would be a similar building to a broiler shed. It would also require equipment including feeders, drinking system, nesting systems, egg collection system and probably a conveyor belt manure collection system.

One of my clients has recently received a number of quotes for equipment similar to that used in the existing small layer shed. This was to facilitate 25,000 birds. These quotes ranged from \$50,000 to \$75,000 depending on the manufacturer and the type of system. This equipment did not include a conveyor manure collection system. On the basis of this, to fit out a farm of 45,000 birds could be expected to cost in the range of \$90,000 to \$135,000 plus the cost of any manure collection system.

Prior to building new or rebuilding the old sheds, the existing infrastructure would need to be removed. This also has a cost associated with it.

It is not inconceivable that 2,500 m<sup>2</sup> of fully equipped barn system floor space would cost in the order of \$850,000 to \$900,000. If some 4,000+ m<sup>2</sup> of floor space is required, the cost could conceivably be in the order of \$1,400,000+.

In addition to buildings and equipment, there is the cost of land to consider. I have been advised by Mr Sassine that there has been a sale of land in the estate upon which the subject land is located for in excess of \$3,000,000. Raw land values could conceivably be in the vicinity of \$2,000,000 or more for a 2 hectare allotment.

The capital costs for someone to purchase the subject land and develop a 45,000 bird barn system egg farm would most likely be in excess of \$3.5 million.

The capital costs of establishing a 45,000 caged layer farm are likely to be somewhat similar. While less shedding is required than for a barn system and hence

there are less building costs, the nature of the equipment required to house the birds makes this component more expensive than for a barn system.

## **7.5 EXISTING AND PROPOSED SURROUNDING LAND USES**

The land surrounding the egg farm is zoned for and being used for rural living purposes. Allotments all appear to be about 2 ha in size and most contain a substantial house plus associated outbuildings and infrastructure. If it were not for the manure pile on-site, it is highly unlikely that neighbouring properties would suffer any amenity disbenefits from the current very small egg farm.

If however the bird numbers were increased substantially, the potential for detrimental impacts from odour increases. These are likely to impact on a number of sensitive receptors on neighbouring properties.

Pursuant to the Hume Planning Scheme, poultry farming, which is defined as Intensive Animal Husbandry, is prohibited in the Rural Living Zone.

If the use has existing use rights, Clause 63 of the Scheme applies, in particular, Clause 63.05 which states:

### **"63.05 Sections 2 and 3 uses**

*A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:*

- *No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.*
- *Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.*
- *The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right."*

As a consequence, any buildings or works that need to be undertaken to facilitate the increase in bird capacity of the farm will require a permit. I anticipate that this would be unlikely to be approved as such buildings and works would entrench the non-conforming use in an area currently designated for rural residential use. It would most likely to be considered contrary to the purpose of the Rural Living Zone. It would be contrary to the provision for residential use in a rural environment and the provision of agricultural land uses which do not adversely affect the amenity of surrounding land uses.

If the existing use rights for the property limit the number of birds permissible on the property, then any intensification of the use by increasing bird numbers beyond that number would have to be able to demonstrate that the amenity of the area is not



damaged or further damaged. It is unlikely that this could be demonstrated given that if the bird numbers were increased substantially, the potential for detrimental impacts from odour would also increase.

Given the existing surrounding land uses and the current zoning of the area, I am of the opinion that it is not feasible to substantially increase the capacity of the existing egg farm.

#### **7.6 AMENDMENT C154 – FEASIBILITY OF EXPANSION**

Within the Greenvale Central Precinct Structure Plan (post exhibition documentation) it is intended that an Urban Growth Zone Schedule 6 (**UGZ6**) be applied to the area around the existing poultry farm with the intention that the land be eventually used for residential purposes. If approved, the plan is likely to result in the area being urbanized in the foreseeable future.

Any planning approvals granted for buildings and works or any approvals granted for intensification of the poultry farm use (if needed) would entrench the non-conforming use in an area that the Greenvale Central Precinct Structure Plan designates for residential use.

I anticipate that such planning approvals would not be granted because:

- The consolidation of the poultry farm is contrary to the strategic intent for this location under the Greenvale Central Precinct Structure Plan. It is totally out of kilter with its strategic aims;
- Such approvals will act as a bar to residential development within the designated growth area;
- Such approvals would create uncertainty for future residential development of the area;
- The consolidation of the poultry farm is likely to throw up serious long term problems in terms of the evolution of this precinct area and its ability to reach its full planning potential;
- The area is required to provide additional residential land for the City of Hume and the broader metropolitan Melbourne;
- Such approvals would be contrary to the orderly planning and future development of the growth area, and
- There is a greater net community benefit in not allowing the poultry farm to consolidate.

If the Greenvale Central Precinct Structure Plan (post exhibition documentation) is approved, it is my opinion that it would not be feasible to substantially increase the capacity of the existing egg farm.

## **7.7 LIKELY DEMAND IN THE AREA**

Given the costs for upgrading the existing farm discussed in Section 7.4, I believe the only person who would consider increasing the capacity of the farm would be the current owners.

