



Objection to Blantyre Farms DA 2020/0005, Intensive Piggery, Eulie Submission from Animal Protectors Alliance

Dear Hilltops Councillors

The Animal Protectors Alliance submits that the Blantyre Farms Development Application (DA) 20/0005 and corresponding Environmental Impact Statement (EIS), for a large-scale intensive piggery should be unequivocally rejected.

Intensive piggeries are well demonstrated to be unconscionably cruel to animals, environmentally disastrous at many levels, and posing a very high risk to human health. In the midst of the COVID 19 pandemic, councillors might wish to remember that an earlier pandemic, Swine Flu, which is believed to have killed up to half a million people worldwide in 2009, first jumped to humans from an intensive piggery.

Recognition of the environmental issues of intensive animal agriculture are also now reaching the broad Australian community. The problems of contaminated run-off and leaching into waterways, dust, odour and noise pollution are well-established, especially among those who are forced to live near such facilities.

Additionally, the zoonotic diseases arising from crowding animals in unsanitary, unnatural and stressful conditions pose risks not only to humans, but also to other animals, including wild animals. Australian biodiversity (ie the diversity and complex interactions of animal and plant species that sustain the ecological processes upon which all life depends) is already in rapid decline as a result of land clearing and fragmentation, logging, loss and pollution of water sources, and unprecedented (climate change driven) droughts and bushfires. A few zoonotic plagues sweeping through the remnants of Australian biodiversity could be enough to wipe out what is left.

Hilltops Council (HC) is required to act impartially, and ensure that local, state and federal legislation, including the assessment of planning proposals, is correctly and consistently applied, and that the decisions made are entirely transparent to the electorate to whom the Council answers. Councillors are elected to objectively represent their community, including on matters which hold strong public interest. It is imperative that decision makers not ignore public interest matters or place the unsustainable, short-term, economic benefits of a privately owned commercial business ahead of the welfare of animals, the environment or the long-term best interests of the broad human community.

Clearly there can be no ethical or rational justification for approving any more intensive piggeries anywhere (and the sooner all the existing ones are phased out, the better for everyone on the planet). We urge the Council to reject Blantyre Farms Development Application (DA) 20/0005 in its entirety, and to encourage, instead, sustainable ventures which do not abuse animals, destroy the environment, risk local resources, or threaten the public health of both immediate neighbours and humans everywhere.



In addition to the damage even one new intensive piggery in Australia would do, if this development application were approved, there is a real risk that there could be future expansion of the submitted application. This occurred with piggeries in the Young and Lismore regions, and with the Pepe's Ducks development in Harden.

Summary of Applicants' failures to address formal requirements

The Applicants' DA and EIS content lacks key information in areas which require critical assessment, and is generally devoid of evidence to support their conclusions. The Applicants appear to rely entirely on statements of their own confidence in their proposed control measures, without any evidence to support such confidence. Essentially, they are asserting that the control measures are adequate because they say so.

Self-regulation is an inherently self-defeating way of managing animal welfare and the environment. In contrast to regulation by unambiguous and enforceable government legislation, it relies on unenforceable and unmonitored promises by industry. Abiding by even the hopelessly inadequate existing animal welfare standards prevailing in most Australian animal welfare legislation would cost pork producers money - money which is currently being gouged at the cost of animal suffering, environmental destruction, and incalculable risks to human health and economic well-being.

The Applicants have not adequately assessed and responded to all the information requirements specified in the Secretary's *Environmental Assessment Requirements* (SEARs), nor complied with all statutory planning requirements and guidelines. The Applicants have, in short, failed to adequately demonstrate how they would monitor, avoid, minimise, mitigate and manage the serious risks and impacts including cumulative impacts to animals, the environment and people.

The Applicants have failed to meet the SEARs information requirements with inadequate inclusion and assessment of disease management and biosecurity. They have failed to explain how their proposal complies with legislation in relation to operational and risk management planning. Merely referring to the Australian Pork Limited (APL) 'Introduction to APIQ', does not begin to do this.

The Application fails to cover:

- a herd health program;
- a risk management system;
- emergency euthanasia of pigs;
- infrastructure requirements;
- information around water requirements; and
- failing to demonstrate how disease contingency and biosecurity risks and impacts, including cumulative impacts, would be adequately monitored, avoided, minimised, mitigated and managed.

