

# Development Consent

## *Section 4.38 of the Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, under Section 80 of the *Environmental Planning and Assessment Act 1979* ("the Act"), determine the development application ("the Application") referred to in Schedule 1 by granting consent subject to the conditions set out in Schedule 2.

The reason for the imposition of conditions is to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development

Andrew Refshauge MP  
**Deputy Premier Minister  
for Planning  
Minister for Aboriginal Affairs Minister  
for Housing**

Sydney,

2003

File No. S00/01318

***The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.***

***The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.***

## SCHEDULE 1

<b>Application Number:</b>	220-07-2002
<b>Applicant:</b>	<b>Teys Australia Southern Property Pty Ltd ("the Applicant");</b>
<b>Consent Authority:</b>	The Minister for Planning ("the Minister");
<b>Site:</b>	Lots 1, 2 & 4 DP 700113, Lot 1 DP 840624, Lot 6 DP 614169, and Lot 11 DP 814225, Dampier Street, Wagga Wagga.
<b>Development:</b>	<p>The proposal involves:</p> <ul style="list-style-type: none"><li>• Demolishing some disused buildings;</li><li>• Reconstructing and expanding a major portion of the abattoir, including an administration and amenities building;</li><li>• Installing a bio-filter to capture and treat odour originating from rendering plant and ancillary units, the DAF/Clarifier, Rotary Screen and Save-all;</li><li>• Augmenting and refurbishing the existing wastewater treatment system;</li><li>• Discharging 20% of effluent directly to the sewer system;</li><li>• Constructing an access road, internal roads, carparking, security gatehouse and associated infrastructure to service the abattoir;</li><li>• Increasing production from 850 to 2,000 head of cattle per day; and</li><li>• Operating 24 hours a day, seven days a week.</li></ul>
<b>Development Application:</b>	Integrated DA No. 220-07-2002-i, lodged with the Department of Planning on 15 July 2002;
<b>State Significant Development</b>	The proposed development satisfies the criteria in Schedule 1 of <i>SEPP No. 34 – Major Employment Generating Industrial Development</i> , and is therefore classified as State Significant Development under Section 76A(7) of the <i>Environmental Planning and Assessment Act 1979</i> .
<b>Integrated Development</b>	The proposal requires an additional approval from the Environment Protection Authority under the <i>Protection of the Environment Operations Act 1997</i> , and is therefore classified as Integrated Development under Section 91 of the <i>Environmental Planning and Assessment Act 1979</i> .
<b>Designated Development:</b>	The proposed development the criteria for livestock processing industries under Part 1, Schedule 3 of the <i>Environmental Planning and Assessment Regulation 2000</i> , and is therefore classified as Designated Development.
<b>BCA Classification:</b>	Class 5 – Administration Building Class 7a – Carpark Class 7b – Cold Storage Building Class 8 – Boning Room, Active Chillers, Trimming Room, Packing and Load-out Facility, Sales Cooler, Plant Room, Kill Floor

## SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Modification Description
<b>MOD-61-1-2003-i (MOD 1)</b>	3 November 2003	The modification permitted amendments to the layout of the approved abattoir upgrade.
<b>MOD-4-1-2004-i (MOD 2)</b>	31 March 2004	The modification amended requirements relating to on-site soil remediation.
<b>MOD 3</b>	29 June 2009	The modification permitted the construction and operation of a covered wastewater treatment system.
<b>MOD 4</b>	2 August 2010	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.
<b>MOD 5</b>	28 September 2011	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.
<b>MOD 6</b>	7 July 2015	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.
<b>MOD 7</b>	13 January 2016	The modification permitted the construction and operation of a new bio-filter, and the subsequent demolition of the existing rendering plant bio-filter.
<b>MOD 8</b>	11 October 2016	The modification permitted the expansion of the cattle stockyards, and the construction of an awning over the carton storage area.
<b>MOD 9</b>	12 January 2017	The modification permitted the construction of an awning over the existing annex of the meat chiller facility.
<b>MOD 10</b>	23 October 2018	The modification permitted minor alterations and additions to the approved Auto Sortation and Retrieval System building.
<b>MOD 11</b>	22 April 2020	The modification permitted the construction and operation of a blood separation and plasma collection facility, further wastewater irrigation and administrative amendments to the development consent.

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Application Number	Determination Date	Modification Description
<b>MOD 12</b>	August 2022	The construction and operation of a new plate freezer/storage room, new conveyor system to the new freezer/storage room, expansion of the existing switch room / temporary workshop, and associated infrastructure including additional landscaping.

FOR INFORMATION

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## SCHEDULE 2

In this consent, except in so far as the context or subject-matter otherwise indicates or requires, the following terms have the meanings indicated:

Act	<i>Environmental Planning and Assessment Act, 1979</i>
AEMR	Annual Environmental Management Report
Applicant	<b>Teys Australia Southern Property Pty Ltd (formerly Cargill Foods Australia Pty Ltd), or any person carrying out any development to which this consent applies</b>
BCA	Building Code of Australia
<b>CFA High</b>	<b>The 6.4-hectare effluent irrigation area, as described in DA 220-02-2002-i and DA220-07-2002-I-Mod-11</b>
<b>CFA Low</b>	<b>The 28-hectare effluent irrigation area, as described in DA 220-07-220-02-i MOD 5 and DA220-07-2002-I-Mod-11</b>
construction	any activity requiring a Construction Certificate, demolition works, any road works, or any construction related activity as described in the application for this development
WWCC	Wagga Wagga City Council
Department development	NSW Department of Planning, <b>Industry and Environment</b>
<b>DPIE Water</b>	the development to which this consent applies <b>NSW Department of Planning, Industry and Environment – Water Division</b>
dust	any solid material that may become suspended in air
<b>DECC</b>	<b>DELETED</b>
<b>DWE</b>	<b>DELETED</b>
<b>Effluent System Upgrade</b>	<b>Construction and operation of the wastewater treatment plant upgrade, as described in Statement of Environmental Effects <i>Effluent System Upgrade (ESU) for the Bomen Beef Processing Facility Wagga Wagga</i>, prepared by Cargill Beef Australia and dated February 2010, including:</b> <ol style="list-style-type: none"><li>i. <b>Appendix A, titled <i>Wastewater Treatment Upgrade at Cargill Wagga Meat Processing Plant</i>, prepared by Dr Mike Johns and dated August 2009; and</b></li><li>ii. <b>Addendum to the <i>SEE Further Information on the Effluent System Upgrade (ESU)</i>, prepared by Cargill Beef Australia and dated April 2010.</b></li></ol>
<b>EPA</b>	<b>NSW Environment Protection Authority</b>
<b>EPL</b>	<b>Environment Protection Licence under the POEO Act</b>
<b>EWMP</b>	<b>Effluent Wastewater Management Plan</b>
<b>Land</b>	<b>Land means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this consent</b>
Minister	<b>NSW Minister for Planning and Public Spaces (or delegate)</b>
<b>Modification Assessments</b>	<b>The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the Act:</b> <ol style="list-style-type: none"><li>a) <b>MOD-61-7-2003-i, prepared by HLA-Envirosciences Pty Ltd and dated 23 June 2003, as amended by the document titled ‘Re: Proposed section 96(2) modification – Cargill Abattoir’, prepared by HLA-Envirosciences and dated 27 August 2003;</b></li><li>b) <b>MOD-4-1-2004-i, prepared by HLA-Envirosciences Pty Ltd and dated 9 January 2004;</b></li></ol>

