



Teys Australia Beef Abattoir Modification 11

State Significant Development Modification Assessment
(DA220-07-2002-I-Mod-11)

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Glossary

Abbreviation	Definition
Applicant	Teys Australia Southern Property Pty Ltd
BSPCF	Blood separation and plasma collection facility
CEMP	Construction Environmental Management Plan
CFA	Cargill Farm Area
Council	Wagga Wagga City Council
Crown Lands	Crown Lands, DPIE
Department	Department of Planning, Industry and Environment
DPI	Department of Primary Industries, DPIE
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environment Protection Authority
EPL	Environment Protection Licence
EWMP	Effluent Wastewater Management Plan
ha	Hectare
m	Metre
Minister	Minister for Planning and Public Spaces
OEMP	Operation Environmental Management Plan
Planning Secretary	Planning Secretary of the Department of Planning, Industry and Environment
RMRP	Riverina Murray Regional Plan 2036
SEE	Statement of Environmental Effects
SSD	State Significant Development

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1 Introduction

This report provides an assessment of an application to modify the State significant development consent (SSD) for the Teys Australia (formerly Cargill) Beef Abattoir (DA 220-07-2002-i).

The modification application seeks approval for the construction and operation of a blood separation and plasma collection facility, the irrigation of additional crop species (including turf) with treated wastewater and several administrative amendments to the development consent.

The application was lodged on 13 January 2020 by Teys Australia Southern Property Pty Ltd (the Applicant), pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

1.1 Background

The Applicant operates a beef abattoir at 1 Dampier Street, Bomen in the Wagga Wagga local government area (see **Figure 1**).

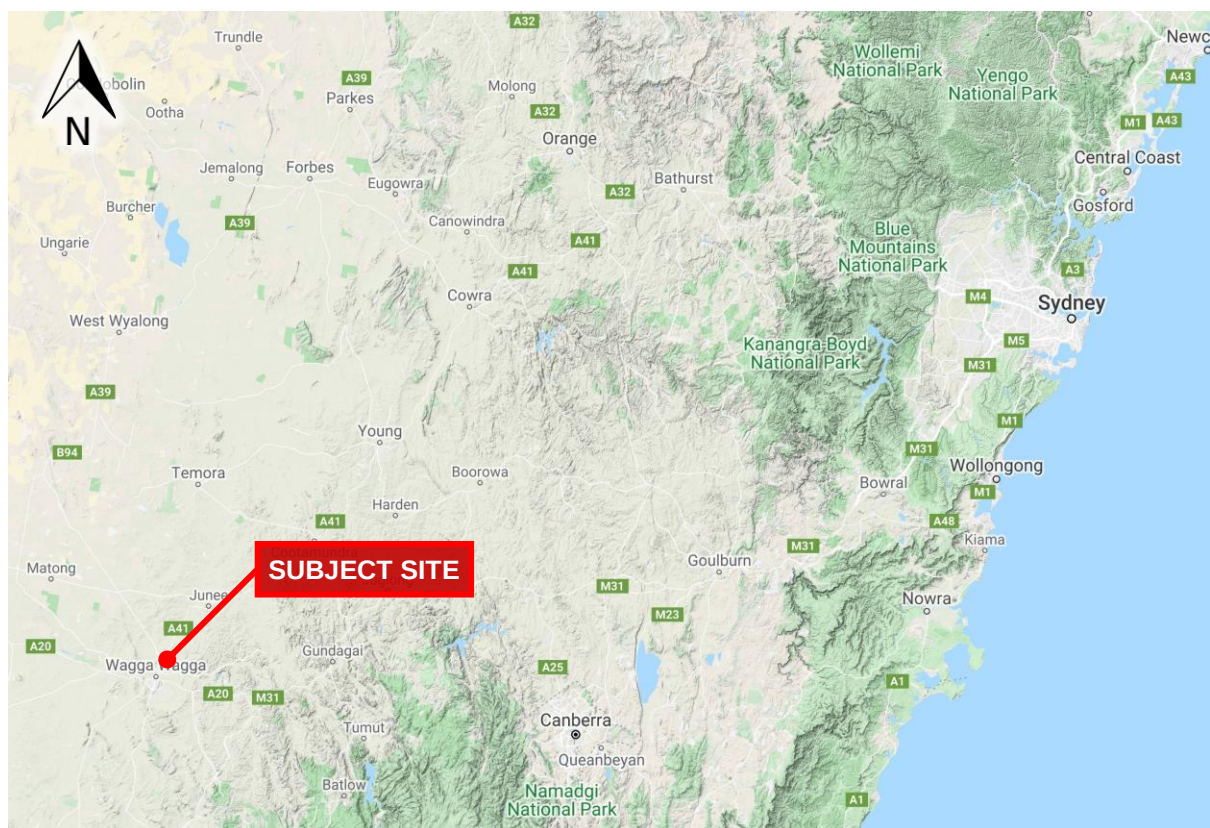


Figure 1 | Regional context

The site is irregular in shape and approximately 115.8 hectares (ha) in area. The site is bounded by Bomen Road to the north, and Dampier Street, the Main Southern railway line and rural residential properties are to the east. The city of Wagga Wagga is located approximately five kilometres to the south, while unaffiliated rural residential properties and the area of Cartwrights Hill is located to the west. Over the years, the Applicant has amalgamated the land parcels that make up the site. The

