



SUPPLEMENTARY AGENDA  
BRIEFING PAPERS  
FOR COUNCIL MEMBERS'  
BRIEFING SESSION

Draft Only

to be held at  
the Council Chambers (Level 1), Civic Centre,  
23 Dundobar Road, Wanneroo  
on 13 April, 2021 commencing at 6:00PM



# City of Wanneroo

## Briefing Papers for Tuesday 13 April, 2021

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# L A T E I T E M S A G E N D A

## Item 6 Late Reports

### 6.1 Council Submission on Ingham's Renewal Application to DWER for Ingham's Feedmill

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File Ref: 3378-18 – 21/141279  
Responsible Officer: Director Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 2

#### Issue

To consider a proposed submission on Ingham's Enterprises Pty Ltd's (Ingham's) licence renewal application under the *Environmental Protection Act 1986* and the *Environmental Protection Regulations 1987* for 'Animal Feed Manufacturing' at Lot 1665 (1040) Wanneroo Road, Sinagra (subject site).

#### Background

Ingham's currently leases the subject site from Stockland Development Pty Ltd who acquired the lot in 2017. The subject site is located approximately 700 metres north of the City's civic centre.

Historically, Ingham's has operated the following three processes from the subject site:

- A feedmill;
- A hatchery; and
- Chicken growing sheds.

Ingham's continues to operate the feedmill and hatchery from the site, whilst the growing sheds are still present but are no longer in use.

Ingham's application to the Department of Water and Environmental Regulation (DWER) only relates to the continued operation of the feedmill, which requires approval from DWER under the relevant environmental legislation. The use of the site as a hatchery and for the growing of chickens does not (and has never) required separate approval from DWER. This will be discussed in further detail later in the report.

#### *Planning History*

The site initially obtained planning approvals between 1973 and 1986 for a hatchery, feedmill, growing sheds and other associated structures to undertake poultry related activities. Since these approvals were granted the site has continued to undertake these activities, with the exception of the growing sheds which have not been in use in recent years. This has prevented not only the subject site but also a number of adjoining lots from being developed for urban purposes, as has been planned since the early 1990's.

In late 2000 and early 2001 the East Wanneroo Cell 2 Agreed Structure Plan No. 4 (ASP 4) was approved over the subject site and broader Sinagra area by both Council and the Western Australian Planning Commission (WAPC) respectively, as was required by the planning framework at the time. Contained within ASP 4 is an odour buffer that prevents urban infill within 500 metres of the poultry sheds on the subject site. The buffer was imposed to prevent development that may present a known impact to the amenity of future residents.

Following the changes to the planning framework, Ingham's has continued to operate with 'non-conforming use rights' on the site in accordance with Part 7 of District Planning Scheme No. 2 (DPS 2).

Since its initial approval, ASP 4 has been almost entirely developed for residential purposes in accordance with the planning framework, with the exception of the land covered by the 500 metre odour buffer. The buffer has inhibited the ability for the adjoining landowners to redevelop their landholdings for residential purposes in accordance with ASP 4.

Stockland purchased the site in 2017 and has since progressed a structure plan amendment (Amendment No. 18) to ASP 4. The purpose of this amendment is to update the planning framework in preparation of Ingham's departure from the site. Amendment No. 18 was presented to Council on 28 July 2020 and was supported, subject to minor modifications (PS02-07/20). Administration has been advised that endorsement of Amendment No. 18 by the WAPC is imminent. Following finalisation of the amendment it is understood that Stockland will continue to progress to detailed planning in preparation of submitting a subdivision application to the WAPC. These planning processes can occur whilst Ingham's continues to operate from the subject site.

Further to this, since the most recent operating license was approved in 2016, the City has progressed with a review of the Wanneroo Town Centre Activity Centre Plan No. 90 (ACP 90 or the Town Centre Plan). The development of ACP 90 was undertaken by the City to facilitate the redevelopment and revitalisation of the Wanneroo Town Centre to create a vibrant, progressive and prosperous Centre in line with the requirements of *State Planning Policy 4.2 – Activity Centres for Perth and Peel*. This includes implementing provisions to improve the public realm and encourage higher density residential development, and represents a significant investment and commitment from the City in the Town Centre and local economy.