In my view it would not be feasible for an outside party to purchase the property and upgrade the farm to increase its carrying capacity. This is due to the substantial land cost and the inability to provide any suitable buffers around the farm to mitigate odour impacts.

Based on what I have been told about recent sales in the area, it is conceivable that the land value for the property could exceed \$2,000,000, particularly if the Greenvale Central Precinct Structure Plan is approved. Land values in Melbourne's hinterland are much less than this. For example, land values in the rural areas of Cardinia Shire such as Catani and Cora Lynn are in the order of \$20,000 to \$25,000 per hectare (\$8,000 to \$10,000 per acre). An egg farmer could purchase a 40 hectare (100 acre) property for \$800,000 to \$1,000,000 in these areas and have sufficient land available to establish suitable buffers. This is a much more attractive proposition than purchasing the existing egg farm property.

The existing owners may consider increasing the capacity of the farm given that they already own the land. However, the site is very constrained due to its small size, existing infrastructure and the existence of dwellings in very close proximity. It would become even more constrained if the Greenvale Central Precinct Structure Plan is approved. I also anticipate that it is highly unlikely that planning permission could be achieved. Given these factors, I doubt that the existing owners could rationally seek to upgrade their farm to substantially increase its capacity.

Overall, I believe that it is highly unlikely that anyone would seek to substantially increase the capacity of the Greenvale Egg Farm.

## **8.0 COMMENTARY ON SUBMISSIONS**

### **8.1 GROWTH AREA AUTHORITY**

At Section 9 – Greenvale Poultry Farm, Response No. 7 discusses the designated buffer and refers to the GAA taking *"a conservative approach with regard to the existing capacity of the egg farm and has assumed a buffer based on a capacity of 45,000 hens at the site."*

I am of the opinion that despite the possibility of the property having existing use rights for 45,000 birds, the likelihood of the farm being able to increase its capacity much beyond what it has now is very remote for the reasons discussed in the previous sections.



## **8.2 HUME CITY COUNCIL**

At paragraph 8.5, Council refers to the egg laying operation having the capacity of 5,000 birds. I disagree with this statement. To operate in accordance with the Code, the existing capacity of the farm is in the order of 2,500 to 3,000 birds depending on their size.

At paragraph 8.6, Council refers to the farm operating up until around 2007 with a capacity of approximately 45,000 birds. I question this assumption as the old single layer cages in the existing sheds and the existing shed floor area do not appear to cater for a total capacity of 45,000 birds.

## **8.3 GREENVALE POULTRY FARM**

In the 4<sup>th</sup> paragraph on page 2, Best Hooper state that the poultry farm contains approximately 5,000 laying birds. This contradicts the statement made in the GHD report that the existing operation houses 2,000 birds. It is also inconsistent with my observations and the density requirements under the Code. I estimate the capacity of the existing shed to be in the order of 2,000 to 3,000 birds depending on their size.

## **8.4 LOCAL LANDOWNERS**

The submission of Ms Julie Hasan of 45 Brendan Road, Greenvale refers to the horrid smell of chicken manure emanating from the egg farm. This is consistent with my observation of odour being generated by the manure on-site.

The joint submission from Ms Julie Hasan and Mr Haluk Hasan of 45 Brendan Road, Greenvale refers to the *"huge amount of chicken droppings are stored behind the chook shedding out in the open"*. This is consistent with my observations and also what is shown on Figure 2 of the GHD report.

The joint submission prepared by Mr Sassine and 6 other landowners includes a photograph of a pile of chicken droppings adjacent to the eastern side of the middle sheds. This is the same location where I observed a large pile of chicken manure.

## **9.0 CONCLUSIONS**

I believe the current claimed capacity of the farm at 5000 birds is overstated. To comply with the Code, the capacity of existing shed is in the order of 2,500 to 3,000 birds depending on their size.

The approximately 2,000 birds currently on the farm are emitting very little odour from the shed. It is highly unlikely that this odour would generate detrimental off-site impacts.

The poultry manure pile adjacent to the eastern side of the middle sheds is generating unpleasant odours and is the source of the past odour complaints about



the farm. Much of this manure appears to be imported from off-site poultry farms and sold from the farm.

My observations lead me to believe the stated former capacity of the farm up until about 2007 of about 45,000 birds is overstated. The old single layer cages in the existing sheds and the shed floor area do not appear to cater for a total capacity of 45,000 birds.

Given the existing surrounding land uses and the current zoning of the area, I am of the opinion that it is not feasible to substantially increase the capacity of the existing egg farm.

If the Greenvale Central Precinct Structure Plan (post exhibition documentation) is approved, it is my opinion that it would not be feasible to substantially increase the capacity of the existing egg farm.

Overall, I believe that it is highly unlikely that anyone would seek to substantially increase the capacity of the Greenvale Egg Farm.

I am of the opinion that despite the possibility of the property having existing use rights for 45,000 birds, the likelihood of the farm being able to increase its capacity much beyond what it has now is very remote.