The NSW Department of Planning and Environment in its correspondence dated 18 October 2018, *Request for Input into Secretary's Environmental Assessment Requirements*, under Section 5,



Consultation 5.1, states that the Applicants are obliged to ensure adequate public engagement with key stakeholders, including animal rights activists. According to the Applicants' *Engagement Outcomes Report*, no attempt has been made to comply with this obligation. It is no surprise that the Applicants' responses to animal welfare considerations are disconnected, dismissive and contemptuous towards community and public views.

The Applicants have not adequately addressed or responded to the requirements under the *Protection of the Environment Operations Act 1997*, the *Water Management Act 2000* or the *National Parks and Wildlife Act 1974*. The Applicants have failed to provide adequate information and assessment of the risks and impacts surrounding waste management and reuse, soil composition and drainage. There has been no comprehensive, evidenced assessment of surface or groundwater contamination, or its risks for biodiversity, land and crops, or people.

The Applicants have also failed to satisfactorily address Section 129 of the Protection of the Environment Operations (POEO) Act 1997 which requires 'the occupier of any premises at which scheduled activities are carried on under the authority conferred by a licence must not be the cause or permit the emission of any offensive odour from the premises to which the licence applies'. The Applicants have failed to adequately respond to all the risks and impacts surrounding nutrient removal and modelling, effluent storage, environmental management controls, groundwater, noise and traffic movements.

The *Water Management Act 2000* is based on the concept of ecologically sustainable development - development today that will not damage ecological processes in a manner that threatens the ability of future generations to meet their own needs. This includes 'the sustainable health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries' which must be protected'. Under the Act, the management of water must be integrated with other natural resources such as vegetation, soils and land. It also obliges hopeful developers to engage in 'water management decisions [that] involve consideration of environmental, social, economic, cultural and heritage aspects'. Finally, 'social and economic benefits to the state will result from the sustainable and efficient use of water'. None of this has been addressed.

The development application does not adhere to the intent of local and state legislation.

The *Harden Local Environmental Plan (LEP)* is expressly designed to 'protect vulnerable groundwater resources from contamination as a result of inappropriate development'. It includes fundamental objectives regarding the protection of local ecology to 'prevent development that would have an adverse effect on the natural values of waterways in this zone', and aims to 'encourage the proper management, development and conservation of natural and human resources in Harden by protecting, enhancing, managing and conserving natural resources including, soil, water and vegetation'. The Applicants have failed to demonstrate how they will protect biodiversity situated within close proximity to the proposed piggery site, including plant and animal species listed as vulnerable or endangered in NSW and/or nationally.

The Applicants refer to the Australian Pork Limited (APL), *Introduction to APIQ*. However, the APL literature on which the Applicants rely appears to be unreliable. The APL has previously made



numerous claims about a voluntary phase out of sow stalls. After being reprimanded by the Australian Competition and Consumer Commission (ACCC) for potentially misleading and deceptive conduct, the APL was forced to admit that the industry's proposed transition 'would not result in a complete ban on the use of these cruel devices'.

Animal suffering in intensive production establishments

Pigs are social beings, highly intelligent, affectionate, and empathic to the suffering of others. They are well aware of what is being done to them, to their friends and to their babies. Subjectively, their suffering is likely to be as great as that of a human subjected to similar cruelty.

Intensive animal agriculture operates on the principle of mass production to maximise profits for a small minority, at the expense of the everyone else. It requires the commodification of sentient beings, for example pigs become 'standard pig units'. It subjects animals to life-long overcrowding in conditions which prevent them from expressing their natural behaviours. In the case of pigs, this confinement takes the form of single indoor stalls and farrowing crates, where specific provisions needed to meet the welfare of animals, such as bedding and space requirements, cannot be met. The Applicants have included plans for over 900 dry sow stalls at the proposed piggery.

Intensive farming also subjects animals to arduous, and often fatal long-distance transport to abattoirs where intelligent animals like pigs spend their last hours in terror because they can see and hear and smell what is happening to others ahead of them. Six month old pigs from the proposed facility will be transported to Melbourne for slaughter.

Intensively farmed animals are also subjected, without anaesthetic or pain relief, to the routine viciousness of industry husbandry procedures, painful practices such as pig tail docking and teeth clipping. Sick or undersize piglets are subjected to 'slamming' blunt force trauma death. These is nothing in the Application to suggest that these routine cruelties will not be practiced at the proposed development, if it is approved.

Another cruelty inherent to the intensive production of animals is the unfathomable wastage rates. Historically, the Applicants have estimated intensively farmed pig mortality in the sheds to be 8600 pigs per annum. Most of these deaths must be the result of illness and injuries that have been unobserved or ignored because of the sheer number of animals that would have to be visually inspected on a daily basis to prevent or treat them. The suffering endured by each of these 8600 pigs per year as they die of illness or injury, must be extreme.