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- c) DA 220-07-2002-i MOD 3, prepared by GHD Pty Ltd and dated January 2009;
- d) DA 220-07-2002-i MOD 4, prepared by Cargill Beef Australia and dated February 2010, as amended by the document titled 'Further information on the effluent system upgrade (ESU)', prepared by Cargill Beef Australia and dated April 2010;
- e) DA 220-07-2002-i MOD 5, prepared by Claus Environmental Engineering and dated May 2011, as amended by the Response to Submissions report prepared by Cargill Beef Australia and dated 10 August 2011;
- f) DA 220-07-2002-i MOD 6, prepared by Jensen Bowers Consultants Pty Ltd and dated 25 March 2015 (issue B);
- g) DA 220-07-2002-i MOD 7, prepared by Claus Environmental Engineering and dated October 2015;
- h) DA 220-07-2002-i MOD 8, prepared by NGH Environmental Pty Ltd and dated 21 June 2016;
- i) DA 220-07-2002-i MOD 9, prepared by NGH Environmental Pty Ltd and dated 27 September 2016;
- j) DA 220-07-2002-i MOD 10, prepared by Ethos Urban and dated 10 September 2018; and
- k) DA220-07-2002-I-Mod-11, prepared by Teys Australia Southern Pty Ltd and dated 12 November 2019;
- l) **DA220-07-2002-I-Mod-12, prepared by Ethos Urban, dated 18 January 2022 and the RTS Report dated 16 February 2022, Preliminary Hazard Analysis dated 13 July 2022 and letter from Ethos Urban dated 5 October 2022 incorporating correspondence from Gordon Brothers Industries Pty Ltd.**

Mod 3  
NOW  
OEH

Operation

POEO Act  
Principal Certifying Authority

Regulation  
RTA  
Secretary

Year

DELETED  
DELETED  
DELETED

commissioning of any stage of the works as described in the application for this development

*Protection of the Environment Operations Act, 1997*

the Minister or an accredited certifier, appointed under section 109E of the Act, to issue a Part 4A Certificate as provided under section 109C of the Act

*Environmental Planning and Assessment Regulation, 2000*

DELETED

Planning Secretary under the *Environmental Planning and Assessment Act 1979*, or nominee

A period of 12 consecutive months

## 1. GENERAL

### Obligation to Minimise Harm to the Environment

1.1 The Applicant **must** implement all practicable measures to prevent or minimise any harm to the environment that may result from the construction, commissioning, operation and where relevant, the decommissioning of the development.

### Scope of Development

1.2 The Applicant **must** carry out the development in accordance with:

- a) Development Application No. 220-07-2002-i, lodged with the Department of Planning on 15 July 2002;
- b) ~~Environmental Impact Statement – Bomen Abattoir Expansion Proposal~~, prepared by HLA-Envirosciences Pty Ltd and dated July 2002;
- c) ~~Preliminary Environmental Site Assessment Bomen Abattoir Bomen, NSW~~, prepared by HLA-Envirosciences Pty Ltd and dated 20 November 1996;
- d) ~~Flora and Fauna Assessment Bomen Abattoir – Wagga Wagga, NSW~~, prepared by HLA-Envirosciences Pty Ltd and dated 21 June 2002;
- e) ~~Cargill Foods Australia – Odour Assessment and Control Study, Wagga Wagga Abattoir~~, prepared by the Odour Unit Pty Ltd and dated 28 August 2001;
- f) ~~Noise Impact Assessment – Bomen Abattoir, Wagga Wagga, NSW September 2001~~, prepared by HLA-Envirosciences Pty Ltd and dated 17 October 2001;
- g) ~~An Assessment of the Potential Traffic Impacts of the Proposed Expansion of the Cargill Abattoir, Wagga Wagga, NSW~~, prepared by TEF Consulting Pty Ltd and dated 3 August 2001;
- h) ~~Environmental Management Plan – Bomen Abattoir, Wagga Wagga, New South Wales~~, prepared by HLA-Envirosciences Pty Ltd and dated 28 June 1996;
- i) ~~Bomen Abattoir Effluent Irrigation - Environmental Management Plan (Operational) – Bomen Abattoir, Wagga Wagga, New South Wales~~, prepared by HLA-Envirosciences Pty Ltd and dated 27 February 1998;
- j) ~~Supplementary Information In Regards to the Bomen Abattoir Expansion Proposal, DA 220-7-2002-i~~, prepared by HLA-Envirosciences Pty Ltd and dated 22 October 2002;
- k) ~~Further Information Regarding Bomen Abattoir~~, prepared by HLA-Envirosciences Pty Ltd and dated 8 November 2002;
- l) ~~Proposed Abattoir Expansion and Upgrade – Dampier Street, Bomen~~, prepared by HLA-Envirosciences Pty Ltd and dated 15 November 2002;
- m) ~~Supplementary Information In Regards to the Bomen Abattoir Expansion Proposal, DA 220-7-2002-i~~, prepared by HLA-Envirosciences Pty Ltd and dated 16 December 2003;
- n) ~~Response to PlanningNSW Re Odour Modelling~~, prepared by The Odour Unit Pty Ltd and dated 27 January 2003;
- o) the email titled *Cargills*, prepared by Karen Loomes on behalf of HLA-Envirosciences Pty Ltd and dated 4 February 2003;
- p) **Modification Assessments; and**
- q) **the conditions of this consent.**
- p) **Delete;**
- q) **Delete;**
- r) **Delete;**



- s) Delete;
- t) Delete;
- u) Delete;
- v) Delete;
- w) Delete;
- x) Delete;
- y) Delete;
- z) Delete;

1.3 If there is any inconsistency between the documents contained in Condition 1.2 above, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.

### Operation and Lapse of Consent

1.4 In accordance with section 83 of the Act, this consent becomes effective from the date that is endorsed on the notice of determination of the development application given to the Applicant.

1.5 In accordance with section 95(1) of the Act, this consent shall lapse five years after the date from which it operates (refer to condition 1.4 of this consent), unless the use of any land, building or work the subject of this consent is commenced before the date on which the consent lapses.

### Limits

1.5(a) The Applicant must ensure that no more than 1600 head of cattle are slaughtered and processed onsite a day.

1.5(b) The Applicant must ensure that no more than:

- a) 40 ML of effluent wastewater is irrigated a year on the CFA High area; and
- b) 300 ML of effluent wastewater is irrigated a year on the CFA Low area, unless otherwise agreed to in writing by the EPA and the Secretary.

1.5(c) Irrigation must not commence on the CFA Low area until:

- a) the ESU is operational and producing high quality effluent (as described in DA 220-07-2002-i MOD 5); and
- b) the Applicant has notified the Secretary in writing of its intention to begin irrigating on this land.

**Note:** For the purposes of this condition, high quality effluent refers to effluent wastewater which meets the low to medium strength nutrient values described in 'Environmental Guidelines: Use of effluent by irrigation' (DEC, 2004).

1.5(d) The Applicant must refrain from irrigating on the land referred to in condition 1.5(c) above in likely flooding events.

*Note: the determination of a 'likely flooding event' must be based on weather forecasting.*

1.5(e) The Applicant must limit and/or cease irrigation on the land referred to in conditions 1.5(b) to 1.5(c) above at the Secretary's or the EPA's request, to the satisfaction of the Secretary.

1.5(f) The storage and handling of anhydrous ammonia within all refrigerated systems at the entire development must not exceed 78.4 tonnes at any one time.

## Provision of Documents

- 1.6 Where practicable, the Applicant shall provide all documents and reports required to be submitted to the **Secretary** under this consent in an appropriate electronic format. Provision of documents and reports to other parties, as required under this consent, shall be in a format acceptable to those parties and shall aim to minimise resource consumption.
- 1.7 Nothing in this consent prevents the Applicant from combining reporting requirements under this consent with identical or similar reporting requirements for submission to another relevant party. Reporting requirements **must** only be combined with the prior agreement of the **Secretary** of Planning and the **Secretary** (or equivalent) of the other relevant party.

**Note:** the purpose of conditions 1.6 and 1.7 is to provide for minimisation of resource utilisation (particularly paper) associated with administration of this consent.

FOR INFORMATION

## Statutory Requirements

- 1.8 The Applicant **must** ensure that all licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.