## **APPENDIX 1 – CURRICULUM VITAE**

## CURRICULUM VITAE

**JACK HENDRIK KRAAN**  
**PRINCIPAL**

QUALIFICATIONS	Bachelor of Agricultural Science (First Class Honours) Master of Urban Planning
PROFESSIONAL AFFILIATIONS	Member Victorian Planning and Environmental Law Association Corporate Member Urban Development Institute of Australia
SPECIAL FIELDS OF COMPETENCE	Jack Kraan has extensive experience in the fields of town planning, environmental management, project management and development consulting. This experience includes statutory and strategic planning, environmental management and assessment, rural planning, resource industries planning, development feasibility, land management, authority negotiations, advocacy and expert witness representation.
EMPLOYMENT	<p>The various positions he has held are summarised below.</p> <p>1999 – Managing Director and Principal KLM Gerner Consulting Group / Focus Creative Development Solutions / Focus CDS Consultants</p> <p>1995 – 1999 Managing Director and Principal KLM Planning Consultants</p> <p>1990 – 1995 Director and Principal, Town &amp; Environmental Planning KLM Development Consultants</p> <p>1985 – 1990 Senior Planner and Deputy Manager of Planning &amp; Environment Kinhill Engineers Pty Ltd</p> <p>1979 – 1985 Planner and Assistant Senior Planner Environmental Management Section, Planning Branch Melbourne Metropolitan Board of Works</p> <p>1977 – 1979 Conservation Officer Soil Conservation Authority of Victoria</p> <p>1976 – 1977 Technical Assistant School of Agriculture and Forestry, Melbourne University</p>

## EXPERIENCE

The following is a representative sample of the projects he has been responsible for:

*Greater Shepparton City Council – Murchison East*

Provision of town planning advice regarding a planning permit application for a broiler farm at Murchison East.

*Fleurie Pty Ltd – Lang Lang*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for a sand quarrying operation at Lang Lang

*Boys from Berwick – Berwick*

Consultant advising a number of car dealerships on development issues affecting their operations in Berwick

*Burdett Sand Soil & Stone – Lang Lang*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for a sand quarrying operation at Lang Lang

*Various landowners – West Gippsland*

Provision of town planning advice for the conversion of broiler farms to egg layer farms.

*M & N Bland Pty Ltd – Foster*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for a free range chicken farm at Foster

*Dandy Pre-Mix – Grantville*

Town planner within the multi-disciplinary team providing services to obtain planning approvals for a sand quarrying operation at Lang Lang

*Nutter Motor Group - Pakenham*

Project manager and town planner for the multi-disciplinary team providing services to obtain a rezoning of land to facilitate the expansion of a car dealership at Pakenham.

*Sibelco Australia Limited – Traralgon*

Provision of town planning advice for the upgrading of an existing lime processing facility in Traralgon

*P & C Hanrahan – Stony Creek*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for a 400,000 bird broiler farm at Stony Creek

*Dandy Pre-Mix Concrete - Tyabb*

Provision of town planning advice in relation to an application to extend the operating hours of a concrete batching plant at Tyabb.

*Transpacific Industries Group - Clayton*

Provision of town planning advice a number of landfill operations in the Clayton area, including provision of expert evidence at VCAT

*Crystal Poultry - Cranbourne*

Provision of town planning advice for the redevelopment of an existing poultry processing facility at Cranbourne

*Love Pastoral Industries - Epping*

Provision of expert evidence in land compensation proceedings in the Supreme Court of Victoria in relation to road duplication and freeway projects at Epping

*Yarra Valley Quarries Pty Ltd – Woori Yallock*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for the expansion of a hard rock quarry at Woori Yallock.

*Lemic Investments Pty Ltd – Beeac*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for two 320,000 bird broiler farms at Beeac

*Davidsons Quarries Pty Ltd – Yarram*

Project manager and town planner for obtaining planning approvals for a sand and gravel quarry at Yarram

*Casacir Pty Ltd – Neerim North*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for a basalt quarry at Neerim North.

*Best Fly Pty Ltd – Mansfield*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for the expansion of a quarry at Mansfield.

*K R & G Matthews Quarries Pty Ltd – North Tyers*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for the expansion of the Boola Boola quarry at North Tyers.

*Walsh Ballarat Quarries Pty Ltd – Dunnstown*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for the expansion of a basalt quarry at Dunnstown.

*Readymix Holdings Pty Ltd - Colac*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning approvals for the expansion of the Readymix quarry at Colac.



*Kean Poultry – Huntly*

Provision of town planning advice in relation to a free range egg farm at Huntly

*TC Greensmith – Lyndhurst*

Project manager and town planner for the multi-disciplinary team providing services to obtain planning and environmental approvals for a landfill at Lyndhurst.

*Lilydale Heights Pty Ltd - Lilydale*

Project manager and town planner for a 59 lot residential subdivision at Lilydale.

*Jayco Caravans Pty Ltd – South Dandenong*

Project manager and town planner for a major integrated industrial facility at South Dandenong.

*Bellbird Rise Pty Ltd – Wandin North*

Project manager and town planner for a 7 lot residential subdivision at Wandin North.

*City of Casey – North Cranbourne Development Plan*

Provision of specialist town planning advice with respect to industrial land use buffer issues at North Cranbourne.