development now sits on one lot and is legally described as Lot 1 in Deposited Plan 1213252 (see Figure 2).

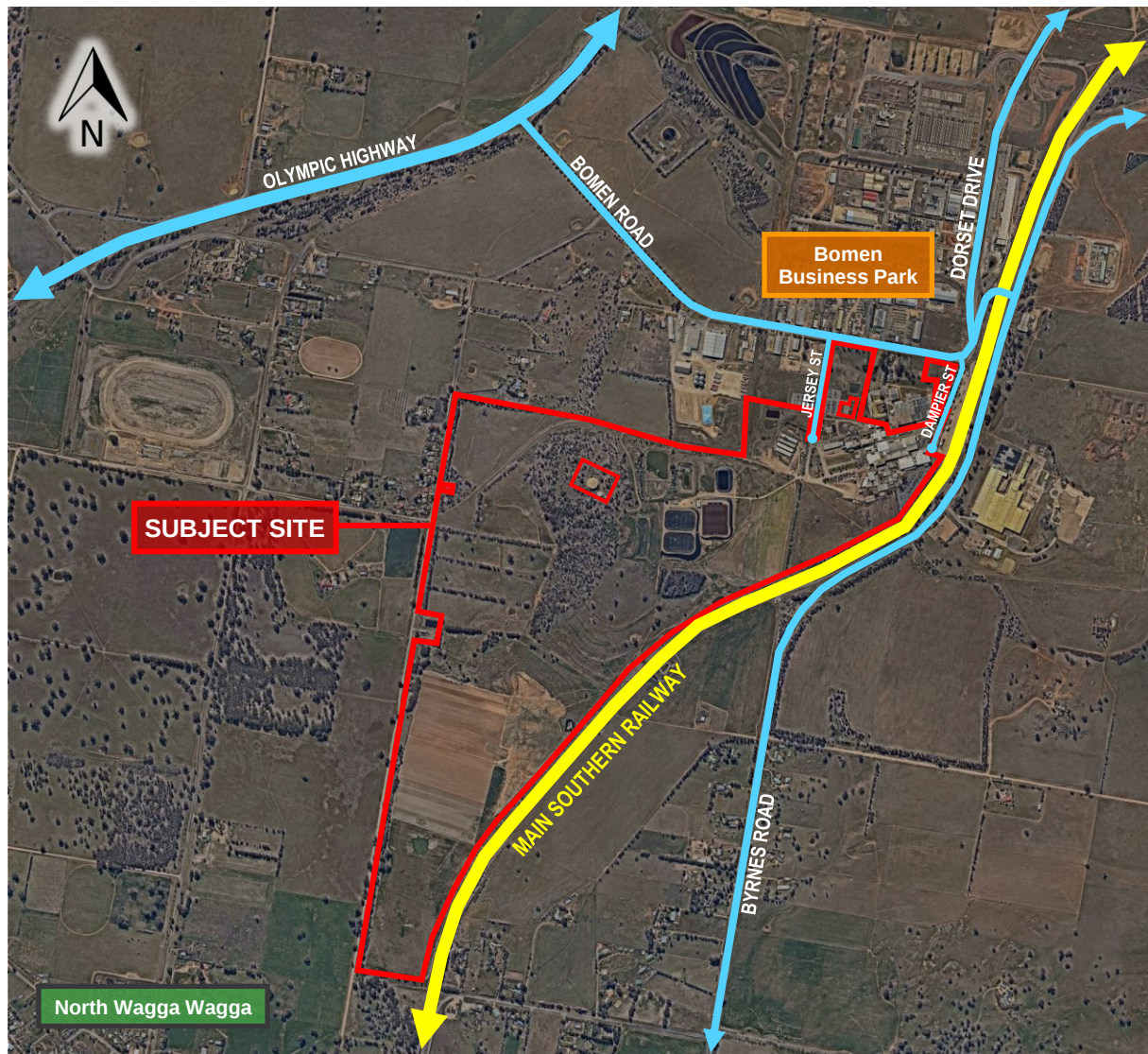


Figure 2 | Subject site

The Bomen abattoir was established in the late 1940s to process cattle into finished beef products for domestic consumption and export. The site currently operates under an SSD consent (DA 220-07-2002-i), which permits the abattoir to process up to 1,600 head of cattle per day.