For Council to condemn more Blantyre Farms-bred pigs to all this extreme suffering and misery would be inexcusable.

Social and community expectations of animal welfare

Over the last three to four decades, Australian animal agriculture has increasingly become industrialised and more secretive, with intensive animal factory farms erupting across the NSW landscape. The increasing secrecy is a direct result of the growing opposition of Australians to



intensive factory "farming" of animals, and strengthening demands that these cruel, abusive production ventures and practices be outlawed.

Community understanding of the ethical concerns of animal agriculture, and especially, factory "farming" are changing rapidly. The 2018 report, *Shifting Mindset on Farm Animal Welfare*, commissioned by the federal Department of Agriculture and Water Resources (DAWR) highlighted the significant change in public perceptions, expectations and concerns about how we use, exploit and 'farm' other animals. It reported that 95% of respondents viewed farmed animal welfare with concern and 91% wanted reform to address these animal welfare concerns. The report also highlighted a lack of public trust and confidence in government, including inherent conflicts of interest and the overall lack of transparency.

Even RSPCA, Australia's most conservative animal welfare organisation, is opposed to exactly the type of containment infrastructure proposed by the Applicants, and to the cruel husbandry practices mentioned above. Animal welfare, as demanded by the community and public, and as articulated by the RSPCA, recognises that animals are entitled to rights, welfare and protection under the internationally recognised '5 Freedoms'. This internationally accepted principle includes both physical and mental freedoms: physical fitness and a sense of well-being in regard to housing, husbandry practices, veterinary treatment, transport and slaughter. Hilltops Council has a moral obligation itself to act in accordance with this internationally accepted principle.

Section 79C(1)(b) of the *Environmental Planning and Assessment Act* requires Council to take into account the social impacts of a proposed development. Public interest on this topic continues to be well demonstrated with objections already lodged with Hilltops Council, with other councils assessing intensive animal agriculture planning proposals, with rural communities instigating legal action through legal appeals both in Australia and around the world opposing "a right to harm".

Increasingly wide-spread public expectations regarding the welfare of animals, and the profound and chronic distress experienced in the human community as people learn more about the realities of animal production, must be given adequate weight in any and all review and assessment processes.

Biosecurity and human and animal health

Biosecurity means ensuring that a facility poses no serious risks to or impacts on either human or animal health, including, as mentioned above, our beleaguered native wildlife. Generally, a failure of biosecurity is not a problem for the general human population until it is suddenly a huge problem.

Intensive factory facilities are places of abnormal and ongoing stress for animals. When animals are stressed, their immune systems are compromised so that they are vulnerable to disease. When animals are overcrowded, diseases spread rapidly.

Meanwhile, huge populations of animals accumulate huge quantities of faeces and urine. When animals are injured, blood is added to the cocktail. When animals die and are not found until days or weeks later (because there are far too many animals for every one of them to be thoroughly checked daily), dead bodies are added.



Currently around the world, African Swine Fever Virus (ASFV), a highly contagious disease, has ravaged many countries in Asia and Europe and has recently been detected near Australian shores in Timor-Lest and New Guinea. As there is no vaccination or cure for ASFV, many millions of pigs continue to be killed as a result. ASFV, not to be confused with Swine Flu, is haemorrhagic disease which has not (yet) mutated to become zoonotic. It is, however, a huge threat to intensively farmed pigs because of the stress, overcrowding and huge volume of biological waste to which these animals are constantly exposed.

Aside from the health risks of intensive farming to the pigs themselves, intensive animal facilities have already been identified as the epicentres of at least one zoonotic pandemic: Swine Flu. When this disease has spread to humans, it is often the industry itself which has spread it to other intensive facilities. For example, Swine Flu erupted in the NSW Hunter Valley when workers came to that property from other piggeries.

The COVID-19 pandemic, which most eminent scientists believe originated from “wet markets” (horrifically cruel places but no more cruel than factory farms) has crippled the world in 2020. This disease could have originated just as easily in the breeding grounds for the disease that are the world's industrial food systems. In addition to the human health tragedy with its mounting death toll, the economic consequences may be expected to continue to take a huge toll of human suffering for many years to come.