ACP 90 was endorsed by Council on 2 July 2019 and is currently with the Department of Planning, Lands and Heritage (DPLH) for assessment. DPLH's assessment is largely advanced, however it has been placed on hold pending the outcome of a vegetation clearing permit made to the Environmental Protection Authority (EPA) by the owners of Lot 9000 Wanneroo Road ('Servite land'). The clearing permit is required to facilitate development of the land. The Servite land forms part of the northern boundary of the Town Centre directly south of Ingham's site, and is intended to be developed for residential purposes.

#### *EPA Licensing and Approvals*

Since 2004, the premise has been required to obtain an 'Animal Feed Manufacturing' (AFM) license under the *Environmental Protection Act 1986* (the Act) to operate the feedmill as a 'prescribed premises'. Prior to 2004 no licensing considerations were required under the Act based on the amount of feed being produced on site. The hatchery and growing sheds are not considered prescribed premises under the Act and therefore do not require approval from DWER to operate. As part of the initial consultation process the City objected to the AFM license, however it was subsequently granted approval in 2006 by the Department of Environmental Regulation (now DWER).

Since 2006 Ingham's has successfully renewed the AFM license on multiple occasions, firstly in 2009 and subsequently in 2012, 2015 and most recently in 2016. The City has objected to the renewal of the license on each occasion through the public consultation process.

Further to this, following a Motion on Notice (MN01-10/15) at Council's Meeting on 13 October 2015, Council resolved to authorise the Mayor and the CEO to meet with the Minister for Environment to discuss the preparation of a joint exit strategy for Ingham's. The Mayor and CEO met with the Minister on 12 April 2016, however those discussions resulted in no commitment being provided by the Minister to support the preparation of an exit strategy.

Discussions were also held between Administration and Ingham's regarding implementation of an exit strategy, however this also never eventuated. It is noted that the most recent approval granted by DWER was for 5 years, with the timeframe intended to allow for an exit strategy to be prepared and implemented for the relocation of Ingham's. As part of DWER's consultation process they have requested comment from the City on the progression of an exit strategy, which is outlined further below.

### *Ingham's Operation and Relocation*

Whilst an agreed exit strategy was never adopted for the relocation of Ingham's, in recent years they have demonstrated an intention to relocate from Sinagra. Initially, Ingham's had intended to cease all operations on the subject site by late 2021. This required relocation of the hatchery and feedmill components of their processes as they are still in operation on the site. As previously noted, the growing sheds are no longer in use, and it is understood by Administration that this is now carried out at numerous broiler (chicken) farms in alternative locations.

Approval was granted by the Metro Mid-West/Wheatbelt Joint Development Assessment Panel (JDAP) in 2019 for a hatchery facility in Muckenburra that, upon completion, would allow the Ingham's hatchery to be relocated and cease operating on the subject site. Ingham's has advised that they remain on track to cease the hatchery operations by mid-late 2021 as intended, however they cannot commit to this timeframe as they have experienced some delays as a result of Covid-19.

In addition, Ingham's intended to relocate the feedmill operations to a new purpose built facility in Muchea, which was also approved by the JDAP at a separate meeting in 2019. However, this approval was subject to a challenge to the Supreme Court by a nearby landowner from the Muchea Industrial Park. The Supreme Court subsequently ruled that the development approval was not a rural-industrial use in nature as proposed, but rather an industrial use. Therefore, the land use was classified as a 'Not Permitted' (X) use in the applicable zone (Agricultural Resource) and was not capable of being approved.

Whilst the City has long argued for the relocation of Ingham's from Sinagra, it is acknowledged that this determination through the Supreme Court has caused a delay in their plans to relocate from the subject site. It is understood that Ingham's is no longer pursuing an alternative site for the feedmill and has instead made arrangements with a third party supplier to meet the needs of their growers, which should enable Ingham's to cease its Sinagra operations by late 2022.