Teys Australia currently operates the site. Teys Australia is a partnership between the Teys Family and Cargill Foods Australia Pty Ltd, which has owned the facility since 1991.

Surrounding land uses include industrial operations such as a waste oil refinery, bulk fuel depot and the Wagga Wagga livestock marketing centre. The nearest existing residential receiver to the abattoir itself is over 900 metres (m) to the west of the site.

The site is highly modified. The majority of abattoir-related buildings and hardstand areas are located in the north-eastern part of the site. Anaerobic wastewater treatment ponds are located to the south-west of the main abattoir complex near the centre of the site.

The remainder of the site is devoted to on-site wastewater irrigation from the abattoir across two separate areas:

- Cargill Farm Area (CFA) High, which has an area of approximately 28 ha
- CFA Low, which has an area of approximately 6.4 ha (see **Figure 3**).

The nearest residential receivers to the CFA High are located approximately 500 m to the south of the irrigation area, while the nearest residential receivers to the CFA Low (three residences) are located approximately 60 m to the east of the irrigation area, across the Main Southern railway line.

The Applicant is seeking to modify the development consent to permit the application of treated wastewater to additional crops grown in the CFA High and CFA Low irrigation areas (see **Section 2**).

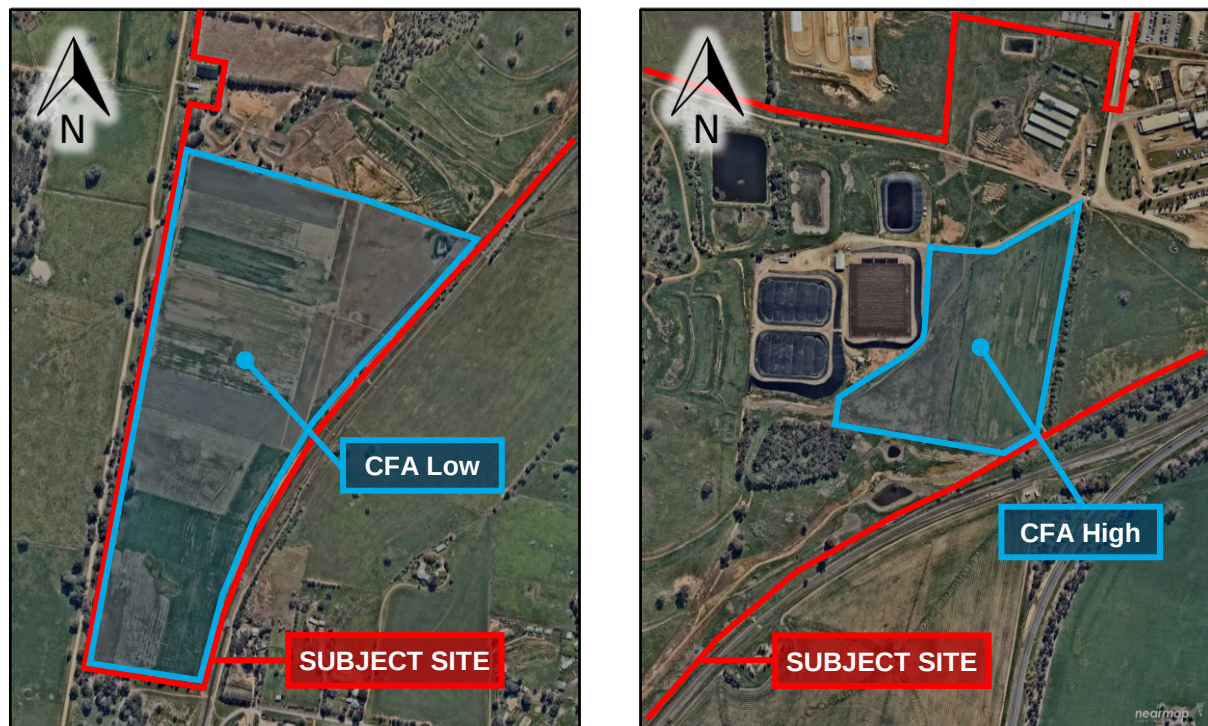


Figure 3 | Wastewater irrigation areas

1.2 Approval history

On 27 February 2003, development consent was granted by the then Minister for Planning for the upgrade and expansion of the existing Bomen Beef Abattoir (DA 220-07-2002-i). The development consent permits the following:

- reconstruction and expansion of the abattoir, including construction of a new administration and amenities building
- an increase in production capacity from 850 to 2,000 head of cattle per day (reduced to 1,600 head of cattle per day as part of DA 220-07-2002-i MOD 4)
- 24-hour operation, seven days a week
- installation of a bio-filter to minimise odour generated by the abattoir
- refurbishment and expansion of the existing wastewater treatment system
- demolition of disused buildings
- construction of access roads, car parking, a security gatehouse and associated infrastructure to service the abattoir.