This is not the first animal-human pandemic and it will not be the last. The world has a long history of deadly pandemics that are, like COVID-19, Swine Flu and Bird Flu, deeply rooted in our mistreatment of animals, including the estimated 70 billion who are raised and killed for food each year around the world. Another demonstrated cause of zoonotic diseases spreading to humans is the large-scale destruction of wild animal habitat that is forcing animals out of their natural environments and into closer proximity with people and other animals. Much of this habitat destruction is being undertaken in order to clear the land to grow crops, a vast part of which are used to feed intensively produced farm animals.

Another health risk to both humans and other animals resulting from intensive animal "farming" is the use of large quantities of antibiotics to address the stressed animals' vulnerability to disease. This can result in the development of antibiotic-resistant strains of bacteria (also known as “superbugs”). Some of these bacteria can infect humans. In spite of increasing concerns being raised, the government, even with its current focus on biosecurity, has failed to investigate and satisfy public health authorities that there will not be any further cases of antibiotic resistance in the general public.

As noted above, the Applicants have estimated pig mortality rates in intensive piggeries to be 8600 pigs per annum, some of whom will, presumably, have died of bacterial or viral diseases. We understand that all these animals would be disposed of in open compost pits, exposing potentially diseased bodies to exploitation by insects, birds and rats which can carry those diseases well beyond the boundaries of the facility. Additionally, the development application and EIS submitted by Blantyre Farms proposes fertilising the property in the same way they fertilise their other piggery properties, by the spreading of pig waste (effluent and liquid) solids, and decomposed (dead) pigs.



This proposal would expose an even wider spread of potentially diseased biological material to exploitation by other animal vectors.

Environment

Biodiversity

As mentioned above, animal factory facilities exert a swag of significant deleterious pressures on the Australian environment and our ecological systems.

Contamination of soil, surface water, groundwater and air, explosions and fires, dust, stench and noise pollution, are all well documented environmental impacts of factory 'farms', and have potentially serious impacts on wild animals and plants. Weather conditions, including heavy fogs, rain and wind can exacerbate these impacts.

As mentioned above, intensive animal production facilities are incubators and epicentres of zoonotic diseases which pose an ongoing threat to native wildlife. Such diseases could reach and jump to wild animals via contaminated surface or groundwater, or from dead bodies in compost bins or spread as fertiliser.

The water catchment surrounding the site of the Applicants' proposed piggery (see *Water use and contamination* below) includes Cunningham creek. The Cunningham Weir is an important breeding habitat for species of waterbirds, including the black swan. It is also a resting, feeding and shelter area for migratory and transient bird species. Bird lists compiled prior to the 1980's include over eighty different species on a yearly listing; additional species have been sighted since. Platypus are also distributed intermittently along the length of the creek. The site is located in open woodland, native grassland and century old trees including Yellow Box, White Box and Blakely's Red Gum. All the above mentioned animal and plant species would be at risk from this development.

A 2004 study confirmed, 'continued lack of data to allow a full assessment of the shire's biodiversity status carries with it the risk that approved development proposals may result in adverse impacts on the area's native plants, animals and ecosystems'. Council should take this warning very seriously.

There have been many evidenced cases of extensive fires which have originated at intensive animal factory "farms" which have invariably resulted from infrastructure such as piggery methane ponds and bio-gas. Across NSW we have experienced significant impacts from drought-driven bushfires resulting in the loss of approximately 1.5 billion native species, and a growing lack of surface and groundwater security. The Hilltops region has not escaped these climate emergency impacts and must ensure priority is given to protecting the local environment and biodiversity from further damage.

Water and waste

The proposed piggery is in a declared groundwater vulnerability zone. The manure ponds and pig sheds would be closely situated to a sensitive creek system and an important water catchment. The



Cunningham Creek flows south to join the Jugiong Creek then the Murrumbidgee River at which is the primary source of drinking water for Harden-Murrumburrah and other communities to the west. The land surrounding the proposed piggery site is undulating with a sloping valley where run-off will flow into surface water courses. Soils are unsuitable for sealing dams; they will not prevent waste from the manure ponds water from leaching into groundwater.

The proposed piggery will generate vast volumes of contaminated water and vast volumes of pig effluent. Contaminants can include excess nutrients, pathogens, oestrogens, odorants and heavy metals, all of which can cause damage to receiving ecosystems and human consumers. When wastewater is spilt or leaks from intensive pig farming facilities, it can also cause a build-up of nitrates in local waterways. Not only does this contaminate otherwise safe drinking water, but in such large concentrations, this pollution can lead to eutrophication ('algae bloom').

The Applicants' proposal to fertilise this development property by spreading pig waste (effluent and liquid) solids, and decomposed (dead) pigs compounds the risks of contamination of surface and groundwater, natural water bodies, groundwater dependent ecosystems and ecological communities, especially when it rains.