### **Detail**

Ingham's Enterprises Pty Ltd has submitted an application to DWER for the renewal of an Animal Feed Manufacturing license in accordance with Part V Division 3 of the Act and the *Environmental Protection Regulations 1987* to continue operating the feedmill. The Ingham's feedmill is classed as a 'prescribed premises' under the Act and therefore an operating license is required from DWER. The duration of the license will be determined by DWER and can range from 12 months to 20 years.

The application only relates to the existing feedmill operations on the subject site, which are outlined in the application as follows (summarised):

- Production of a full range of poultry and pig feeds for use in all stages of poultry and pig production;
- Feed milling by two pellet presses, which requires the grinding of grains, formulation of the batch and production of feed pellets;
- The feedmill typically operates 24 hours a day 6 days a week; and
- Storage of the feed on-site prior to loading into delivery trucks which are delivered to breeder and grower farms.

The application does not include any information regarding the relocation of the feedmill facility. Further, under Section 4 of the application the '*estimated operating period of the premise*' has been answered by the applicant as 'existing activity'. To this end, there is no reference or discussion about the imminent relocation of Ingham's operations or the proposed length of time for which the approval is being sought. If DWER is supportive of the application they will determine the timeframe for the approval.

## Consultation

On 6 April 2021, DWER wrote to the City as an interested party advising that an application had been received from Ingham's to renew their AFM license. DWER has requested comment from the City by 21 April 2021. In its correspondence to the City, it has been requested that any submission provided also include comment on the status of:

1. *Land use planning approvals for the premises and details of any changes since 2017; and*
2. *A relocation strategy for the premises and the expected timeframe for a resolution if discussions remain ongoing.*

A copy of DWER's consultation letter is included as **Attachment 1**.

A copy of Administration's response to DWER for endorsement by Council is included as **Attachment 2**.

In regards to DWER's consultation process, Administration has been advised that they will only be consulting with landowners that provided a submission on the previous AFM license renewal, and not all landowners within proximity of the subject site.

To ensure all landowners in the vicinity of Ingham's are made aware that consultation is currently being undertaken, Administration has written to all landowners within 500 metres of the subject site. This will provide nearby residents with an opportunity to comment to DWER on the proposed AFM license renewal should they wish. Information regarding the current consultation being undertaken by DWER has also been made available on the City's website. Landowners have been made aware that all enquiries and submissions related to the license renewal should be directed to DWER as the determining agency and not the City.

Following public consultation and review of the proposal, the CEO of DWER will either grant the license renewal or refuse the license renewal in accordance with section 60 of the Act.

## Comment

Administration recommends that Council does not support the application to renew Ingham's feedmill license for the following reasons:

- Since Ingham's license was most recently renewed in 2016 the planning for the Wanneroo area has been significantly advanced. This includes preparation of Draft ACP 90 for the Wanneroo Town Centre and a structure plan amendment for the subject site itself, both of which have been endorsed by Council and are currently under review by DPLH on behalf of the WAPC.
- Draft ACP 90 seeks to establish a high density, vibrant and prosperous Town Centre that will act as the focal point for businesses and the local community. The continued existence of Ingham's in proximity to the Wanneroo Town Centre is inconsistent with the objectives of the structure plan and stifles the opportunity for the plan to be implemented.
- The City has demonstrated a commitment to investing in the development of the Wanneroo Town Centre and the local economy, which included preparation and funding of draft ACP 90. This investment is being compromised by the ongoing existence of

Ingham's poultry operations. As such, further renewal of the AFM license is considered to undermine the City's commitment to developing the Town Centre, which is seen as an important driver of long term local jobs growth and economic sustainability.

- Ingham's ongoing presence within Sinagra is also inhibiting the development potential of both the subject site and nearby landowners. ASP 4 includes an 'odour buffer' that currently prohibits any development within 500 metres of the existing poultry sheds on the subject site. The redevelopment of the subject site and remaining undeveloped land affected by the odour buffer will provide important urban infill and density in close proximity to the Wanneroo Town Centre. Increasing the residential density in the area will support the Centres sustainable growth and contribute to a more vibrant and active space, as envisioned by the draft Town Centre Plan and the City's Strategic Community Plan 2017-2027.
- Quito (Benara Nurseries) own most of the vacant land within ASP 4 and have demonstrated a strong desire to develop their remaining land parcels, which are almost entirely affected by the odour buffer. This includes recently obtaining subdivision approval over most of their undeveloped land. Although subdivision approval has been obtained, new land titles for lots within the odour buffer cannot currently be created until Ingham's has permanently ceased operations. Whilst this is a matter for Benara Nurseries to address with DPLH, Administration is supportive of this land being developed in accordance with the structure plan, which cannot currently occur until Ingham's has relocated.