DA 220-07-2002-i has been the subject of ten previous modifications. A summary of each modification is provided in **Table 1** below.

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Date
MOD-61-1-2003-i (MOD 1)	The modification permitted amendments to the layout of the approved abattoir upgrade.	3 November 2003
MOD-4-1-2004-i (MOD 2)	The modification amended requirements relating to on-site soil remediation.	31 March 2004
MOD 3	The modification permitted the construction and operation of a covered wastewater treatment system.	29 June 2009
MOD 4	The modification permitted amendments to the approved wastewater treatment system, and an associated reduction in the production capacity of the abattoir from 2,000 to 1,600 head of cattle per day.	2 August 2010
MOD 5	The modification permitted the expansion of the approved effluent irrigation area to the south of the site, onto land known as the Cargill Low area.	28 September 2011
MOD 6	The modification permitted the refurbishment and expansion of the existing cold store building, relocation of the battery charge building, and construction of a new loading dock, gatehouse, vehicular access point and stormwater drainage system.	7 July 2015
MOD 7	The modification permitted the construction and operation of a new bio-filter, and the subsequent demolition of the existing rendering plant bio-filter.	13 January 2016
MOD 8	The modification permitted the expansion of the cattle stockyards, and the construction of an awning over the carton storage area.	11 October 2016
MOD 9	The modification permitted the construction of an awning over the existing annex of the meat chiller facility.	12 January 2017
MOD 10	The modification permitted minor alterations and additions to the approved Auto Sortation and Retrieval System building.	23 October 2018

2 Proposed modification

On 13 January 2020, the Applicant lodged a modification application under section 4.55(1A) of the EP&A Act to modify development consent DA 220-07-2002-i. The modification is described in full in the Statement of Environmental Effects (SEE) included in **Appendix B** and is illustrated in **Figure 4** to **Figure 6** below.

The modification application proposes the following:

- construction and operation of a blood separation and plasma collection facility
- application of treated wastewater to additional crop species, including turf
- administrative amendments to the development consent.

The changes proposed under the subject modification are described in further detail below.

2.1 Blood separation and plasma collection facility

Currently, blood drained from each carcass is sent from the beef processing area to the on-site rendering plant, where it is processed into blood meal. The Applicant is seeking to construct and operate a blood separation and plasma collection facility (BSPCF), which would be located adjacent to the abattoir's beef processing area (see **Figure 4** and **Figure 5**).

The BSPCF would divert blood from the beef processing area and separate it into plasma and haemoglobin. Plasma would then be stored under temperature-controlled conditions for collection and further processing by a third party, while haemoglobin would be delivered back to the on-site rendering plant for processing into blood meal (see **Figure 6**). Plasma produced at the abattoir would be used as a high-protein binding agent for pet food.

Construction of the BSPCF would be managed in accordance with the development's existing Construction Environmental Management Plan (CEMP) and occur over a period of three months. The Applicant has advised the BSPCF is required to improve the efficiency of the existing blood processing system, and to create a new revenue stream from the development's bovine blood.

2.2 Wastewater irrigation

Under the development consent (as modified), the Applicant is permitted to irrigate treated wastewater to lucerne crops in the CFA High and CFA Low irrigation areas (see **Figure 3**). Historically, these crops have been used to supplement the Applicant's feed requirements.

As part of the proposed modification, the Applicant is seeking to irrigate treated wastewater to other crops, including turf varieties such as Buffalo, Kikuyu and TifTurf, grown in the CFA High and CFA Low irrigation areas. Turf grown in the irrigation areas would be farmed and sold for commercial and domestic use. Wastewater irrigation would continue to be managed in accordance with the development's Effluent Wastewater Management Plan (EWMP) and the Operation Environmental Management Plan (OEMP).

The Applicant has advised the turf varieties proposed to be grown at the site would achieve similar nutrient removal rates to that of lucerne (see **Table 2**) and would allow for the creation of a new revenue stream from turf farming.