*Silverton Pty Ltd – Sippy Downs – Queensland*

Project manager and town planner for a mixed use, new town centre development at Sippy Downs, Queensland.

*Brookford Pty Ltd – Cranbourne East*

Project manager and town planner for a 600 lot residential subdivision at Cranbourne East.

*Boral Resources Pty Ltd – North West of Melbourne*

Project manager and town planner for a project feasibility assessment of a potential new hard rock quarry to the north west of Melbourne.

*Blue Gum Recycling Pty Ltd - Rockbank*

Provision of town planning advice for the establishment of a solid inert landfill at Rockbank

*CSR Readymix Pty Ltd – Wodonga*

Project manager and town planner for obtaining planning approvals for the expansion of the CSR Readymix sand and gravel quarry at Wodonga.

*Bendigo Mining NL – Bendigo*

Provision of town planning input into the Environment Effects Statement for the upgrade of the Central Deborah Gold mine at Bendigo.

*Yarra Valley Quarries Pty Ltd – Woori Yallock*

Project manager and town planner for obtaining planning approvals for the expansion of a hard rock quarry at Woori Yallock.

*Phillips Quarry – Castella*

Project manager and town planner for obtaining planning approvals for a new hard rock quarry at Castella.

*Love Family – Epping*

Project management, town planning and environmental services for a proposed basalt rock quarry at Epping.

*Western Recycle Pty Ltd – Brooklyn*

Project manager and town planner for obtaining planning approvals for a solid inert and low-level contaminant waste landfill at Brooklyn.

*West Gippsland Fertilisers Pty Ltd – Kooweerup*

Project manager and town planner for obtaining planning approvals for a major fertiliser blending, storage and distribution facility at Kooweerup.

*Bendigo Mining NL – Eaglehawk*

Project manager of the social, economic and land use impact assessment for an open cut and underground gold mine at Eaglehawk, Bendigo.

*Bendigo Mining NL – Kangaroo Flat*

Project manager of the social, economic and land use impact assessment for an open cut gold mine at Kangaroo Flat, Bendigo.

*Loveridge Bros Pty Ltd – Berwick*

Project manager and town planner for a shopping centre and a timber and hardware complex at Berwick.

*Buxton Group of Companies – Brooklyn*

Assessment of planning and environmental requirements for obtaining planning approvals for a hard rock quarry, recycling and waste disposal operations.

*Various Landowners – Berwick South*

Project manager for a multi-disciplinary study to prepare a local Structure Plan for land adjacent to the Ti-Tree Creek floodplain at Berwick South.

*McLeod Sands Pty Ltd – Lang Lang*

Provision of planning and environmental services for the establishment of a new sand extraction operation at Lang Lang.

*Electrolytic Zinc Company of Australasia Ltd – Risdon*

Project manager for the preparation of an Environmental Impact Statement for the expansion of the Electrolytic Zinc Plant at Risdon, Tasmania.

*Bendigo Gold Ltd – Fosterville*

Joint project manager for the preparation of an Environment Effects Statement and planning scheme amendment to facilitate development approvals for a major gold mine at Fosterville near Bendigo.

## APPENDIX 2 - INSTRUCTIONS





**gadens**  
lawyers  
melbourne

ABN 29 991 935 627

Level 25  
Bourke Place  
600 Bourke Street  
Melbourne Vic 3000  
Australia

GPO Box 48  
Melbourne Vic 3001

DX 304 Melbourne

tel +61 3 9252 2555  
fax +61 3 9252 2500

Your Ref:  
Our Ref: DRP:JPC:21213659  
Contact: Jenelle Cramer  
Direct Line: +61 3 9252 2539  
Direct Email: [jcramer@vic.gadens.com.au](mailto:jcramer@vic.gadens.com.au)  
Partner: David Passarella

21 December 2012

**BY COURIER**

Jack Kraan  
Focus Creative Development Solutions  
9-10 Garden Court  
NARRE WARREN VIC 3805

Dear Jack

**Sassine - Hume Planning Scheme Amendment C154**

We act for Sam Sassine, owner of land located at 690 Somerton Road, Greenvale (**Subject Land**), together with a number of other landowners in the vicinity of that area including:

- (a) Malek Nazligul of 670 Somerton Road, Greenvale;
- (b) Tony Sapuppo of 680 Somerton Road, Greenvale;
- (c) John Kouroulis of 700 Somerton Road, Greenvale; and
- (d) Maria Obliubek of 50 French Road, Greenvale.

**1. Background**

---

The Subject Land is adjacent to (and immediately south of) the Greenvale Poultry Farm located at 30 French Road, Greenvale (**Poultry Farm**).

The Subject Land is presently located in a Rural Living Zone and is partially subject to Public Acquisition Overlay Schedule 1 in favour of VicRoads.

The Subject Land forms part of the area affected by Hume Planning Scheme Amendment C154, which seeks to incorporate a suite of documents in relation to the Greenvale Central Precinct Structure Plan. We note that a Panel Hearing for this Planning Scheme Amendment is part heard and has been adjourned until 5 February 2013 to allow our client to make submissions and obtain expert advice.