## Dispute Resolution

- 1.9 In the event that a dispute arises between the Applicant and WWCC or the Applicant and a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter shall be referred by either party to the **Secretary**, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding on all parties. For the purpose of this condition, "public authority" has the same meaning as provided under section 4 of the Act.

**Note:** Section 121 of the *Environmental Planning and Assessment Act 1979* provides mechanisms for resolution of disputes between the Department, the **Secretary**, Councils and public authorities.

## 2. COMPLIANCE

- 2.1 The Applicant **must** ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.
- 2.2 The Applicant shall be responsible for environmental impacts resulting from the actions of all persons on the site, including contractors, subcontractors and visitors.
- 2.3 Prior to each of the events listed from a) to b) below, or within such period otherwise agreed by the **Secretary**, the Applicant **must** certify in writing to the satisfaction of the **Secretary** that it has complied with all conditions of this consent applicable prior to that event. Where an event is to be undertaken in stages, the Applicant may, subject to the agreement of the **Secretary**, stage the submission of compliance certification consistent with the staging of activities relating to that event.
- a) commencement of construction of the development; and
  - b) commencement of operation of the development;
- 2.4 Notwithstanding condition 2.3 of this consent, the **Secretary** may require an update report on compliance with all, or any part, of the conditions of this consent. Any such update **must** meet the requirements of the **Secretary** and be submitted within such period as the **Secretary** may agree.
- 2.5 The Applicant **must** meet the requirements of the **Secretary** in respect of the implementation of any measure necessary to ensure compliance with the conditions of this consent, and general consistency with the documents listed under condition 1.2 of this consent. The **Secretary** may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the **Secretary** may agree.

### 3. PART 4A CERTIFICATION AND STRUCTURAL ISSUES

#### Certification

- 3.1 In relation to the construction and occupation of the development, the Applicant **must** provide to the -Secretary and WWCC the following:
- a) written notification of the appointment of a Principal Certifying Authority;
  - b) copies of all Construction Certificates issued for the development;
  - c) written notification of the intention to commence construction work, to be received at least two working days prior to the commencement of construction. In the event that more than one Construction Certificate is issued, notification **must** be provided prior to the commencement of construction the subject of each Certificate;
  - d) copies of all Occupation Certificates issued for the development; and
  - e) written notification of the intention to occupy the development, to be received at least two working days prior to occupation. In the event that more than one Occupation Certificate is issued, notification **must** be provided prior to the occupation the subject of each Certificate;

**Note:** The Applicant **must** ensure that all works are carried out in accordance with the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 (Approvals) Regulations, the Building Code of Australia and the approved plans and specifications and Council's Policy for Sediment and Erosion Control

#### 4. UTILITIES AND SERVICES

- 4.1 Prior to the commencement of construction, the Applicant **must** identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas that are associated with, and/or adjacent to the site, and/or likely to be affected by the construction and operation of the development.
- 4.2 The Applicant **must** consult with the relevant utility provider(s) for those services identified under condition 4.1 and make arrangements to adjust and/or relocate services as required. The Applicant **must** bear the full cost associated with providing utilities and services to the site, and restoring any public infrastructure that may be damaged during the proposed works.
- 4.3 Prior to the commencement of construction works that may affect services/ utilities, the Applicant **must** provide documentary evidence to the Secretary that the requirements of the relevant utility provider(s) have been met.

#### 5. ENVIRONMENTAL PERFORMANCE

##### Demolition

- 5.1 The Applicant **must** undertake all demolition work strictly in accordance with AS 2601-1991 *The Demolition of Structures*.
- 5.2 The Applicant **must** meet the requirements of Work Cover NSW with respect to all demolition activities associated with the handling and disposal of asbestos containing materials.

## Air Quality Impacts

### Odour Emissions

- 5.3 <sup>1</sup>The Applicant **must** not cause or permit the emission of offensive odours from the entire abattoir operation, as defined under Section 129 of the Protection of the Environment Operations Act 1997.
- 5.4 Within 12 months of operations, the Applicant **must** report to the **Secretary** regarding the status of the development application for paunch disposal off-site. Should paunch disposal continue on-site after this date, the Applicant **must** provide the **Secretary** with a timeframe for moving the paunch disposal activities to an alternative location.
- 5.5 Within 15 months of operations, the Applicant **must** complete a detailed Odour Impact Assessment of the entire abattoir operation. The Odour Impact Assessment **must** be undertaken for a 12 month period from the commencement of operations and in accordance with:
- *NSW EPA, 2001a, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW;*
  - *NSW EPA, 2001b, Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW;*
  - *NSW EPA, 2001c, Draft Policy: Assessment and Management of Odour from Stationary Sources in NSW; and*
  - *NSW EPA, 2001d, Technical Notes - Draft Policy: Assessment and Management of Odour from Stationary Sources in NSW.*

The Odour Impact Assessment **must** be undertaken in consultation with the **EPA** and to the satisfaction of the **Secretary**.

The Odour Impact Assessment **must** include, but not be limited to:

- i) Identification of all point and diffuse sources of odour associated with the entire abattoir operation;
- ii) Sampling and analysis of all point and diffuse sources of odour identified in Condition 5.5 i) in accordance with *NSW EPA, 2001a* and Condition 6.1 for four consecutive quarters;
- iii) On-site meteorological monitoring in accordance with *NSW EPA, 2001a* and Conditions 6.2 and 6.3 for one year, should representative data not exist for the site;
- iv) Conduct odour dispersion modelling using the odour emissions and meteorological data required in Conditions 5.5 ii) and iii) respectively, in accordance with *NSW EPA, 2001b* and *NSW EPA, 2001d*;
- v) An assessment of whether the entire abattoir operation would be able to meet:
  - an odour performance criterion of 4 odour units (OU) (99<sup>th</sup> percentile, 1 second average) and meet the offensive odour provisions of s129 of the *Protection of the Environment Operations Act (1997)*; or
  - a site specific odour performance criterion developed in accordance with *NSW EPA, 2001c* and *NSW EPA, 2001d* at all privately owned properties;
- vi) Details of the odour mitigation methods and management practices that would need to be implemented in order for the entire abattoir operation to meet the odour performance criteria detailed in Condition 5.5 v) at all private properties; and
- vii) A timetable for implementing the odour mitigation measures identified in Condition 5.5 vi).

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<sup>1</sup> Incorporated **EPA** General Term of Approval

5.6 The Applicant **must** comply with any reasonable requirements of the EPA or the Secretary with regard to any actions arising from the Odour Impact Assessment required in Condition 5.5.

5.6(a) The Applicant **must** decommission existing ponds 1 and 2 once the Effluent System Upgrade has been commissioned, to the satisfaction of EPA.

5.6(b) The Applicant's new flare system **must** comply with the Group 6 emission limits under the Protection of the Environment (Clean Air) Regulation 2002.

5.6(c) Delete

5.6(c) The Applicant **must** prepare an Air Quality Impact Assessment Verification Report for the project to the satisfaction of the Secretary. This Assessment Verification Report **must**:

- a) be submitted to the Secretary for approval within 6 months of the commencement of commissioning of the Effluent System Upgrade and associated flare system, with validated predictive modelling at the final capacity of 1,600 head of cattle per day;
- b) be undertaken by a suitably qualified expert;
- c) be undertaken in consultation with EPA;
- d) verify if the odour emissions (including cumulative odour) comply with the 4 OU/m<sup>3</sup> criteria;
- e) include proposed contingency measures that would be adopted, in case of non-compliance with the criteria, and the timing for their implementation to ensure that the 4 OU/m<sup>3</sup> criteria is met at all private properties; and, if necessary
- f) revise the Odour Management Plan for the site in response to these measures.

