

Attn: Pamela Morales
Department of Planning, Housing and Infrastructure
12 Darcy Street
PARRAMATTA NSW 2150

Email: pamela.morales@planning.nsw.gov.au

Dear Pamela,

TAMWORTH REGIONAL COUNCIL SUBMISSION - MODIFICATION OF STATE SIGNIFICANT DEVELOPMENT- BAIADA SSD-9394 MODIFICATION 6 CHANGES TO WASTEWATER TREATMENT PLANT (SSD-9394-MOD-6)

I refer to your correspondence received 23 April 2026 regarding the public exhibition of Modification of State Significant Development, being the Baiada SSD-9394 Modification 6 Changes to Wastewater Treatment Plant (SSD-9394-MOD-6).

GENERAL

Tamworth Regional Council acknowledges that the Modification to State Significant Development - Baiada SSD-9394 Modification 6 Changes to Wastewater Treatment Plant, intends to facilitate the staged delivery of wastewater treatment infrastructure, enabling the commencement of operations in the short term while allowing the treatment process to expand concurrently with production.

Additionally, it is noted that the proposed approach seeks to implement wastewater treatment technology capable of reducing the biological load requiring further treatment, reducing electricity consumption, supporting the future production of biogas, and facilitating advanced water treatment either on site or off site.

From an assessment perspective, Council acknowledges the applicant's justification for amending the proposal on this basis. However, following a review of the amended documentation, Council has identified a number of matters requiring further attention, as outlined in the following section of this report.

RELEVANT ISSUES

Water (Potable)

Council is working with Baiada to provide potable water to the Poultry Processing Facility (Oakburn Site) and as documented in the modification, potable water supply agreements exist between Council and Baiada.

The inconsistencies (outlined in the following paragraph) between the potable water demand required to operate the Oakburn Site and the volume of recycled water generated by the Advanced Water Treatment Plant (AWTP) create uncertainty regarding the site's reliance on Council's potable water supply and distribution network.

This uncertainty limits Council's ability to effectively plan for growth and forecast future water demand across the city. Accordingly, Council considers it necessary to establish a minimum daily supply requirement from Baiada's new AWTP to the proposed processing facility.

In this regard, Council has identified multiple inconsistencies within the submitted documentation relating to the proposed potable water reuse volumes and Advanced Water Treatment Plant (AWTP) production capacity. Specifically, the Wastewater Concept Design Report prepared by JJC Engineering Pty Ltd (JJC, 2026) references advanced treatment capacity of 30 ML/week (JJC, 2026 p. 4, Table), while elsewhere in the same report it states that the advanced treatment system will produce approximately 35 ML/week of potable water for reuse (JJC, 2026 p. 5). Furthermore, the report identifies an overall AWTP capacity of 51.2 ML/week (JJC, 2026 p. 5), which is not reconciled with the nominated reuse volumes.

Additionally, Figure 4 of the same report indicates a recovered potable water supply to the processing plant of up to 6 ML/day (equivalent to approximately 42 ML/week) (JJC, 2026, p. 26), representing a further inconsistency in stated production and reuse rates.

Further discrepancies are also noted in the Modification Report prepared by PSA Consulting (PSA, 2026), which identifies reuse volumes of 42 ML/week and a supplementary demand of 9 ML/week from Council's potable water supply (PSA, 2026 p. 10, Table 2). These figures are not clearly aligned with those presented in the JJC Engineering documentation.

Given these inconsistencies, Council requires clarification of the proposed AWTP treatment capacity, recycled water production volumes, and the extent of reliance on Council's potable water supply. This must include confirmation of the maximum anticipated weekly potable water demand for each stage of the development, supported by a consistent and reconciled water balance across all submitted documentation.

Wastewater

Wastewater treatment at the Oakburn Site will be staged over three stages and the comments have been organised per each stage shown below.

Oakburn Stage 1

There is a Liquid Trade Waste Services Agreement (LTWSA) in place for this stage. This LTWSA was issued in November 2025 following concurrence being provided by the Department of Climate Change, Energy, the Environment and Water (DCCEEW). Baiada has subsequently requested a modification to this LTWSA, associated with proposed changes to the treatment process for this stage. Council is currently working through this modification with Baiada and will seek DCCEEW concurrence in due course.

Oakburn Stage 2

Currently Council's Westdale Wastewater Treatment Plant (WWTP) does not have capacity to treat the volumes of liquid trade waste (LTW) associated with Baiada's proposed Wastewater treatment systems associated with Stage 2 as presented in MOD-6.

However, Baiada has committed a maximum liquid waste discharge volume of 12.8ML/wk. in Stage 3. This 12.8 ML/wk. is the current maximum liquid trade waste volume in accordance with the Nov 2025 LTWSA for Oakburn Poultry Processing Plant (OPPP) and current LTWSA for Baiada Oakburn Rendering.