Please find enclosed brief of materials for your review and consideration.

TO: Jack Kraan of Focus Creative Development Solutions

21 December 2012

## 2. Amendment C154

While Amendment C154 seeks to impose a suite of planning control changes, it is pertinent for you to note the following relevant considerations:

- (a) the Amendment was exhibited between 23 July 2012 and 27 August 2012;
- (b) the exhibited Amendment documentation rezones the Subject Land to Urban Growth Zone – Schedule 6; and
- (c) the exhibited Greenvale Central Precinct Structure Plan designates the Subject Land as being suitable for ‘conventional residential density’ and estimates a yield of approximately 26 dwellings across its net developable area of 1.85 hectares.

Following review of the material exhibited as part of Amendment C154, our client did not perceive a need to lodge a submission and participate in the Panel process.

Following closure of the Amendment C154 exhibition period, the Growth Areas Authority (GAA) engaged GHD to conduct an amenity buffer assessment to determine a site specific buffer distance around the Poultry Farm. Presumably this was prompted by a very late consideration of the potential land use conflict as between the farm and the proposal for residential use proximate to it. We are unaware as to what prompted the late timing of this investigation. Earlier documents appear to presume that the farm would not continue its operations.

Following the release of the GHD Report dated November 2012 (**GHD Report**) (located at Tab 7), the Growth Areas Authority made broad post exhibition changes to the documents forming the basis of Amendment C154 in November 2012, some of which impose a buffer around the Poultry Farm (please see Tabs 7 to 16 for post exhibition documentation).

Notably, the post exhibition version of Urban Growth Zone Schedule 6 (UGZ6) (Tab 15) will (if incorporated into the Planning Scheme) now require that any application for residential subdivision, use or development of land within the proposed buffer be accompanied by a risk assessment addressing the matters set out in the excerpt of proposed UGZ6 below:

**2.76 Specific provision – Land adjacent to Egg Farm, 30 French Road, Greenvale 3059**

An application for residential subdivision, use or development of land within the buffer designated on Plan 5 - Image Character and Housing in the Greenvale Central Precinct Structure Plan, relating to the adjacent land containing the Egg Farm at 30 French Road, Greenvale must be accompanied by a risk assessment prepared by a suitably experienced and qualified person. The risk assessment must acknowledge the existing poultry farm operations and assess the adverse amenity impacts of the poultry facility on the future residential use and development of the land, providing sufficient confidence of the suitability of any residential use within the buffer designated in the Greenvale Central Precinct Structure Plan.

The planning application for subdivision, use or development and the associated risk assessment must be referred to Environmental Protection Authority (EPA).

## 3. Instructions

You are instructed to:



TO: Jack Kraan of Focus Creative Development Solutions

21 December 2012

- (a) review the enclosed documents;
- (b) attend a site inspection;
- (c) assist us in understanding and analysing the GHD Report. For example:
  - (i) at paragraph 1.4.1 (at the bottom of page 2) the report indicates that the "barn shed" had been operating until 2007 with a capacity of 40,000 birds. There is then a comment at the top of page three that the "barn shed" is 10 metres wide and 25 metres in length. We are unsure as to how 40,000 birds could be accommodated in such a confined space. There is a further comment that the shed is sized to take up to 5,000 birds at any one time. Again, this would appear to point to the shed not being capable of housing 40,000 birds.
  - (ii) do you have any experience with the derated buffer assessment set out at section 4 of the report and has it or any other calculation or assessment tool been accepted by the industry as establishing an appropriate buffer distance?
- (d) prepare an expert witness statement to be filed and served which critically assesses the GHD Report (where the subject matter of that report falls within your expertise) and also sets out your expert opinions concerning the capacity of the existing infrastructure to house birds (and at what numbers). The practical capacity of the farm to accommodate birds may be a critical question for the hearing and we would like you to consider this question carefully. Further, please consider:
  - (i) the suitability and feasibility of the Poultry Farm to accommodate more than its existing 2,000 chickens, up to a maximum of 45,000 chickens, having regard to:
    - (A) the size of the land in which the Poultry Farm is situated;
    - (B) the existing infrastructure;
    - (C) any proposed infrastructure or works that would be required to facilitate the expansion;
    - (D) the likely capital investment required;
    - (E) the existing and proposed surrounding land uses;
    - (F) having regard to Amendment C154, whether expansion of the Poultry Farm's capacity would be feasible from a practical or economic perspective; and
    - (G) likely demand in the area; and
  - (ii) the matters raised (to the extent you consider these to be relevant) in:
    - (A) the GAA's submission to the Panel (located at Tab 18);
    - (B) Council's submission to the Panel (located at Tab 17);



TO: Jack Kraan of Focus Creative Development Solutions

21 December 2012

- (C) the Poultry Farm's submission to the GAA (located in Tab 20) and
- (D) submissions made by landowners in the vicinity of the Poultry Farm located at Tabs 21 to 25 inclusive); and
- (iii) any other matters you consider to be relevant including whether the existing operations of the farm and odour emissions could be better controlled or mitigated by the introduction of any measures or mitigation techniques; and
- (e) appear at the Panel Hearing in the Proceeding listed at 10:00am on 5 February 2013 at Planning Panels Victoria, located at Level 1, 8 Nicholson Street, East Melbourne. We confirm your advice that you are available to appear on this date.