5.6(d) In the event that offensive odour is generated on site, the Applicant **must**:

- a) immediately notify the EPA; and
- b) if required by EPA and/or the Secretary:
  - i. install additional emission controls;
  - ii. cease irrigation of effluent, and implement alternative disposal methods, to the satisfaction of EPA and the Secretary.

**Note:** For the purposes of this condition, the EPA **must** be immediately notified of an offensive odour event in accordance with the requirements of Part 5.7 of the POEO Act.

### **Dust Emissions**

5.7 <sup>2</sup>The Applicant **must** design, construct, commission, operate and maintain the development in a manner that minimises dust emissions from the site.

### **Soil and Water Quality Impacts**

5.8 <sup>3</sup>The abattoir and activities carried out therein **must** not pollute surface or groundwater except as permitted by the EPA.

5.9 The Applicant **must** take all reasonable measures to minimise soil erosion and the discharge of sediments and pollutants from the site during construction and operation.

5.9a The Applicant **must** suitably rehabilitate and maintain the cattle holding yards in a manner that minimises the potential for dust, erosion and contaminated runoff. These

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<sup>2</sup> EPA General Term of Approval

<sup>3</sup> EPA General Term of Approval

As modified by DA220-07-2002-I-Mod-11 – Approved TBD

measures must be incorporated into the Water Operational Environmental Management Plan, as required by condition 7.4b.

### **Wastewater Treatment System**

- 5.10 The Applicant **must** ensure that the augmented wastewater treatment system is fully operational prior to commencement of operations.
- 5.11 The wastewater collection structures **must** be designed and constructed so that the permeability of these structures has a performance equivalent equal or better to that of clay liner with a permeability of  $1 \times 10^{-9}$  m/s or less and thickness of no less than 900 mm (in accordance with EPA guidelines).
- 5.12 The Applicant **must** engage a suitably qualified expert to clarify that any new or augmented wastewater collection structures comply with the requirements in the above condition (condition 5.11).

### **Effluent Wastewater Irrigation**

- 5.13 <sup>4</sup>The parameters of wastewater applied to land **must** not exceed the volume or concentration limits for the point as specified in Table 1.

**Table 1 – Parameters for Wastewater Irrigation**

Parameter	Units of Measure	Limit
Quantity	kL/year	
BOD	mg/L	200

- 5.14 <sup>5</sup>Wastewater **must** only be applied to the areas as described in the Development Application 220-07-2002-i and the EIS prepared by HLA-Envirosciences Pty Ltd and dated July 2002, as modified by DA 220-07-2002-i MOD 5 and DA220-07-2002-I-Mod-11.
- 5.15 <sup>6</sup>Spray from irrigation practices on site **must** not drift beyond the boundary of the premises to which it is applied.
- 5.16 <sup>7</sup>Wastewater utilisation areas **must** effectively utilise the waste water applied to those areas. This includes the use for pasture or crop production, as well as ensuring the soil is able to absorb the nutrients, salts, hydraulic load and organic materials in the solids or liquids. Monitoring of land and receiving waters to determine the impact of waste water application may be required by the EPA.
- 5.17 The Applicant **must** ensure that irrigation practices at the site do not conflict with the continuing use of the Riverina Water service reservoir.

### **Groundwater**

- 5.18 Prior to the commencement of operation, the Applicant **must**, in consultation with the Department of Land and Water Conservation, install at the site:
- two piezometers in the vicinity of the effluent treatment ponds; and
  - two piezometers in the vicinity of the effluent irrigation area (as indicated 'CFA High')

<sup>4</sup> EPA General Term of Approval

<sup>5</sup> EPA General Term of Approval

<sup>6</sup> EPA General Term of Approval

<sup>7</sup> EPA General Term of Approval

As modified by DA220-07-2002-I-Mod-11 – Approved TBD

The location of these piezometers **must** be designed to detect any leakage or accessions to the watertable, and **must** be monitored in accordance with the Effluent Wastewater Management Plan (condition 7.4).

- 5.19 The Applicant **must** obtain a license from the Department of Land and Water Conservation under the s116 of the *Water Act 1912* prior to the commencement of works associated with the installation of the above piezometers (condition 5.18).

**Note:** The Applicant is required to obtain a licence from the Department of Land and Water Conservation for the existing bore on site under s116 of the *Water Act 1912*.

### **Stormwater**

- 5.20 The Applicant **must** design, construct and maintain all stormwater management infrastructure on the site to:
- a) restrict future stormwater flows from the site to existing flow levels or better;
  - b) restrict discharge of stormwater to the sewerage system (unless otherwise approved);
  - (a) treat all contaminated stormwater to minimise the discharge of sediments and other pollutants from the site;
  - c) be designed in accordance with any relevant WWCC stormwater policy;
  - d) comply with the relevant provisions in the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems; and
  - e) prevent the drainage of stormwater onto the railway corridor.
- 5.21 The Applicant **must** be responsible for, and bear the full cost associated with, monitoring and maintaining all stormwater infrastructure on the site during the life of the development.
- 5.22 The Applicant **must** not commence construction of stormwater management infrastructure, or other structures associated with the development that may affect, or be affected by, stormwater management infrastructure, until the **Secretary** has approved the Water Management Plan (refer to condition 7.4b) of this consent).

### **Soil Contamination and Remediation**

- 5.23 Prior to the commencement of any construction works that will result in the disturbance of any contaminated soil identified in report titled *Preliminary Environmental Site Assessment Bomen Abattoir – Bomen, NSW* prepared by HLA-Envirosciences Pty Ltd and dated 20 November 1996, the Applicant must provide the Secretary with:
- a) A copy of the Remedial Action Plan for the land that has been certified by an accredited site auditor under the *Contaminated Land Management Act 1997*;
  - b) A short report that describes:
    - i) How the proposed remediation of the land would be coordinated with the proposed works;
    - ii) What measures would be implemented to manage or mitigate any potential impacts associated with these works;
    - iii) How the effectiveness of these measures would be monitored during the proposed works.
- 5.24 Construction of any component of the development **must** not:
- a) occur on any part of the site that has yet to be remediated and validated by a site auditor accredited by the **EPA**; and
  - b) occur on any part of the site in such a location or manner that may interfere with the ongoing remediation of areas of the site or validation by a site auditor accredited by the **EPA**.



- 5.25 An occupation certification for the development **must** not be issued until the site has been remediated in accordance with the Remedial Action Plan for the site, and the site has been validated by an auditor accredited by the **EPA**.

### **Trade Waste Agreement**

- 5.26 The Applicant **must** enter into a Trade Waste Agreement with WWCC prior to the commencement of construction works.
- 5.27 The Applicant **must** ensure that effluent discharged from the site achieves discharge performance standards as set by WWCC in the above Trade Waste Agreement (or any superseded agreement).
- 5.28 Prior to the commencement of any construction works, the Applicant **must** obtain a Sewer Compliance Certificate under Section 64 of the *Local Government Act 1993* from WWCC.

**Note:** In obtaining this approval, it must be demonstrated to WWCC that the development satisfactorily meets the requirements of WWCC's *Policy Developer Contributions for Sewerage Works 1993*. A certificate fee of \$24,318.40 applies to the certification, which can be paid in stages or as agreed to by WWCC and is subject to the CPI index.

### **Waste Management**

- 5.29 All wastes generated on the site during construction and operation **must** be classified in accordance with the **EPA's** publication *Environmental Guidelines: Waste Classification Guidelines* and be disposed of to a facility that may lawfully accept the waste.
- 5.30 The Applicant **must** not cause, permit or allow any waste generated outside the premises to be received at the abattoir for storage, treatment, processing, reprocessing or disposal.
- 5.31 Any sludges, slurries or other similar materials generated from activities at the abattoir must be treated and recycled or transported to an approved waste facility.
- 5.32 Prior to the commencement of any construction works, the Applicant **must** consult with NSW Agriculture (Organic Waste Recycling Unit) and **EPA** regarding alternative disposal options of sludge removed from the wastewater treatment system. Any recommendations **must** be incorporated into the Waste Management Plan (refer to condition 7.4f) of this consent).