Table 2 | Comparison of lucerne and Kikuyu, from *Use of Effluent by Irrigation* (EPA, 2004)

Crop	Lucerne	Kikuyu
Average Crop Yield (tonnes/ha dry matter)	20	20
Nitrogen %	3.5	2.6
Nitrogen removal (tonnes/ha/year)	70	52
Phosphorus %	0.4	0.3
Phosphorus removal (tonnes/ha/year)	8	6

2.3 Administrative amendments

The Applicant is also seeking to update several conditions which have been superseded by the site's existing Environment Protection Licence (EPL), and to allow for the development's Independent Audit to be undertaken by an internal team. The proposed changes include:

- Condition 5.6(d) – Update to only require that the Environment Protection Authority (EPA) be immediately notified when an odour complaint is received, and not the Planning Secretary
- Condition 6.1 – Remove, as on-going odour monitoring was previously removed from the development's EPL on 1 November 2013
- Condition 6.8 – Update to require that an internal environmental audit be conducted every three years, rather than an Independent Audit.



Figure 4 | Location of the proposed BSPCF

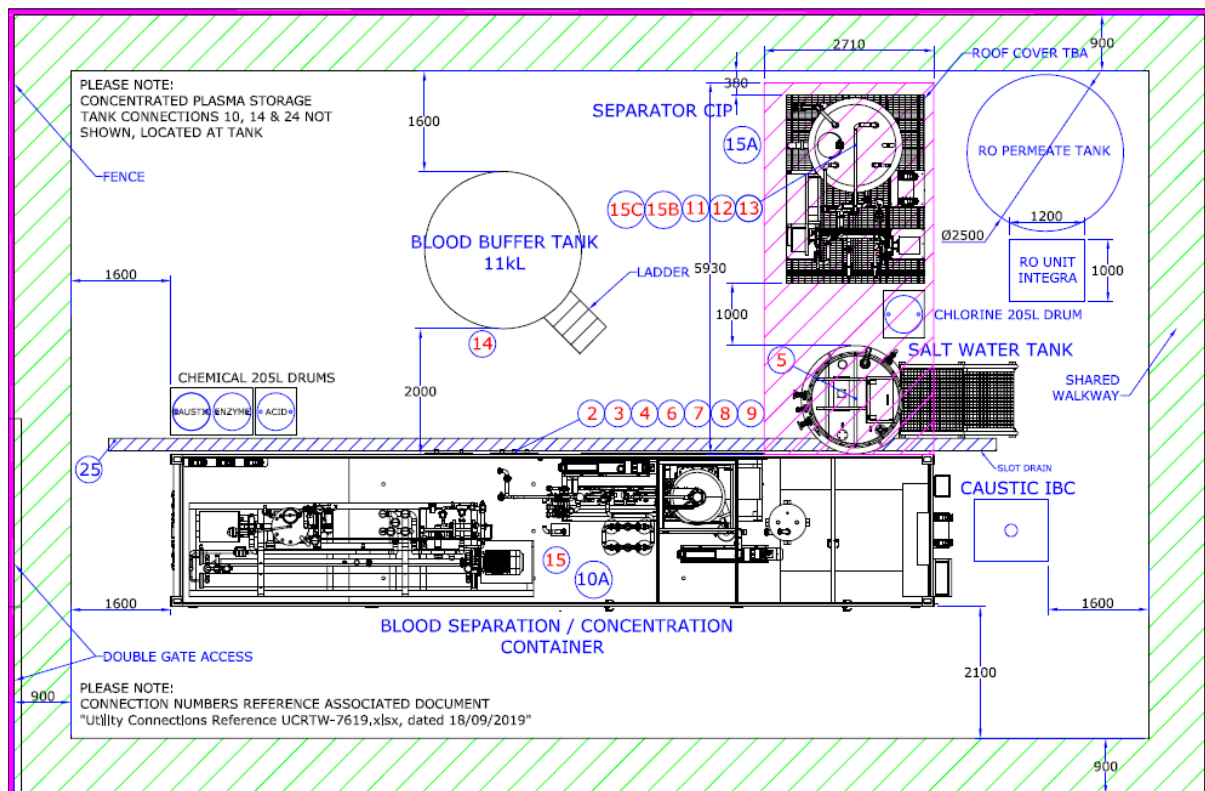


Figure 5 | Overview of the BSPCF

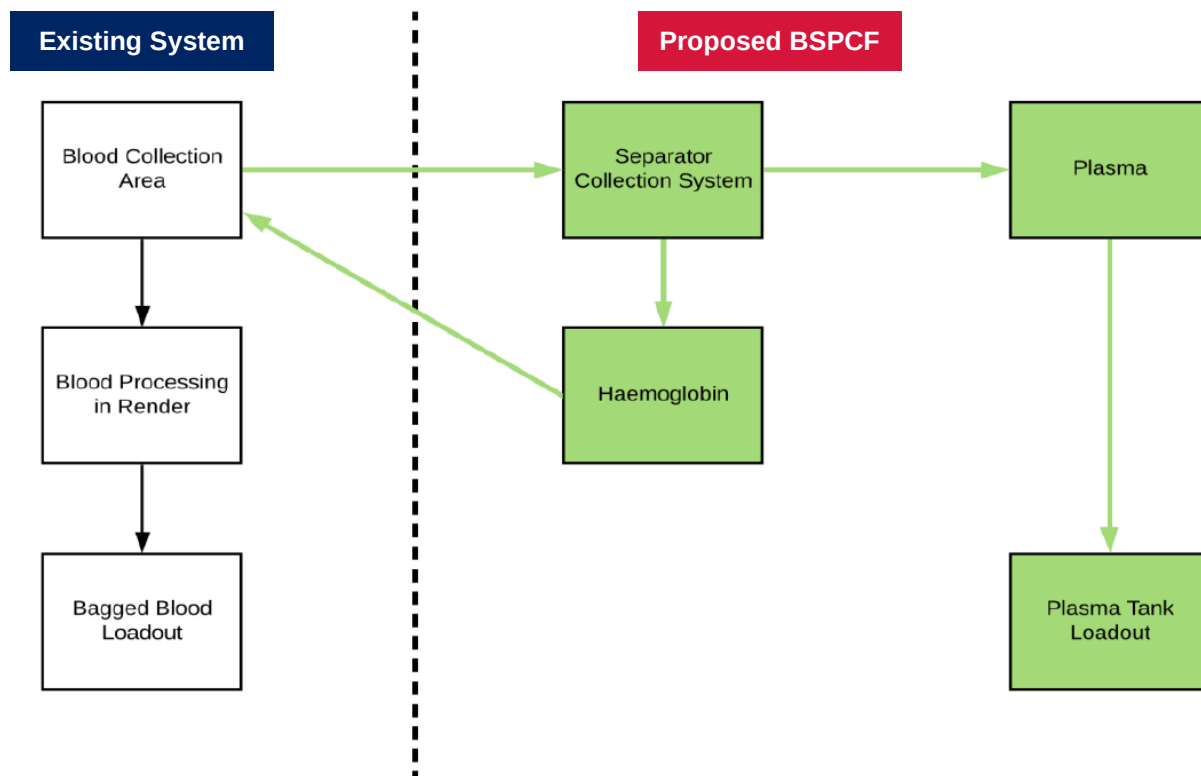


Figure 6 | Proposed blood separation process

3 Strategic context

3.1 Riverina Murray Regional Plan 2036

The subject site is located in the Riverina Murray region, which is supported by the Riverina Murray Regional Plan 2036 (the RMRP). The RMRP sets out the NSW Government's 20-year blueprint for the future of the Riverina Murray and establishes a framework for guiding land use planning priorities and decisions throughout the region.

The NSW Government's vision for the Riverina Murray is to create a diversified economy founded on Australia's food bowl, iconic waterways and a strong network of vibrant and connected communities.

The proposed modification would continue to support the directions and objectives of the RMRP by:

- providing a new revenue stream for bovine blood, which would improve the operational efficiency and viability of the development (see Direction 3)
- allowing the Applicant to reuse treated wastewater generated at the site in a sustainable manner (see Action 4.1)
- supporting ongoing investment in, and development of, the Bomen Business Park (see Direction 4).