We ask that you prepare your expert witness statement in accordance with Planning Panels Victoria "Guide to Expert Evidence". We enclose a copy of the guide for your information. In particular, we emphasise your paramount duty to assist the panel.

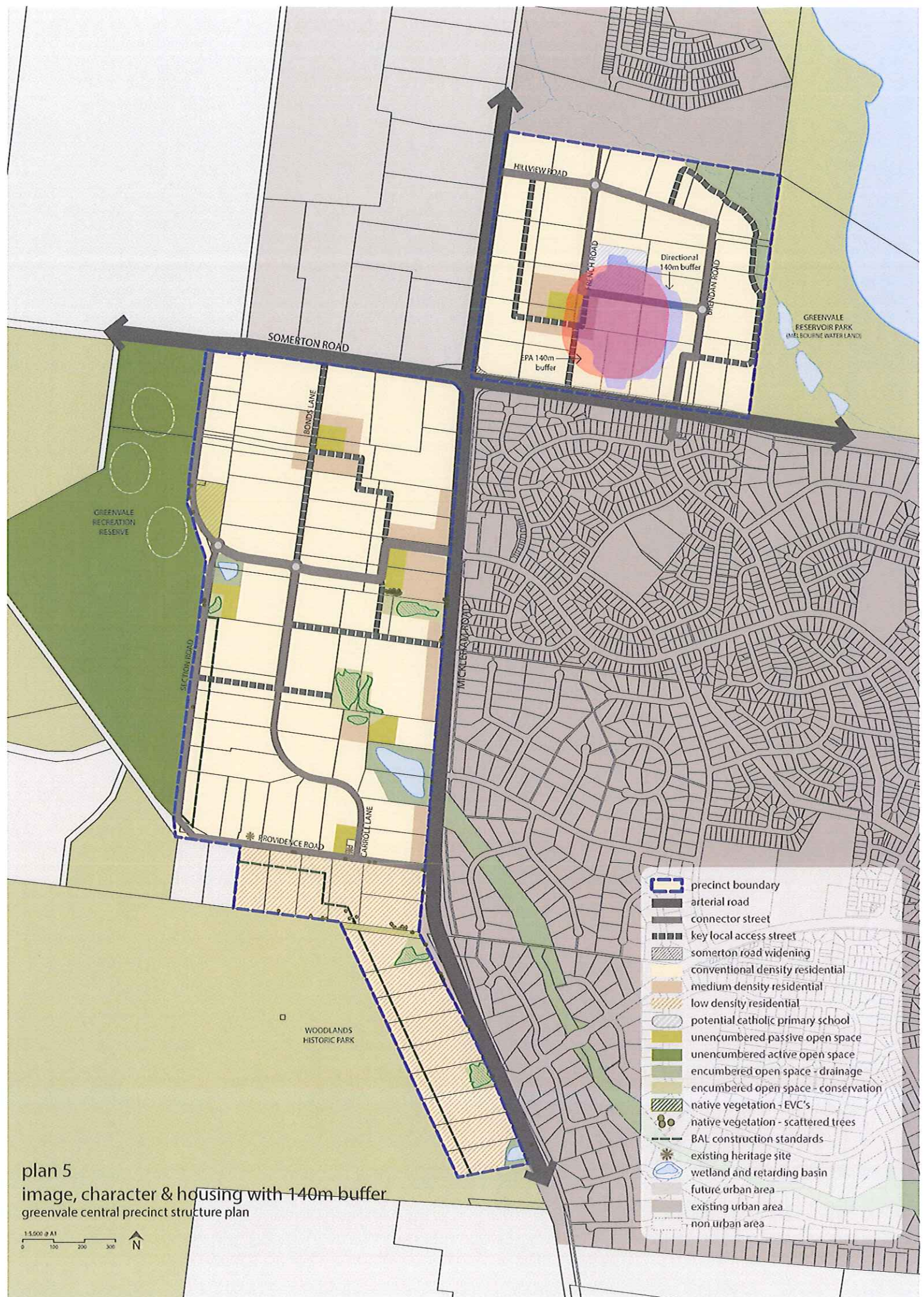
Should you have any queries please not hesitate to contact Jenelle Cramer on (03) 9252 2539 or me on (03) 9252 2521.

Yours faithfully

David Passarella  
for GADENS LAWYERS  
Encl.