### **Noise Impacts**

#### **Construction Noise**

- 5.33 The Applicant **must** ensure that the construction and demolition works do not exceed the construction noise criteria outlined in the **EPA's** *Environmental Noise Control Manual*.
- 5.34 Construction activities associated with the development that will be audible at residential premises shall only be conducted between 7:00 am and 6:00 pm from Monday to Friday inclusive, and from 8:00 am to 1:00 pm on Saturdays. No construction activity is permitted on a Sunday or a public holiday.

Outside of these hours, construction activities are permitted to occur provided it meets the operational noise criteria referred to in Condition 5.35.

The construction noise limits under condition 5.34 of this consent may be varied with the prior written approval of the [Secretary](#). Any request to alter the hours of construction specified under condition 5.34 shall be:

- a) considered on a case-by-case basis;
- b) accompanied by details of the nature and need for activities to be conducted during the varied construction hours;
- c) accompanied by a written demonstration that the varied construction hours will not adversely impact on the acoustic amenity of residents in the vicinity of the site; and
- d) accompanied by details of best practice noise mitigation that will be implemented.

### Operation Noise

5.35 The Applicant shall design, construct, operate and maintain the development to ensure that noise generated during the operation of the development does not exceed the noise limits specified in Table 2, at the times indicated, at the most affected residential premises.

**Table 2 - Operation Noise Limits**

Day	Evening	Night	
L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>A1</sub> (1 minute)
37	37	35	45

For the purpose of this condition, time periods shall be defined as follows:

- i) Day - the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays; and
- ii) Evening - the period from 6pm to 10pm; and
- iii) Night - the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

5.36 For the purpose of assessment of noise impacts specified under condition 5.35 of this consent, noise from the development **must** be

- a) measured at the most affected point on or within the residential boundary for L<sub>Aeq</sub>(15 minute) noise levels;
- b) measured at 1m from the dwelling for L<sub>A1</sub>(1 minute) noise levels;
- c) measured at wind speeds up to 3ms<sup>-1</sup> at 10 metres above ground level;
- d) measured at temperature inversion conditions up to 3°C per 100 metres; and
- e) subject to the modification factors provided in Section 4 of the *New South Wales Industrial Noise Policy* (EPA, 2000).

5.37 Notwithstanding condition 5.35 of this consent, should direct measurement of noise from the development be impractical, the Applicant may employ an alternative noise assessment method deemed acceptable by the EPA (refer to Section 11 of the *New South Wales Industrial Noise Policy* ((EPA, 2000))). Details of such an alternative noise assessment method accepted by the EPA **must** be submitted to the [Secretary](#) prior to the implementation of the assessment method.

### Traffic and Transport

#### Site Access

5.38 The Applicant **must** ensure that all large and articulated vehicles enter and leave the site in a forward direction.

5.39 Vehicles associated with the construction or operation of the development **must** be accommodated on site at all times.

- 5.40 The use of landscaping **must** not affect driver sight distance for vehicles entering and exiting the site.
- 5.41 Should the Applicant undertake construction work in, on or over a public road, a separate approval **must** be obtained from WWCC under s138 of the *Roads Act 1993* prior to the commencement of any such works.

### **Internal Roads and Parking**

- 5.42 The Applicant **must** design and construct all internal road works, including the associated parking facilities, line marking (or similar) and loading bays, in accordance with the relevant RTA and WWCC standards and codes, including *AS 2890.1-1993* and *AS 2890.2-1989*.
- 5.43 Internal roads, driveways, parking areas, loading bays and vehicular turning areas **must** be maintained clear of obstruction and used exclusively for the purposes of parking, vehicle access and loading and unloading respectively. Under no circumstances **must** these areas be used for the storage of goods or waste materials or any other purpose.
- 5.44 The Applicant **must** ensure that there is sufficient carparking provided on site to cater for the maximum number of employees, customers/visitors and service vehicles at the premises at any one time.
- 5.45 The Applicant **must** submit detailed design plans of the carparking area/s to the **Secretary** for approval. The plan **must** meet the requirements of WWCC and **must** be approved by the **Secretary** prior to the commencement of any construction works associated with the carpark area.
- 5.46 The Applicant **must** clearly mark all visitor, disabled, and service vehicle parking areas.
- 5.47 The Applicant **must** install signage to demarcate all vehicle movements within the site.

### **Visual Amenity**

- 5.48 For each stage of the proposed works, the Applicant **must** prepare an external design panel indicating the proposed external design finishes, material and configuration, in consultation with WWCC.
- 5.49 The Applicant **must** ensure that all new external lighting associated with the development is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting **must** be the minimum level of illumination necessary, and be in general accordance with *AS 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting*.
- 5.50 Nothing in this consent allows the Applicant to erect or display any advertising structure(s) or advertisements associated with the development.

Note: The Applicant may seek development consent from WWCC for the erection of advertising structures.

### **Landscaping**

- 5.51 The Applicant **must** landscape the site in accordance with the Landscape Management Plan referred to under condition 7.4e) for the development, and maintain this landscaping for the full life of the development. Landscaping works **must** not commence until the **Secretary** has approved the Landscape Management Plan.

5.52 Within 90 days of completing the landscape works outlined in the Landscape Management Plan (refer to condition 7.4e)), the Applicant **must** submit a Landscape Completion Report to the **Secretary**, which demonstrates that the landscaping works have been completed in accordance with the approved Plan.

### **Heritage**

5.53 Should any Aboriginal relics be uncovered during any of the construction activities, the Applicant **must** cease works in the vicinity of the relic and **must** notify the NSW National Parks and Wildlife Service immediately. The Applicant **must** meet the requirements of NSW National Parks and Wildlife Service with respect to the treatment, management and/or preservation of any such relic.

### **Dangerous Goods**

5.54 All chemicals, fuels and oils **must** be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund.

5.55 The bund **must** be designed and installed in accordance the requirements of the EPA's *Storing and Handling Liquids: Environmental Protection manual*.

5.55(a) At least one month prior to the commencement of construction of the works associated with DA220-07-2002-I-Mod-12 (other than preliminary works that are outside the scope of the hazard studies), or within such further period as the Secretary may agree, the Applicant **must** prepare and submit to the Secretary, the following the pre-construction studies for works associated with DA220-07-2002-I-Mod-12. Construction of the works associated with DA220-07-2002-I-Mod-12, other than of preliminary works that are outside the scope of the hazard studies, **must** not commence until study recommendations have been considered and where appropriate, acted upon:

(a) Final Hazard Analysis

A Final Hazard Analysis consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'*; and

(b) Construction Safety Study

A Construction Safety Study consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 7, 'Construction Safety'*.

5.55(b) The Applicant **must** comply with all reasonable requirements of the Secretary in respect of the implementation of any measures arising from the reports submitted in respect of condition 5.55(a) of this consent inclusive, within such time as the Secretary may agree.

### **Land Ownership**

5.56 Prior to the commencement of operations, the Applicant **must** provide Council with a detailed site plan identifying all land owned by Council that adjoins or traverses the site. The plans **must** identify how existing and proposed works and the operation of the development relate to this land.

5.57 The Applicant **must** ensure that any built structures stands clear of land owned by the Council, unless otherwise agreed to by the Council.

5.58 Should any works associated with the construction and/or operation of the abattoir interfere or impinge over the railway corridor, the Applicant **must** consult with the relevant rail authority prior to the commencement of any works. Should the relevant

rail authority identify any potential conflicts with the existing or future operation of the railway corridor by these works, the Applicant **must** implement measures to minimise or eliminate any impact to the satisfaction of that authority.