4 Statutory context

4.1 Scope of modifications

The Department of Planning, Industry and Environment (the Department) has reviewed the scope of the modification application and is satisfied that the proposed modification would result in minimal environmental impacts, and relates to substantially the same development as the original development consent (as last modified under former section 75W of the EP&A Act) on the basis that:

- the primary function and purpose of the approved development would not change as a result of the proposed modification
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act
- the approved cattle processing capacity of the development would remain unchanged as a result of the proposed modification
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of consent.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

4.2 Consent authority

The Minister for Planning and Public Spaces (the Minister) is the consent authority for the application under section 4.5(a) of the EP&A Act.

However, under the Minister's delegation dated 9 March 2020, the Director, Industry Assessments, may determine the application under delegation as:

- the application has not been referred to the Independent Planning Commission prior to the date of the delegation and
- a political disclosure statement has not been made and
- there are no public submissions in the nature of objections.

5 Engagement

Under the Environmental Planning and Assessment Regulation 2000, there is no requirement for section 4.55(1A) modifications to be publicly exhibited. In addition, the Department's Community Participation Plan notes that the exhibition requirements for section 4.55(1A) modifications are discretionary, and based on the urgency, scale and nature of the proposal.

Given the proposed modification would result in minimal environmental impacts and relates to substantially the same development as the original development consent (see **Section 4.1**), the application was not publicly exhibited.

However, the application was made publicly available on the Department's website and was referred to Wagga Wagga City Council (Council), the EPA, the Department of Primary Industries (DPI) and the Crown Lands Division for comment.