In addition, the development potential of the Servites land is also restricted given its proximity immediately south of the subject site. This land is within the future Wanneroo Town Centre, and while the redevelopment planning is less advanced the clearing permit currently under consideration by the EPA represents the first phase in progressing with urbanisation of the site.

Further renewal of Ingham's AFM license is therefore considered to create uncertainty as to when the planning and development of the surrounding land can progress.

- The continued operations of Ingham's and its encumbrance on the surrounding landowners is prohibiting the delivering of necessary infrastructure, such as a local road and footpath network. This is considered important infrastructure that will connect the residents of Sinagra with the Wanneroo Town Centre. Whilst the delivery of the road network will require a coordinated approach from multiple landowners, relocation of Ingham's represents the first important step in allowing this infrastructure to be advanced. Administration also considers this coordinated infrastructure planning critical to the sustainable emergence of the Wanneroo Town Centre given the improved accessibility that will be provided.
- Council has consistently maintained a view to not support the ongoing poultry operations since 2004. The operations undertaken on the site are considered to substantially reduce the amenity of local residents. This loss of amenity is directly attributed to the odours that are produced from the premise, the high volume of truck and vehicle traffic entering and exiting the site and noise in what is now a predominantly urban environment.
- The continued approval of AFM licenses poses a risk of more intensive feedmill activities being undertaken, as the approval is considered to apply to the site in its entirety. This discourages the timely relocation of Ingham's other activities, such as the hatchery and risks them being re-established on the subject site. This represents the potential for further amenity impacts on the surrounding residents and is inconsistent with the City's long held view that this type of use is incompatible with the established urban context of the Wanneroo Town Centre and Sinagra.

### Length of License

As outlined in the 'Detail' section of this report, DWER's license renewal process allows an applicant to obtain a license approval from anywhere between 12 months and 20 years.

Administration is of the view that the continued operations of Ingham's on the subject site is not appropriate for the reasons outlined above. However, if DWER are mindful to approve the license, Administration has recommended in its response (refer **Attachment 2**) that the approval be contingent on a binding exit strategy that demonstrates a defined date for Ingham's to depart the site, which should be no later than December 2022 and before this date if alternative facilities can be provided sooner. Based on Administration's understanding of Ingham's own exit strategy, they will be in a position to cease operations on the site before the end of 2022.

Therefore, any approval of the AFM license should be aligned with Ingham's own plans to exit from the premise, with any further approval considered unnecessary.

### Conclusion

The application submitted by Ingham's Enterprises Pty Ltd to renew its Animal Feed Manufacturing license under the *Environmental Protection Act 1986* and the *Environmental Protection Regulations 1987* is considered to undermine the planning and investment by the City and stakeholders within the Wanneroo Town Centre and surrounding area since 2016. This is considered to be detrimental to the amenity of the surrounding residents, the growth of the Wanneroo Town Centre and the local economy.

Therefore, for the reasons outlined in this report it is recommended that Council endorse the City's submission to DWER as outlined in **Attachment 2** to not support Ingham's AFM license renewal.