Council is currently working with the Environment Protection Authority (EPA) in relation to seeking a temporary amendment to the Environment Protection Licence for Council's WWTP (EPL 1600), that if successful, would allow the proposed Stage 2 liquid trade waste discharge volume to be accepted for a limited time.

Should this temporary amendment to EPL 1600 be granted then Council is willing to accept a Liquid Trade Waste Application from Baiada for Stage 2 discharge to Council's sewer. Assuming this application is considered satisfactory by Council, Council will seek the concurrence of the DCCEEW, before signing any Trade Waste Agreement for Stage 2 of the development.

Council is currently in the process of undertaking a detailed capacity assessment of Council's WWTP. This assessment is being prepared based on advice provided by Baiada that higher quality LTW will be discharged during Stage 2 and LTW volumes will reduce or return to current LTW volume of 12.8 ML/week on commencement of Stage 3. However, inconsistencies in the documents submitted by Baiada make it difficult for Council to assess, with a degree of certainty, the impact of Stage 2 discharges on the WWTP.

Without the inconsistencies being addressed, Council cannot finalise the capacity assessment of the Westdale WWTP to allow further engagement with regulators regarding a temporary EPL 1600 variation or similar.

Further, the volume of domestic strength sewage from staff amenities etc. needs to be defined along with the discharge location.

In an effort to reduce the time taken to receive concurrence from DCCEEW in relation to liquid trade waste discharge during Stage 2, Council has sought advice from DCCEEW about what would be required as part of any application for concurrence for Stage 2 discharge. **The advice from DCCEEW is attached with this letter for reference.**

Council and Baiada will have to comply with the requirements set down before concurrence would be issued.

Oakburn Stage 3

The modification suggests the wastewater objective of Stage 3 is to discharge LTW of 12.8ML/week at required pollutant concentrations, however, Modification 6 does not clearly state how this will be achieved and when the flows associated with Stage 2 will be reduced to Stage 3 levels. The timeframe for this reduction in flows is critical because this timeframe will form part of the temporary EPL 1600 amendment, should such an amendment be granted by the EPA for Stage 2 discharge.

Further inconsistencies with the Modification 6 application such as (PSA, 2026, pp. 4, Table 1) states Stage 3 capacity will be 51.2 ML/Week with advanced treatment to generate 30 ML/week, and (PSA, 2026, p. 7) noted Stage 3 discharge to Westdale WWTP will reduce to 12.8ML/week makes it unclear what the final volume of liquid trade waste will be discharged to Council's sewer at Stage 3.

To ensure discharge quantities and qualities to the sewer network are adhered to the weekly amount of recycled water generated from the AWTP and issued on site will need to be specified.

Effluent Reuse

Council has received an application for the construction of an irrigation pipeline to transfer treated trade waste off-site for disposal to Baiada owned land at Bowlers Lane. However, this proposal and the associated disposal methodology have not been addressed or assessed within the submitted Wastewater Report.

Waste

The proposed increase in number of birds being processed at the Baiada OPPP when compared to current Baiada operations will see an associated increase in waste. However, the submitted modification documentation does not clearly identify the estimated waste volumes, the various waste streams anticipated to be generated, or the proposed disposal locations for these waste streams.

Should any of the generated waste be proposed for disposal at Council managed facilities, this may have implications for Council's day to day operation and future waste management planning.

Accordingly, please provide details of the maximum solid waste volumes anticipated for each stage of the development, including the type of waste generated and the proposed disposal locations for each.

Stormwater

The submitted Stormwater Catchment details and management strategy appear to relate only to Stage 1 of the proposed development.

In contrast, the Wastewater Strategy identifies three separate stages of development, each showing significantly different site configurations, including variations to the treatment train and stormwater network layout.

In particular, the Stage 3 plans appear to indicate the conversion of Detention Basins A and B into brine holding ponds. However, this proposed change has not been addressed or detailed within the submitted Stormwater Strategy documentation.

Additionally, Hanlon Consulting has submitted a separate stormwater plan for the northeastern portion of the site, which identifies a basin labelled as "B". It is unclear whether this plan relates to Stage 3 of the development. Furthermore, no stormwater flow calculations or supporting details have been provided in association with these plans.

Accordingly, please provide the following:

- Detailed site plans for each stage of the proposed development;
- A comprehensive stormwater catchment plan and stormwater management strategy for each stage of development, including relevant flow calculations;
- Detailed information regarding the proposed conversion of Detention Basins A and B into brine holding ponds, including any specialised design and construction requirements associated with these works.

GENERAL COMMENTS

While Modification 6 states that there will be no change in environmental impact associated with the modification, Council considers that potential environmental impacts may arise from the following matters:

1. The increased demand for potable water from Council's water reticulation network;
2. Council's ongoing long-term acceptance of liquid trade waste not previously included within the approved SSD prior to Modification 6; and
3. Council's acceptance of an increased flowrate of liquid trade waste during Stage 2 of the development.