Council did not object to the modification, noting the proposal is consistent with the relevant strategic documents which support the Bomen Business Park and would continue to promote the diversification of the local economy.

The **EPA** did not object to the modification, noting the amendments would not require a variation to the development's existing EPL.

DPI did not object to the modification and advised it had no specific comments.

The **Crown Lands Division** advised Jersey Street is a Crown public road which should be transferred to Council as the relevant road authority. The Department notes this matter falls outside the scope of the subject modification application.

6 Assessment

The Department has assessed the merits of the proposed modification. During this assessment, the Department has considered the:

- SEE provided to support the proposed modification (see **Appendix B**)
- assessment report for the original development application and subsequent modification applications
- existing conditions of consent (as modified)
- submissions received from Council and the relevant public authorities (see **Appendix B**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

As the modification is primarily minor in nature and does not seek to change the production capacity of the site, the original studies assessed as part of the original development application and subsequent modifications are considered to remain valid for this modification.

The Department's assessment of the modification application is provided in **Table 3** below.

Table 3 | Assessment of Issues

Assessment	Recommendation
Blood separation and plasma collection facility	
The Applicant is seeking to construct and operate a blood separation and plasma collection facility (BSPCF), which would divert blood from the beef processing area and separate it into plasma and haemoglobin. The modification has the potential to impact upon surrounding sensitive receivers during construction works, which would occur over a period of three months. The Department notes construction impacts associated with the development were assessed as part of the original development application and subsequent modifications, which concluded such impacts could be appropriately managed through the existing conditions of consent and the development's CEMP. Council and the EPA did not raise any concerns in relation to the construction of the BSPCF. The Department considers the construction impacts of the proposed modification would be negligible, given the site is located within an established industrial precinct and the location of the BSPCF would be screened from surrounding sensitive receivers by existing buildings and vegetation.	No additional conditions are required.

Assessment	Recommendation
The Department's assessment concludes the potential environmental impacts associated with the construction of the BSPCF are negligible and can be appropriately managed through both the existing conditions of consent and the development's CEMP.	
Wastewater irrigation As part of the proposed modification, the Applicant is seeking to irrigate treated wastewater to other crops, including turf varieties such as Buffalo, Kikuyu and TifTurf, grown in the CFA High and CFA Low irrigation areas. Farming of any turf grown in the irrigation areas would be subject to separate development consent through Council. In its assessment of the modification, the Applicant noted that the turf varieties proposed to be grown at the site would achieve similar nutrient removal rates to that of Lucerne. In addition, the Applicant advised it would continue to undertake regular monitoring of soil and groundwater conditions (in accordance with the development's EPL) to ensure irrigation activities are sustainable and have a negligible impact upon the soil's nutrient balance. In its submission, the EPA did not raise any concerns in relation to wastewater irrigation and noted the modification would not require a variation to the development's EPL. The Department considers the irrigation of treated wastewater to crops other than lucerne would not result in any additional environmental impacts beyond those previously assessed as part of original development application and MOD 5. Effluent irrigation would continue to be undertaken in accordance with the development's EWMP and the existing EPL. The Department's assessment concludes the potential soil and water impacts of the proposed modification are acceptable and can continue to be managed in a sustainable manner. The Department has subsequently recommended the development's EWMP be updated to incorporate MOD 11.	Condition 5.14 is to be updated to ensure effluent irrigation is undertaken in accordance with the original development application, as modified by MOD 5 and MOD 11. New conditions 7.4(c) and 7.4(d) are to be inserted, requiring the Applicant update the development's EWMP to incorporate MOD 11.

Assessment	Recommendation
Administrative amendments	
<u>Notification Requirements</u> The Applicant has requested that Condition 5.6(d) be updated to only require that the EPA be immediately notified when an odour complaint is received, and not the Planning Secretary. The Planning Secretary would continue to be informed of odour complaints through the development's Annual Environmental Management Report. In its submission, the EPA did not raise any concerns in relation to the proposed amendments. The Department is satisfied the amendment is minor in nature and would ensure the appropriate regulatory body continues to be notified immediately of any odour complaints. Accordingly, the Department has recommended Condition 5.6(d) be updated to remove any reference to the Planning Secretary. <u>Monitoring Requirements</u> The Applicant has requested that Condition 6.1 be removed, as ongoing odour monitoring was previously removed from the development's EPL. Following upgrades to the rendering plant and wastewater treatment system, the Applicant has demonstrated ongoing compliance with the development's odour criteria at the nearest sensitive receiver. In its submission, the EPA did not raise any concerns in relation to the proposed amendments. The Department notes that conditions 6.2 to 6.4 have also been superseded or updated within the development's EPL. The Department has subsequently worked with the EPA and the Applicant, and recommended conditions 6.1 to 6.4 be updated to ensure the development complies with any monitoring requirements specified in the development's EPL. The Department's assessment concludes the amendments are minor in nature and would ensure the development continues to comply with its regulatory obligations.	Condition 5.6(d) is to be updated to ensure only the EPA is notified in the event that offensive odour is generated on site. Conditions 6.1 to 6.4 are to be updated to ensure the development complies with any monitoring requirements specified in the EPL applicable to the site.