### **Statutory Compliance**

Nil

### **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“2 *Economy*

2.2 *Strategic Growth*

2.2.2 *Continue to activate the Wanneroo Town Centre”*

### **Risk Management Considerations**

<b>Risk Title</b>	<b>Risk Rating</b>
ST-S04 Integrated Infrastructure and Utility Planning	Low
<b>Accountability</b>	<b>Action Planning Option</b>
Director Planning & Sustainability and Director Assets	Manage

<b>Risk Title</b>	<b>Risk Rating</b>
ST-S20 Strategic Community Plan	Low
<b>Accountability</b>	<b>Action Planning Option</b>
Director Corporate Strategy & Performance	Manage

<b>Risk Title</b>	<b>Risk Rating</b>
ST-S23 Stakeholder Relationships	Low
<b>Accountability</b>	<b>Action Planning Option</b>
Chief Executive Officer	Manage

<b>Risk Title</b>	<b>Risk Rating</b>
CO-O22 Environmental Management	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Planning & Sustainability	Manage

The above risks relating to the issue contained within this report have been identified and considered within the City's Strategic and Corporate risk registers. Action plans are in place/have been developed to manage and mitigate this risk. Alignment with all risk appetite statements should be considered in particular, 2.2 Strategic Growth.

The City encourages a diverse range of businesses including emerging industries to establish themselves or expand in Wanneroo. The City acknowledges that undertaking industry development and growth requires ongoing capital expenditure for essential infrastructure within key strategic areas (for example, in Yanchep and Neerabup). As such, the City is prepared to accept risk subject to the City exercising prudent stewardship through disclosing financial risk and mitigation strategies, strong internal controls (such as Council policies and procedures for governance as well as administration delegations) and meeting compliance requirements. **Therefore, the City will accept a moderate level of financial risk for facilitating industry development and growth.**

### Policy Implications

If the AFM license is renewed it may impact the timely implementation of the East Wanneroo Cell 2 Agreed Structure Plan No. 4 and the Draft Wanneroo Town Centre Activity Centre Structure Plan No. 90.

### Financial Implications

Nil

### Voting Requirements

Simple Majority

### Recommendation

**That Council advises the Department of Water and Environmental Regulation that it does NOT SUPPORT Ingham's Enterprises Pty Ltd's Animal Feed Manufacturing Renewal License in accordance with the *Environmental Protection Act 1986* and the *Environmental Protection Regulations 1987* for the reasons set out in this report, and covered in the letter included as Attachment 2.**

#### Attachments:

- |   |   |           |
|---|---|-----------|
| 1  | Attachment 1: DWER Consultation Letter to the City  | 21/143400 |
| 2  | Attachment 2: Council's Response to DWER Regarding Feed Mill Licence Renewal - Lot 1665 (1040) Wanneroo Road, Sinagra | 21/144079 |



Government of Western Australia  
Department of Water and Environmental Regulation

Your ref: L8101/2004/4  
Our ref: DER938/1~1  
Enquiries: Cathie Derrington  
Phone: 08 9726 4184  
Email: [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au)

Mr Daniel Simms  
Chief Executive Officer  
City of Wanneroo

via email: [enquiries@wanneroo.wa.gov.au](mailto:enquiries@wanneroo.wa.gov.au)

Dear Mr Simms

## REFERRAL OF A LICENCE RENEWAL UNDER THE *ENVIRONMENTAL PROTECTION ACT 1986* – INVITATION TO COMMENT

The Department of Water and Environmental Regulation (DWER) has recently received an application from Ingham Enterprises Pty Ltd (Ingham's) for a licence renewal under Division 3 Part V of the *Environmental Protection Act 1986* (EP Act) for its feedmill facility at 1040 Wanneroo Road, Sinagra.

In accordance with section 54 of the EP Act, the Chief Executive Officer (CEO) of DWER considers that you may have a direct interest in the subject matter of the renewal application and invites any additional comments on the proposal.

I note the City of Wanneroo's (the City) letter dated 24 December 2020 reiterating its longstanding view against the renewal of this licence. I draw your attention to DWER's consideration of land use planning matters in its 2016/2017 review of the licence. A copy of the decision report for the review is available at <https://www.der.wa.gov.au/our-work/licences-and-works-approvals/current-licences> by searching 'L8101.'

The review had regard to the history of correspondence from the City, including its 19 August 2016 letter with an attached Council meeting agenda. The report found that "*Administration has since carried out extensive investigations into the history of planning approval over the site. The result of those investigations, which included advice from the City's Legal Team, was that the feedmill must be considered as an existing use and as such deemed compliant in terms of planning approvals.*"

DWER considered that the facility has valid planning approvals for an indefinite period, however it took into account advice that the City was in discussions with Ingham's regarding relocation of the premises. DWER granted a five-year licence duration to allow time the City to conclude ongoing discussions with Ingham's regarding a relocation strategy.