Unsuitable soils, topography, expected quantity of waste and contaminated water, and close proximity to natural water bodies, ground and surface water dependent ecosystems, and sources of drinking water for humans, indicate that the Applicants' proposed site is entirely inappropriate for the proposed development.

Human welfare issues

We have mentioned the broad risks from intensive animal production facilities that threaten humans, farm animals and wildlife, such as bushfires (resulting from intensive 'farm' infrastructure), surface and groundwater contamination ultimately affecting human drinking water, and zoonotic diseases.

The immediate human stakeholders at the front line of these risks and impacts include a large number of neighbours, the extended Harden-Murrumburrah community, employees, Indigenous people and their cultural heritage. These people will be the first at risk from a failure of biosecurity arising from zoonotic disease, or from a bushfire resulting from an exploding concentration of methane. Other immediate impacts will include unpleasant and health-impacting dust and odours, loss of peaceful amenity, and the potential contamination of drinking water sources which may lead to serious impacts upon the health of nearby communities.

The majority of the immediate, close and surrounding neighbours to the proposed piggery site have expressed concern in respect to the loss of amenity and the significant sight lines from their homes, additional sight lines from other properties, and that the development will also be visible from public vantage points, including Jugiong Road and Bouyeo Road.

The population density surrounding the proposed piggery is intense. Odour from the proposed factory piggery will therefore impact on many local people. There are significant community amenity and environmental impacts on the local landowners, including houses on the southern edge



of Harden township. These impacts will translate into economic impacts when residents try to sell their properties.

Working in an intensive factory farm exposes individuals to obvious serious health risks. Staff who are surrounded by animal excrement, blood and dead bodies are effectively breathing in the gasses the pig sheds produce on a daily basis. Such work, however, also has emotional impacts which take a heavy toll on an individual's emotional and mental health and general wellbeing. Staff who are continually surrounded by animals demonstrating suffering, sickness and pain will be impacted. Impacts of this kind of extended exposure can range from post traumatic stress disorder to total desensitisation and dangerously violent psychopathic conditions.

In a rural area where paid work for young people is scarce, some may be forced to take work at the piggery because they have no other choice. The lifelong impacts on young people of this chronic exposure to suffering warrants intense consideration by Council.

Summary and Conclusion

In terms of numbers of individuals impacted, intensive animal factory farming is the leading cause world-wide of known and intentional animal cruelty. By its very nature, it has to be cruel, because it relies on the commodification of animals. To derive profit from intensive animal agriculture you have to be willing to sacrifice the lives and wellbeing of extraordinary numbers of sentient, sensitive individuals. If you looked after every animal in your care according to its physical and behavioural needs, you would make no money at all.

In terms of environmental impacts, extensive farming produces animal waste in quantities that natural processes can quickly render harmless, while intensive animal agriculture concentrates vast quantities of animal wastes in one small area where it may pose a significant threat to everyone, both human and non-human, in the local environment, particularly via surface water and groundwater.

Of particular concern, for both human health and biodiversity, are the immunity-suppressing stress, overcrowding, high on-site mortality rates, and high concentrations of biological waste, which are endemic to intensive animal facilities. It is these conditions which turn intensive animal production facilities into incubation chambers for a swathe of new and improved zoonotic diseases.

The risk of fire and contaminated dust, the visual and olfactory impacts on the amenity of the local community, and the psychological impact on employees, especially local youth who have few other employment options, are also serious concerns.

The Precautionary Principle' must be applied in environmental planning decision-making, and conservation of biological diversity and ecological integrity should be a fundamental consideration. The Precautionary Principle requires decision-making to give the environment the benefit of the doubt.

APA requests Hilltops Council refer a copy of our objection to the Executive Director, Infrastructure Assessments, NSW Department of Planning and Environment. We strongly urge Hilltops Council,



as consent authority, to refuse the Blantyre Farms development application for an intensive piggery, and the state government agencies required to provide General Terms of Approval to refuse to issue any licenses that would allow this proposal to proceed.

As a society, Australia cannot continue to sacrifice so much for the personal economic gain of a very few people at the expense of millions of other humans and animals. We have a clear moral and social responsibility to reduce the number of intensive piggeries, not expand them, indeed to outlaw them completely as the abominations they are. We must end intensive animal agriculture forever.

Many thanks for reading this submission, and hope that you will consider our advice very carefully.

Yours sincerely

Frankie Seymour
On behalf of the Animal Protectors Alliance

17 May 2020