Assessment	Recommendation
<u>Independent Audit</u> The Applicant has requested that Condition 6.8 be updated to require that an internal environmental audit be conducted every three years, rather than an Independent Audit. The Applicant has requested this amendment on the basis that the development has achieved a high level of compliance over the past nine years, and believes that an internal audit would provide the same value as an Independent Audit. However, the Department notes that independent audits are a standard requirement for SSD projects, providing an independent and objective assessment of the environmental performance and compliance status of a project. Accordingly, the Department does not support the amendments proposed by the Applicant. Notwithstanding the above, the Department has worked with the Applicant to align the wording of conditions 6.8 and 6.9 with the Department's current wording for independent audits. The Independent Audit would need to be carried out in accordance with the Department's <i>Independent Audit Post Approval Requirements</i> (DPE, 2018) guideline. The Department has also recommended new conditions 6.10 and 6.11 to ensure the development's Hazard Audit and Independent Audit are undertaken separately. The Department's assessment concludes the recommended amendments would provide greater flexibility to the Applicant, while ensuring the environmental performance and compliance status of the development remains open and transparent.	Conditions 6.8 and 6.9 are to be updated to align with the Department's <i>Independent Audit Post Approval Requirements</i> (DPE, 2018) guideline. Conditions 6.10 and 6.11 are to be updated to align with the Department's standard wording for Hazard Audit conditions.

7 Evaluation

The Department has assessed the proposed modification and SEE, and considered the submissions provided by Council and the relevant public authorities. The Department has also considered the objectives and the relevant considerations under section 4.55 of the EP&A Act. The Department considers the proposed modification is appropriate on the basis that:

- the BSPCF would create a new revenue stream from the development's bovine blood, and provide additional contingency in the event of a failure within the existing blood processing system
- wastewater irrigation at the site would continue to be undertaken in a sustainable manner
- it would continue to ensure the environmental performance and compliance status of the development remains open and transparent
- it would not result in any additional environmental impacts beyond those assessed under the original development application.

Consequently, the Department is satisfied that the modification should be approved, subject to the recommended modifying conditions of consent.

8 Recommendation

It is recommended that the Director, Industry Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application DA220-07-2002-I-Mod-11 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modify** the consent DA 220-07-2002-i
- **signs** the attached modifying instrument (**Appendix C**).

Recommended by:



16 April 2020

Patrick Copas

Environmental Assessment Officer
Industry Assessments

Recommended by:



16 April 2020

Joanna Bakopanos

Team Leader
Industry Assessments

9 Determination

The recommendation is **adopted** by:



22 April 2020

Chris Ritchie

Director

Industry Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of referenced documents

The Department has relied upon the following key documents during its assessment of the modification:

Modification Application

- Section 4.55(1A) modification (Modification 11) to DA 220-07-2002-i, prepared by Teys Australia Pty Ltd, dated 12 November 2019 and all attachments.

Submissions

- submissions received from Council and the relevant public authorities.

Strategic Documents

- Riverina Murray Regional Plan 2036, prepared by the Department of Planning and Environment, dated July 2017.

Statutory Documents

- relevant environmental planning instruments, policies and guidelines
- relevant requirements of the EP&A Act.

Other Documents

- Environmental Impact Statement – Bomen Abattoir Expansion Proposal, prepared by HLA Envirosciences Pty Limited, dated 25 June 2002
- State Significant Development Assessment: Proposal by Cargill Foods Australia Ltd to upgrade and expand the Bomen Abattoir, Wagga Wagga, DA 220-07-2002-i, prepared by the Department of Planning, dated February 2003
- Section 75W modification (Modification 5) to DA 220-07-2002-i, prepared by Cargill Beef Australia, dated May 2011 and all attachments
- Section 75W Modification Assessment: Low Irrigation Area, Cargill Beef Abattoir, Bomen, DA 220-07-2002-i MOD 5, prepared by the Department of Planning and Infrastructure, dated 28 September 2011
- existing conditions of consent in DA 220-07-2002-i (as modified).

Appendix B – Relevant supporting information

The relevant supporting information for the subject modification may be found on the Department's website at: <https://www.planningportal.nsw.gov.au/major-projects/project/25916>

Appendix C – Modifying instrument

The modifying instrument for the subject modification may be found on the Department's website at:
<https://www.planningportal.nsw.gov.au/major-projects/project/25916>