5.58a Prior to the commencement of construction works, the Applicant must submit to Rail Infrastructure Corporation a detailed Work Method Statement and Risk Assessment Plan for the Proposed works. These documents must be to the satisfaction of Rail Infrastructure Corporation and must be implemented throughout the construction period.

5.58b The Applicant must implement suitable measures during construction work to ensure that these activities do not result in the collection of stormwater on or near the adjacent railway corridor.

5.58c Prior to the commencement of construction works, the Applicant must consult with Rail Estate regarding the replacement of the existing fencing along the common boundary of the site and the adjacent railway corridor. Any replacement fencing must be at the expense of the Applicant and must meet the requirements of the Rail Estate.

FOR INFORMATION

## 6. ENVIRONMENTAL MONITORING AND AUDITING

### Air Quality Monitoring - Odour

- 6.1 The Applicant must ensure the development complies with any air quality monitoring requirements specified in the EPL applicable to the site.

#### Table 3 – Monitoring Requirements

Delete

#### Table 4 –Sampling and analysis methods for diffuse sources

Delete

- 6.2 The Applicant must establish a meteorological station for the development in accordance with any requirements specified in the EPL applicable to the site.

Delete

- 6.3 Delete

FOR INFORMATION

**Table 5 – Meteorological monitoring**

Delete

**Water Quality Monitoring**

***Effluent Irrigation Monitoring***

6.4 The Applicant must ensure the development complies with any effluent irrigation and pollutant monitoring requirements specified in the EPL applicable to the site.

**Table 6– Periodic Pollutant Monitoring (Water)**

Delete

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## Noise Monitoring and Auditing

- 6.5 Within 90 days of commencement of operation of the development, and during a period in which the development is operating under design loads and normal operating conditions, the Applicant shall conduct a **Noise Audit** of its operations. This Audit shall:
- be undertaken by a suitability qualified and experienced person;
  - assess whether the development is complying with the intrusive and amenity noise criteria; and, if any non-compliance is detected,
  - identify what additional measures could be implemented to ensure compliance.
- 6.6 Within 28 days of conducting the Audit referred to under condition 6.5 of this consent, the Applicant shall provide the **Secretary** with a copy of the Noise Audit report. If the Audit identifies any non-compliance with the noise limits imposed under this consent, the Applicant shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the **Secretary**.
- 6.7 The Applicant shall prepare and implement a **Noise Monitoring Program** to monitor noise impacts associated with the development. The Program shall be consistent with guidelines provided in *New South Wales Industrial Noise Policy* (EPA, 2000) and **must** include, but not necessarily be limited to:
- identification of noise monitoring locations, with relevant noise limits for each location provided;
  - noise monitoring frequencies; and
  - methodologies for noise monitoring.

The Noise Monitoring Program **must** be submitted for the approval of the **Secretary** prior to the commencement of operation of the development, or within such period as the **Secretary** may agree.

## Independent Audit

- 6.8 Within 12 months of the date of approval of DA220-07-2002-I-Mod-11, and every three years thereafter, unless the Secretary directs otherwise, the Proponent must carry out an Independent Audit of the development in accordance with the requirements for an Independent Audit Methodology and Independent Audit Report in the *Independent Audit Post Approval Requirements* (Department 2018).
- 6.9 In accordance with the specific requirements in the *Independent Audit Post Approval Requirements* (Department 2018), the Applicant must:
- review and respond to each Independent Audit Report prepared under Condition 6.8 of this consent; and
  - submit the response to the Department.

6.10 Delete

## Hazard Audit

- 6.10 Within 24 months of the date of approval of DA220-07-2002-I-Mod-11, and every three years thereafter, or at such intervals as the Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of the development. Division 9.4 of Part 9 of the EP&A Act applies to these audits, which are for the purpose of verifying the integrity of safety systems and to ensure the development is being operated in accordance with its hazard-related conditions of consent. Each Hazard Audit must:
- be carried out at the Applicant's expense by a qualified person or team, who have been approved by the Secretary and are independent of the development;
  - be carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'*; and



- c) include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit.
- 6.11 Within one month of completing each Hazard Audit carried out in accordance with Condition 6.10 of this consent, the Applicant must submit a Hazard Audit report to the satisfaction of the Secretary for approval. The Hazard Audit report must be accompanied by a program for the implementation of all recommendations made in the report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.

## 7. ENVIRONMENTAL MANAGEMENT

### Construction Environmental Management Plan

- 7.1 The Applicant **must** prepare and implement a **Construction Environmental Management Plan** to outline environmental management practices and procedures to be followed during the construction of any stage of the development. The Plan **must** be prepared in consultation with WWCC, and **must** include, but not necessarily be limited to:
- a) a description of all activities to be undertaken on the site during construction of the development, including an indication of stages of construction, where relevant;
  - b) statutory and other obligations that the Applicant is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
  - c) specific consideration of measures to address any requirements of WWCC during construction;
  - d) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
  - e) a description of the roles and responsibilities for all relevant employees involved in the construction of the development;
  - f) the Management Plans listed under condition 7.2 of this consent;
  - g) arrangements for community consultation and complaints handling procedures during construction.

The Plan **must** be submitted for the approval of the Secretary prior to the commencement of construction of any stage of the development, or within such period otherwise agreed by the Secretary. Construction **must** not commence until written approval has been received from the Secretary. Upon receipt of the Secretary's approval, the Applicant **must** supply a copy of the Plan to WWCC, as soon as practicable.

- 7.2 As part of the Construction Environmental Management Plan for the development, required under condition 7.1 of this consent, the Applicant **must** prepare and implement the following Management Plans:
- a) an **Erosion and Sedimentation Management Plan** to detail measures to minimise erosion during construction of the development. The Plan **must** be prepared in consultation with the EPA. The Plan **must** include, but not necessarily be limited to:
    - i) results of investigations into soils associated with the site, in particular the stability of the soil and its susceptibility to erosion;
    - ii) details of erosion, sediment and pollution control measures and practices to be implemented during construction of the development;
    - iii) demonstration that erosion and sediment control measures will conform with, or exceed, the relevant requirements and guidelines provided in EPA

- 's publication *Urban Erosion and Sedimentation Handbook*, the EPA 's publication *Pollution Control Manual for Urban Stormwater* and the Department of Housing's publication *Soil and Water Management for Urban Development*;
- iv) design specifications for diversionary works, banks and sediment basins;
  - v) an erosion monitoring program during construction of the development; and
  - vi) measures to address erosion, should it occur, and to rehabilitate/ stabilise disturbed areas of the site.
- b) a **Noise Management Plan** to outline measures to minimise and mitigate noise impacts on surrounding land uses as a result of the construction of the development. The Plan **must** include, but not necessarily be limited to:
- i) identification of the potential sources of noise during the proposed works;
  - ii) specification of the noise criteria for the proposed works;
  - iii) a detailed description of what actions and measures would be implemented to ensure that these works would comply with the relevant noise criteria. This should include measures as recommended by AS 2436-1981;
  - iv) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected; and
  - v) a description of what procedures would be followed to ensure compliance;
- c) a **Dust Management Plan** to detail measures to minimise the generation of dust on the site during construction, and the impacts of dust on surrounding land uses. The Plan **must** include, but not necessarily be limited to:
- i) identification of the potential sources of dust during construction;
  - ii) specification of appropriate dust control criteria for the works;
  - iii) a description of what actions and measures would be implemented to minimise dust generation during the proposed works;
  - iv) details of how the effectiveness of these measures would be monitored during the proposed works; and, if any non-compliance is detected;
  - v) a description of what procedures would be followed to ensure compliance.
- d) a **Waste Management Plan** to outline measures to minimise the production and impact of wastes generated at the site during construction of the development. The Plan **must** include, but not necessarily be limited to:
- i) identification of the type and quantities of waste that would be generated during construction works;
  - ii) an outline of measures to be implemented to minimise the disposal of waste;
  - iii) a description of how the waste would be handled and stored during construction, and reused, recycled and, if necessary, appropriately treated and disposed of in accordance with the EPA's *Environmental Guidelines: Waste Classification Guidelines*;
  - iv) a description of how the effectiveness of these measures would be monitored; and, if any non-compliance is detected; and
  - v) a description of what measures would be followed to ensure compliance.
- e) a **Transport Management Plan**, in consultation with WWCC, to outline the measures to manage traffic issues during the construction and operation of the development. The Plan **must** include, but not necessarily be limited to:
- i) identification of the volumes, frequency and transport routes of construction traffic;
  - ii) identification of the potential traffic and transport impacts associated with the construction works. In particular the cumulative impact of

- iii) construction and operational traffic on the local road network;
- iv) a detailed description of what actions and measures would be implemented to minimise these potential impacts;
- v) details of how the effectiveness of these actions and measures would be monitored during these works; and if any non-compliance is detected;
- vi) a description what procedures would be followed to ensure compliance; and
- vii) details of a Driver Code of Conduct to be applied to employees and contractors working at the abattoir and associated facilities during both construction and operational phases to ensure road and traffic safety measures are implemented.