## **APPENDIX 3 – PLAN 5 – IMAGE CHARACTER AND HOUSING**

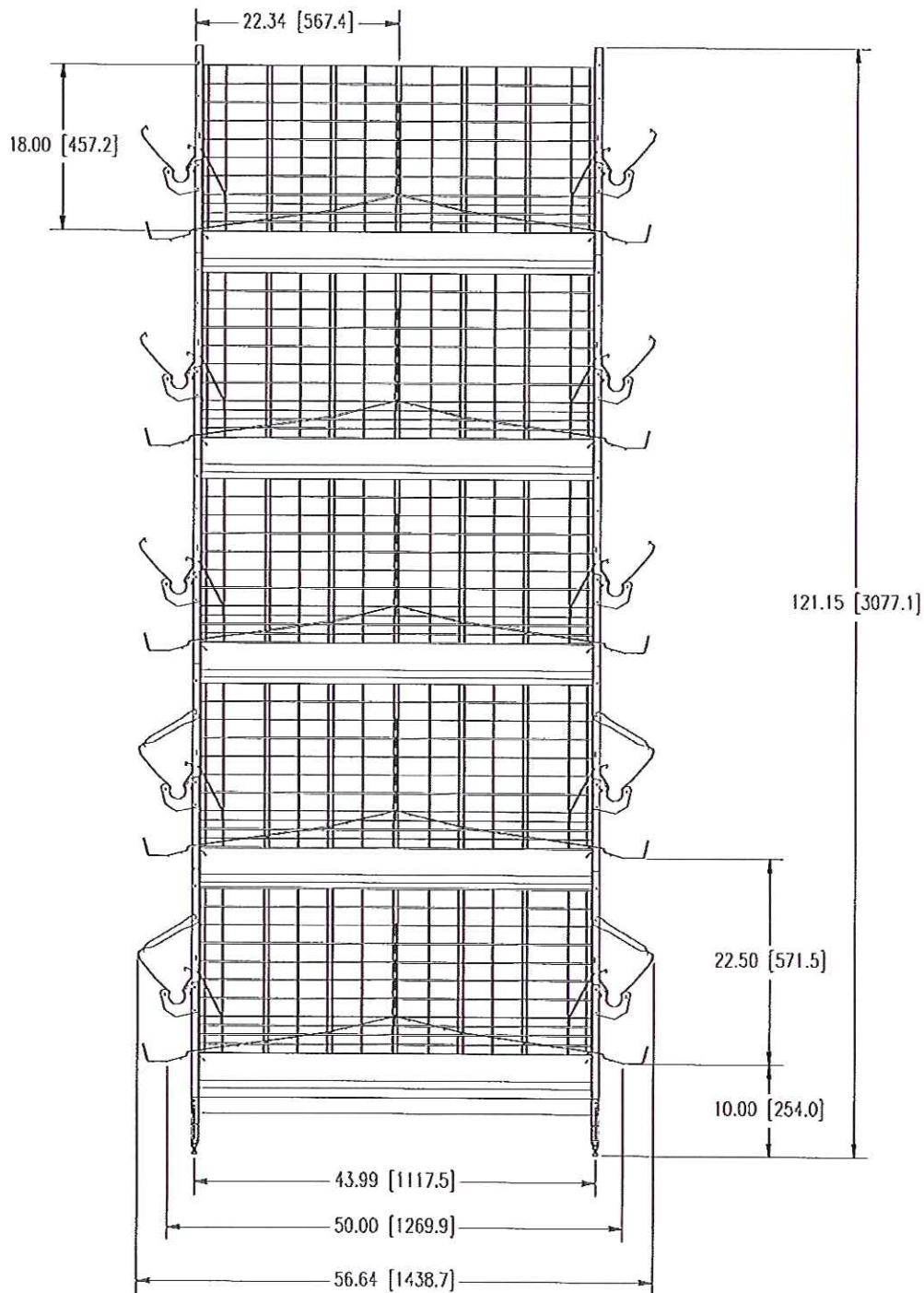






## **APPENDIX 4 – EXAMPLE OF CAGED LAYER SYSTEM**

5-HIGH PRIMA MODULAR MANURE BELT  
18" [457.2] TALL, 22.34" [567.4] DEEP CAGE



LAYER

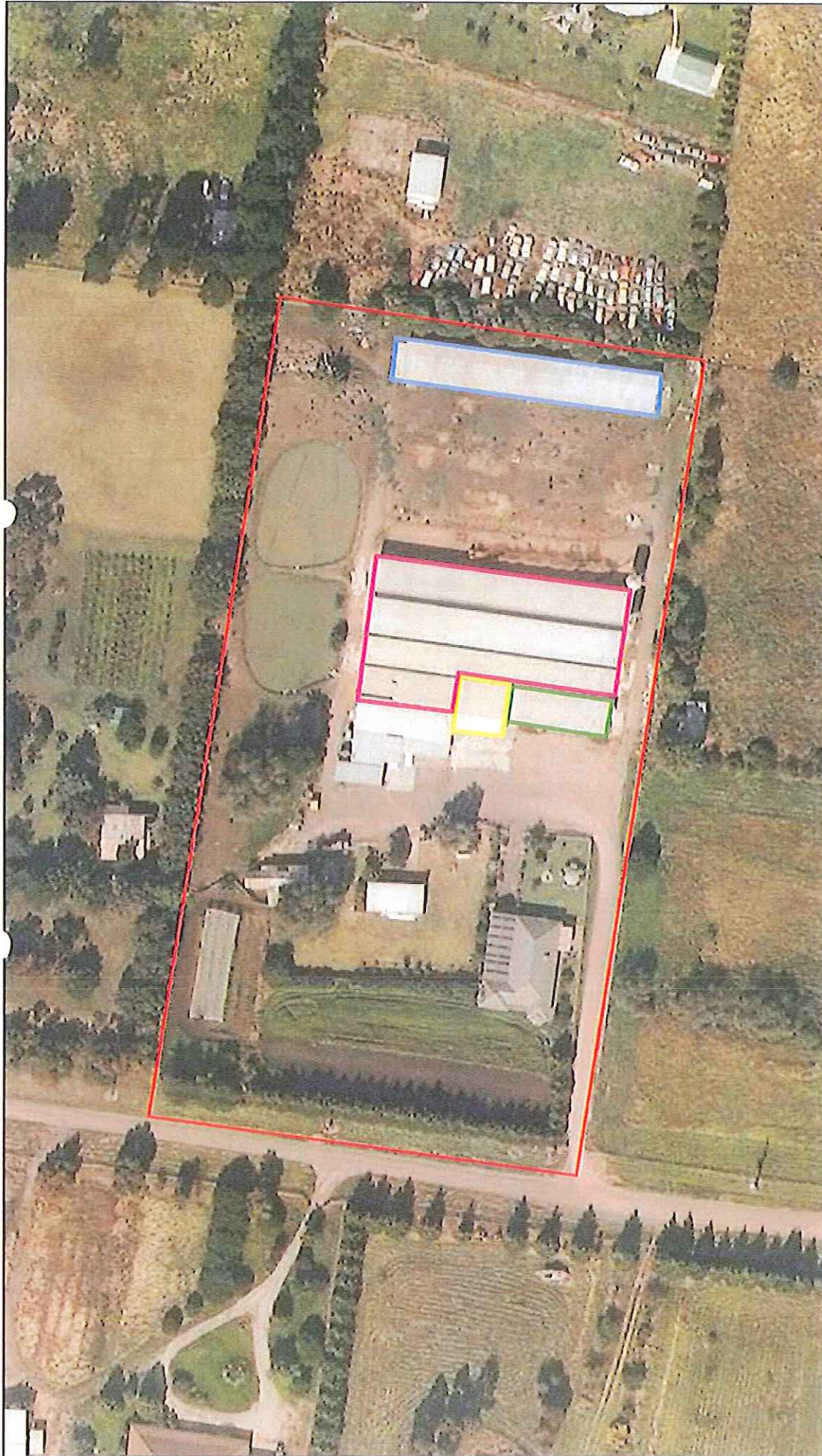
CHORE-TIME

in[mm]

This is a representative sample of a popular style. Please contact us for additional options or special designs at [egg@choretime.com](mailto:egg@choretime.com).

## **APPENDIX 5 – GHD REPORT FIGURE 2**





Job Number | 31-29654  
Revision | A  
Date | 05 NOV 2012

Growth Areas Authority  
Greenvale Poultry Farm -  
Buffer Assessment

Figure 2  
Detailed View of  
Greenvale Poultry Farm Location

87150 Lonsdale St Melbourne VIC 3000 Australia T 01 3 8637 8000 F 01 3 8637 8111 E [me@mail@gnd.com.au](mailto:me@mail@gnd.com.au) W [www.gnd.com.au](http://www.gnd.com.au)

GND and DATA CUSTODIANS cannot accept liability of any kind, in whole or in part, for any loss or damage, including consequential loss or damage, arising from the use of the product, whether in contract, tort or otherwise, for any reason.

NOTE: This image may be provided to third parties but such third parties' use of or reliance on this image is at their sole risk, as this image must not be relied on by any person other than those listed in the Report. This image originates from without the prior written consent of CHD. This image should be read in conjunction with the Report. No excerpts are taken to be representative of the findings of the Report.