As part of any submission from the City, could you please provide comment on the status of:

1. land use planning approvals for the premises and details of any changes since 2017; and
2. a relocation strategy for the premises and the expected timeframe for resolution if discussions remain ongoing.

The CEO will, after having considered any comments received and subject to section 60 of the EP Act, either grant a licence renewal (including any specified conditions) or refuse the licence renewal.

This information and supporting documentation provided by the applicant is available online at <https://www.der.wa.gov.au/our-work/licences-and-works-approvals> under 'Assessments for public comment.'

Prime House, 8 Davidson Terrace Joondalup Western Australia 6027  
Locked Bag 10 Joondalup DC WA 6919  
Telephone: 08 6364 7000 Facsimile: 08 6364 7001  
[www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)

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Please forward any submission you may have via email to [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au) within 21 days from the date of this letter.

If you have any queries, please contact the Environmental Officer listed above.

Yours sincerely



Chris Malley  
A/Manager, Process Industries

*Officer delegated under section 20  
of the Environmental Protection Act 1986*

6 April 2021



File Ref: 3378-18 (21/143339)  
Your Ref: L8101/2004/3  
Enquiries: Mark Dickson – 9405 5000

21 April 2021

Manager Licensing (Process Industries)  
Licensing and Approvals  
Department of Water and Environmental Regulation  
Locked Bag 10  
JOONDALUP WA 6919

Dear Sir/Madam

**INGHAMS ENTERPRISES PTY LTD FEED MILL - LICENCE L8101/2004/3 - LOT 1665 (1040)  
WANNEROO ROAD, SINAGRA - LICENCE RENEWAL APPLICATION**

Thank you for your letter dated 6 April 2021 inviting the City to comment on Ingham's Enterprises Pty Ltd (Ingham's) application to renew its operating license for the purpose of 'Animal Feed Manufacturing' (AFM) under Division 3 Part V of the *Environmental Protection Act 1986* at Lot 1665 Wanneroo Road, Sinagra (subject site).

Council at its meeting of 20 April 2021 resolved to **not support** the renewal of Ingham's current license to enable continual operation of the feed mill for the following reasons.

- Since Ingham's license was most recently renewed in 2016 the planning for the Wanneroo area has been significantly advanced. This includes preparation of Draft Wanneroo Town Centre Activity Centre Plan 90 (ACP 90) for the Wanneroo Town Centre and a structure plan amendment for the subject site itself, both of which have been endorsed by Council and are currently under review by the Department of Planning, Lands and Heritage (DPLH) on behalf of the Western Australian Planning Commission (WAPC).
- Draft ACP 90 seeks to establish a high density, vibrant and prosperous Town Centre that will act as the focal point for businesses and the local community. The continued existence of Ingham's in proximity to the Wanneroo Town Centre is inconsistent with the objectives of the structure plan and stifles the opportunity for the plan to be implemented.
- The City has demonstrated a commitment to investing in the development of the Wanneroo Town Centre and the local economy, which included preparation and funding of draft ACP 90. This investment is being compromised by the ongoing existence of Ingham's poultry operations. As such, further renewal of the AFM license is considered to undermine the City's commitment to developing the Town Centre, which is seen as an important driver of long-term local jobs growth and economic sustainability.
- Ingham's ongoing presence within Sinagra is also inhibiting the development potential of both the subject site and nearby landowners. Agreed Structure Plan No. 4 (ASP 4) includes an 'odour buffer' that currently prohibits any development within 500 metres of the existing poultry sheds on the subject site. The redevelopment of the subject site and remaining undeveloped land affected by the odour buffer will provide important urban infill and density in close proximity to the Wanneroo Town Centre. Increasing the residential density in the area will support the Centres sustainable growth and contribute to a more vibrant and active space, as envisioned by the draft Town Centre Plan and the City's Strategic Community Plan 2017-2027.