7.2(a) The Applicant must update the Construction Environmental Plan for the project to the satisfaction of the Secretary. The Plan must:

- a) be submitted to, and approved by, the Secretary before the commencement of construction of the Effluent System Upgrade and associated flare system;
- b) be updated having regards to the requirements specified under condition 7.1 of this consent; and
- c) include:
  - Erosion and Sedimentation Management Plan;
  - Dust Management Plan;
  - Waste Management Plan;
  - Fire Safety Study, prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study Guidelines'* and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. The study must also be submitted to the NSW Fire Brigade for approval; and
  - a Final Hazards Analysis (FHA) prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No.6 'Guidelines for Hazard Analysis'*.

7.2B The Applicant must update and implement the Construction Environmental Management Plan with regard to the extent of works under DA220-07-2002-i MOD 6 to the satisfaction of the Secretary. The revised plan must:

- i. update the Erosion and Sedimentation Management required under Condition 7.2a) to reflect the additional stormwater and construction works in accordance with *Managing Urban Stormwater: Soils and Construction, Landcom 2004*; and
- ii. update the Transport Management Plan required under Condition 7.2e) to reflect the revised access arrangements for the site and must include measures to inform employees and contractors of the revised site access arrangements.

Construction of the extent of works under DA.220-07-2002 MOD 6 must not commence until written approval for the CEMP has been received from the Secretary. Upon receipt of the Secretary's approval, the Applicant must supply a copy of the updated plan to WWCC, as soon as practicable.

### **Operation Environmental Management Plan**

7.3 The Applicant **must** prepare and implement an **Operation Environmental Management Plan** to detail an environmental management framework, practices and procedures to be followed during the operation of the development. The Plan **must** include, but not necessarily be limited to:

- a) identification of all statutory and other obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;
- b) a description of the roles and responsibilities for all relevant employees involved

- c) overall environmental policies and principles to be applied to the operation of the development;
- d) standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;
- e) management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;
- f) the Management Plans listed under condition 7.4 of this consent; and
- g) arrangements for community consultation and complaints handling procedures during construction.

The Plan **must** be submitted for the approval of the **Secretary** no later than one month prior to the commencement of operation of the development, or within such period otherwise agreed by the **Secretary**. Any stage of the operations **must** not be commissioned until the **Secretary** has approved the OEMP covering the works undertaken in that stage. Upon receipt of the **Secretary's** approval, the Applicant **must** supply a copy of the Plan to WWCC as soon as practicable.

7.4 As part of the Operation Environmental Management Plan for the development, required under condition 7.3 of this consent, the Applicant **must** prepare and implement the following Management Plans:

- a) an **Odour Management Plan** to outline measures to minimise odour impacts associated with the entire abattoir operation. The Plan is to be prepared in consultation with the **EPA** and WWCC. The Plan **must** include, but not necessarily be limited to:
  - i) identification of all point and diffuse sources of odour associated with the entire abattoir operation;
  - ii) a detailed description of the odour mitigation methods and management practices that will be used throughout the entire abattoir operation to ensure offensive odour impacts do not occur;
  - iii) a detailed description of the methods used for monitoring the effectiveness of odour mitigation methods and management practices for all point and diffuse sources of odour associated with the entire abattoir operation; and
  - iv) a procedure for handling odour complaints that includes recording, investigating, reporting and acting on complaints.
- b) a **Water Management Plan** to outline measures to control and manage surface water (including erosion and sedimentation), and stormwater associated with the development. The Plan **must** address the requirements of WWCC and the **EPA**. The Plan **must** include, but not necessarily be limited to:
  - surface water, erosion and sedimentation management**
    - i) measures to be implemented to minimise the potential for erosion and dust emissions from the site, during the operation of the development and measures to maintain all erosion mitigating works, particularly in relation to the catteries;
    - ii) demonstration that erosion and sedimentation control measures will conform with, or exceed, the relevant requirements and guidelines provided in **EPA**'s publication *Urban Erosion and Sedimentation Handbook*, and the Department of Housing's publication *Soil and Construction 3<sup>rd</sup> Edition August 1998*; and
    - iii) measures to rehabilitate erosion-affected areas and areas the subject of excavation, including tree, shrub and/ or cover crop species and implementation (consistent with the Landscape Management Plan required under condition 7.4c) of this consent);

**<sup>9</sup>stormwater management**

- i) details of all relevant stormwater control infrastructure and how that infrastructure minimise stormwater peak flows and peak pollutant concentrations;
  - ii) procedures for the installation and maintenance of gross pollutant traps to screen run-off from the site;
  - iii) a demonstration of consistency with the stormwater management plan for the catchment, should one exist, or with the EPA 's publication *Managing Urban Stormwater: Council Handbook* should a stormwater management plan for the catchment not exist;
- c) a revised **Effluent Wastewater Management Plan**. The Plan must:
- i) be undertaken in consultation with EPA and DPIE Water and approved by the –Secretary, prior to undertaking any irrigation of effluent on the CFA Low area as described in the EA for DA 220-07-2002-I - MOD 5;
  - ii) be consistent with EPA's Environmental Guidelines Use of Effluent by Irrigation;
  - iii) identify the areas that have the potential to be impacted by the development's wastewater (such as through irrigation or from spills and/or leaks);
  - iv) include detailed baseline data, and benchmark the existing soil, surface and groundwater conditions in these areas (identified in iii) above);
  - v) provide a water balance accounting for all wastewater streams and describing the quantity and quality of the effluent wastewater;
  - vi) identify the soil, surface water, groundwater and wastewater impact assessment criteria and Council's Trade Waste Limits;
  - vii) include a detailed description of the proposed irrigation system, including the infrastructure, flow rates, crop cycling and soil moisture monitoring and management (ensuring the field capacity of the soil is not exceeded and to minimise risk of deep drainage of nutrients);
  - viii) describe the monitoring strategy to be implemented for the effluent to be irrigated, the effluent to be discharged to sewer, soil, surface water and groundwater, including details of the:
    - monitoring locations;
    - sampling frequency;
    - sampling methods;
  - ix) include justification for the proposed monitoring strategy and demonstrating that this monitoring would provide sufficient information to determine the annual nutrient and salt balance and ensure compliance with the trigger levels for nitrogen and phosphorus;
  - x) describe how the monitoring results will be assessed and reported;
  - xi) outline the contingency measures that would be implemented in high rainfall events and/or should monitoring identify any exceedance of the impact assessment criteria.
- d) a **Noise Management Plan** to outline measures to manage noise impacts associated with the operation of the development. The Plan **must** address the requirements of WWCC and EPA. The Plan **must** include, but not necessarily be limited to:
- i) identification of the potential sources of noise during the site operations;
  - ii) specification of the noise criteria for these operations;
  - iii) a detailed description of what actions and measures would be implemented to ensure that operations would comply with specified noise criteria; and
  - iv) a description of how the effectiveness of actions and measures would be monitored over time; and if any non-compliance is detected what procedures would be followed to ensure compliance;
- e) a **Landscape Management Plan** to outline measures to ensure appropriate development and maintenance of landscaping on the site. The Plan **must**

address the requirements of WWCC. The Plan **must** include, but not necessarily be limited to:

- i) details of existing and proposed landscaping to be undertaken on the site, including landscaping surrounding the abattoir buildings, carpark and stock pen areas and along site perimeters. Particular attention should be given to screen the main abattoir buildings, carpark and stock pen areas from residential receptors;
  - ii) maximisation of flora species endemic to the locality in landscaping the site;
  - iii) details of car parking and measures to prevent vehicle encroachment onto landscaped areas;
  - iv) details of any trees that will need to be removed from the site; and
  - v) a program to ensure that all landscaped areas on the site are maintained in a tidy, healthy state.
- f) a **Waste Management Plan** to outline measures to minimise the production and impact of wastes generated at the development. Particular attention **must** be given to the management and disposal of sludge removed from the wastewater treatment system. The Plan **must** address the requirements of WWCC and **must** include, but not necessarily be limited to:
- i) identification of the types and quantities of waste that would be generated during operations;
  - ii) standards and performance measures for dealing with this waste;
  - iii) a detailed description of how this waste would be stored and handled during operations;
  - iv) a detailed description of how this waste would be reused, recycled, and if necessary, appropriately treated and disposed of in accordance with the EPA's *Environmental Guidelines: Waste Classification Guidelines*;
  - v) a description of how the effectiveness of these actions and measures would be monitored over time; and
  - vi) a description of what procedures would be followed to ensure compliance if any non-compliance is detected.
- g) an **Emergency Management Plan** to outline measures that would be implemented in a time of emergency. The Plan **must** address any requirements of WWCC and EPA, and **must** include, but not necessarily be limited to:
- i) identification of potential emergencies at the abattoir, such as plant failure, excessive rainfall, fire, explosions, etc;
  - ii) a outline of what procedures would be followed during emergencies to minimise any adverse impacts on humans or the environment; and
  - iii) a detailed communications strategy for emergencies that describes how the various agencies and affected community would be alerted to the emergency.

7.4(a) The Applicant **must** update the Operation Environmental Plan for the project to the satisfaction of the Secretary. The Plan **must**:

- a) be submitted to, and approved by, the Secretary before the commencement of commissioning of the Effluent System Upgrade and associated flare system;
- b) be updated having regards to the requirements specified under condition 7.3 of this consent; and
- c) include:
  - an Odour Management Plan;
  - a Water Management Plan;
  - a Waste Management Plan;
  - Energy Savings Action Plan prepared in accordance with the requirements of the DPIE Water and the Guidelines for Energy Savings Action Plans, DEUS 2005;
  - an Emergency Plan detailing emergency procedures for the project, including detailed procedures for the safety of people outside of the

project who may be at risk from the project. The Emergency Plan must be prepared accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1 'Industry Emergency Planning Guidelines'*; and

- a Safety Management System covering all on-site operations and associated transport activities involving hazardous materials. The Safety Management System must be prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No.9 'Safety Management'* and must specify all safety related procedures, responsibilities and policies, along with mechanisms for ensuring adherence to the procedures. Records must be kept on-site and be available for inspection by the Secretary upon request.

7.4(b) The Applicant must update the Operation Environment Management Plan with regard to the extent of works under DA220-07-2002-i MOD 6 to the satisfaction of the Secretary. The revised plan must:

- i. update the Water Management Plan required under Condition 7.4b) in accordance with *Managing Urban Stormwater: Soils and Construction, Landcom 2004*.

Construction of the works under DA220-07-2006 MOD 6 must not commence until written approval for the OEMP has been received from the Secretary. Upon receipt of the Secretary's approval, the Applicant must supply a copy of the updated plan to WWCC, as soon as practicable.

7.4(c) Within three months of the date of approval of DA220-07-2002-I-Mod-11, the Applicant must update the development's Effluent Wastewater Management Plan (EWMP) to the satisfaction of the Secretary. The updated EWMP must:

- a) be prepared in accordance with the requirements of Condition 7.4 of this consent;
- b) be prepared in consultation with the EPA and DPIE Water;
- c) include a detailed description of the development's effluent irrigation system, including:
  - (i) irrigation infrastructure and flow rates;
  - (ii) crops to be irrigated to (including crop cycling procedures); and
  - (iii) soil moisture monitoring and management (ensuring the field capacity of the soil is not exceeded and to minimise risk of deep drainage of nutrients).

7.4(d) The Applicant must implement the most recent version of the EWMP approved by the Secretary for the duration of the development.

### **Replacement Biofilter**

7.5 To ensure that nearby residents are made aware of the potential for increased odour emissions whilst the new biofilter approved under DA 220-07-2002-i MOD 7 is constructed, the Applicant must notify the properties located on both sides of the roads bounded by East Street, Cooramin Street, Hampden Avenue and Old Bomen Road in writing, no less than five days prior to commissioning the new biofilter.

This notification must detail the potential for increased odours from the abattoir and contain relevant contacts for the properties that are notified.

7.6 Within three months of the commencement of operation of the replacement biofilter approved under DA 220-07-2002-i MOD 7, or as otherwise agreed by the Secretary, the Applicant must commission and pay the full cost of an Independent Odour Audit on the site to confirm the odour performance of the replacement biofilter, The audit must:

- a) be undertaken no less than three months following the commissioning of the

- replacement biofilter;
- b) be prepared by a suitably experienced and qualified person or persons whose appointment has been approved by the Secretary;
- c) assess the effectiveness of the odour controls on site;
- d) verify the odour performance of the replacement biofilter;
- e) make recommendations of any measures or actions to improve and/or ensure the odour performance of the replacement biofilter complies with this consent.

Within 1 month of commissioning the audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the odour audit report required by this condition.

### **Revision of Strategies, Plans and Programs**

- 7.7 Within three months of the approval of any modification of the conditions of this consent, the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.
- 7.8 If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Secretary. Where revisions are required, the revised document must be submitted to the Secretary for approval within six weeks of the review.

*Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.*

## **8. ENVIRONMENTAL REPORTING**

### **Incident Reporting**

- 8.1 Within 24 hours of detecting the occurrence of an incident that causes (or may cause) material harm to the environment, the Applicant must notify the Department and other relevant agencies of the incident.
- 8.2 Within 7 days of notifying the Department and other relevant agencies of such an incident, the Applicant must provide the Department and these agencies with a written report that:
- a) describes the date, time, and nature of the incident;
  - b) identifies the cause (or likely cause) of the incident;
  - c) describes what action has been taken to date; and
  - d) describes the proposed measures to address the incident.

### **Annual Performance Reporting**

- 8.3 Every 12 months, the Applicant must submit an AEMR to the Secretary and relevant agencies. This report must:
- a) identify the standards and performance measures that apply to the project;
  - b) describe the works carried out in the last 12 months;
  - c) describe the works that will be carried out in the next 12 months;
  - d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;
  - e) include a summary of the monitoring results for the project during the past year;
  - f) include an analysis of these monitoring results against the relevant:
    - impact assessment criteria/limits;
    - monitoring results from previous years; and



- predictions for the effluent system upgrade and other documents listed in condition 1.2 of schedule 2;
- g) identify and discuss all exceedances of approval and licence conditions and other applicable standards and performance measures;
  - h) identify any trends in the monitoring results over the life of the project;
  - i) identify any non-compliance during the previous year; and
  - j) describe what actions were, or are being, taken to ensure compliance.

Note: The AEMR may be submitted to the Secretary for approval, at the same time as the Annual Return is submitted to EPA.

FOR INFORMATION