**LEGEND**

	Existing Operation		Property Boundary
	Delicatessen		Defunct Caged layer Sheds
	Derelict Shed		

Scale: 1:3,333

Map Projection: Universal Transverse Mercator  
Horizontal Datum: Geocentric Datum of Australia 1984  
Grid: Map Grid of Australia, Zone 55

CHD129654\GIS\Map\Worling\3129654 Greenvale Buffers.wor  
© 2008. While CHD has taken care to ensure the accuracy of this product, CHD and DATA CUSTODIANS, make no representations or warranties about its accuracy, completeness or suitability for any particular purpose. CHD and DATA CUSTODIANS cannot accept liability of any kind, in whole or in part, for any loss or damage, including consequential loss or damage, arising from the use of the product, whether in contract, tort or otherwise, for any reason.

Data Supplied by Growth Areas Authority (GAA) - 01 November 2012. Created by: CHDve

## **APPENDIX 6 – POULTRY FARM PHOTOGRAPHS**





1 - Front corner of existing poultry shed



2 - Southern end of existing poultry shed





3 - Southern end of old middle sheds



4 - Southern end of old middle sheds





5 - Eastern side of old middle sheds



6 - Eastern side of old middle sheds





7 - Old eastern shed



8 - Old eastern shed





9 - Manure pile



10 - Manure pile showing disturbed area