- Quito (Benara Nurseries) own most of the vacant land within ASP 4 and have demonstrated a strong desire to develop their remaining land parcels, which are almost entirely affected by the odour buffer. This includes recently obtaining subdivision approval over most of their undeveloped land. Although subdivision approval has been obtained, new land titles for lots within the odour buffer cannot currently be created until Ingham's has permanently ceased operations. Whilst this is a matter for Benara Nurseries to address with DPLH, the City is supportive of this land being developed in accordance with the structure plan, which cannot currently occur until Ingham's has relocated.

In addition, the development potential of the Servites land is also restricted given its proximity immediately south of the subject site. This land is within the future Wanneroo Town Centre, and while the redevelopment planning is less advanced the clearing permit currently under consideration by the Environmental Protection Authority (EPA) represents the first phase in progressing with urbanisation of the site.

Further renewal of Ingham's AFM license is therefore considered to create uncertainty as to when the planning and development of the surrounding land can progress.

- The continued operations of Ingham's and its encumbrance on the surrounding landowners is prohibiting the delivering of necessary infrastructure, such as a local road and footpath network. This is considered important infrastructure that will connect the residents of Sinagra with the Wanneroo Town Centre. Whilst the delivery of the road network will require a coordinated approach from multiple landowners, relocation of Ingham's represents the first important step in allowing this infrastructure to be advanced. Administration also considers this coordinated infrastructure planning critical to the sustainable emergence of the Wanneroo Town Centre given the improved accessibility that will be provided.
- Council has consistently maintained a view to not support the ongoing poultry operations since 2004. The operations undertaken on the site are considered to substantially reduce the amenity of local residents. This loss of amenity is directly attributed to the odours that are produced from the premise, the high volume of truck and vehicle traffic entering and exiting the site and noise in what is now a predominantly urban environment.
- The continued approval of AFM licenses poses a risk of more intensive feedmill activities being undertaken, as the approval is considered to apply to the site in its entirety. This discourages the timely relocation of Ingham's other activities, such as the hatchery and risks them being re-established on the subject site. This represents the potential for further amenity impacts on the surrounding residents and is inconsistent with the City's long held view that this type of use is incompatible with the established urban context of the Wanneroo Town Centre and Sinagra.

Please find below a response to the two points that you have requested the City's comments for.

1. *Land use planning approvals for the premises and details of any changes since 2017*

In relation to the land use planning approvals for the premises, no further approvals have been issued by the City. However, since the most recent operating license was approved by DWER in 2016 there have been substantial changes to the planning framework, as detailed above in Council's reasons for opposing the licence renewal.



2. *A relocation strategy for the premises and the expected timeframe for resolution if discussions remain ongoing.*

In relation to the relocation strategy for the premises, the City's Mayor and CEO met with the Minister for Environment on 12 April 2016 to discuss the preparation of a joint exit strategy. Discussions were also held between City officers and Ingham's, however neither of these meetings resulted in an agreed exit strategy. It is acknowledged that more recently Ingham's has demonstrated an intention to relocate their operations from Sinagra, with an initial plan to cease operations by late 2021. However, these plans were hindered by the inability to secure a suitable alternative site for the feed mill. Notwithstanding this, if Ingham's had more proactively pursued an exit strategy and contingency plan it is the City's view that they could have successfully relocated within the intended timeframe.

It is also understood that alternative arrangements to address the feed mill component of Ingham's operations have now been established, which should enable Ingham's to cease its Sinagra operations by late 2022. Whilst this represents a positive step in the relocation of Ingham's in the short term, unfortunately this does not provide any certainty to the City that the facility will be decommissioned before the end of 2022.

To this end, if DWER are mindful to support Ingham's license renewal request it is recommended that this be conditional on a binding exit strategy that demonstrates a defined date for Ingham's to depart the site, which should be no later than December 2022.

I trust this information and the City's position will be considered by the Department in assessing the licence renewal application.

Should you require any further information, please do not hesitate to contact me on 9405 5000.

Yours sincerely

Mark Dickson  
**DIRECTOR PLANNING & SUSTAINABILITY**