The environmental impacts associated with these matters should be appropriately assessed, and suitable mitigation measures identified and detailed.

As certain components of the treatment process are critical to the effective management of environmental impacts, the proposal should also address redundancy in the event of failure. This should be clarified within the application documentation and where necessary reflected in any amended conditions of consent.

The current Trade Waste Agreement for Stage 1 anticipates the progressive closure of Baiada's existing In and Out Street processing facility as production transitions to the new processing facility. Council will not accept liquid trade waste (LTW) from the In and Out Street facility once the new facility becomes operational and the combined processing capacity of both facilities exceeds the currently approved capacity of the In and Out Street facility.

Given the involvement of multiple regulatory authorities, including the Environmental Protection Authority (EPA), the Department of Climate Change, Energy, the Environment and Water (DCCEEW), and Tamworth Regional Council (TRC)—in the approval and oversight of the various development stages, a coordinated and collaborative approach between all relevant agencies is essential.

SUGGESTED CONDITIONS TO BE MODIFIED

Notwithstanding the above comments, Council suggests the following conditions should be amended and/or new conditions included in the development consent in relation to Modification 6. These conditions are premised on the three Stages, as defined in section 1.4 of the Modification 6 submission document titled "1963_PSA_Baiada_WWTP Modification Report_260413_V10" (PSA, 2026)

<u>Condition</u>	<u>Proposed amendment</u>	<u>Justification</u>
B30	<u>Existing Condition</u> A Compliance Certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the Local Water Supply Authority) prior to the issue of an Occupation Certificate. All contribution payments, or a formal Agreement with Council for payment of contributions, must be made prior to issue of any Occupation Certificate <u>Suggested amendment</u> <i>A Compliance Certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the Local Water Supply Authority) <u>for Stage 1</u>, prior to the issue of an Occupation Certificate. All contribution payments, or a formal Agreement with Council for payment of contributions, <u>associated with Stage 1</u>, must be made prior to issue of any Occupation Certificate.</i>	All contribution payments cannot be calculated until the Stage 2 and 3 are completed below

<u>Condition</u>	<u>Proposed amendment</u>	<u>Justification</u>
B36	<u>Existing condition</u> The existing point of discharge to Council's sewerage system on Gunnedah Road is to be utilised for the discharge of sewage <u>Suggested amendment</u> <i>During Stage 1- The existing point of discharge to Council's sewerage system on Gunnedah Road is to be utilised for the discharge of site domestic sewage and liquid trade waste of the existing rendering facility.</i>	Separation of sewage from new amenities building cannot be achieved until Stage 2 is complete. Trade waste discharge will not be combined i.e. rendering and processing plant until this stage i.e. single combined liquid trade waste agreement will be required for this stage.
New condition	<i>During Stage 2 and Stage 3, the point of discharge to Council's sewerage system, which is Council's sewer manhole number A0095729 located on Gunnedah Road, is to be utilised for the discharge of domestic sewage and is not to be utilised for Liquid Trade Waste.</i>	The point of discharge to Council's sewerage system on Gunnedah Road requires identification
New condition	<i>During Stage 1, the discharge of Liquid Trade Waste from the OPPP must not exceed 9.6ML/week to Westdale WWTP.</i> <i>The pollutant concentrations within the Liquid Trade Waste discharge do not exceed the following maximum concentrations:</i> <i>BOD=300 mg/L</i> <i>TN=100 mg/L</i> <i>TSS=300 mg/L</i> <i>TDS=1000 mg/L</i> <i>TP=20 mg/L</i> <i>NH3=50 mg/L</i> <i>pH 6.5-8.5</i> <i>O&G 100mg/L</i>	Confirmation of Stage 1 requirements
B37	<u>Existing condition</u> Sewage streams must remain separate from the WWTP/ AWTP system at all times <u>Suggested amendment</u> <i>During Stage 2 and Stage 3 domestic Sewage and Liquid Trade Waste sewage streams must remain separate from the WWTP/ AWTP system at all times</i>	This condition cannot be satisfied until the AWTP is constructed.
New Condition	<u>Stage 2: Baiada Treating up to 25.6ML / WK of Wastewater on-site</u> <i>During Stage 2, the discharge of Liquid Trade Waste from the Baiada Oakburn Poultry Processing Plant (OPPP) may only exceed 9.6ML/week to Westdale WWTP provided that:</i>	The NSW Government are running a series of water security projects (https://vimeo.com/1061086990) to address water security concerns for the city.

<u>Condition</u>	<u>Proposed amendment</u>	<u>Justification</u>
	(a) the Westdale WWTP can lawfully accept the increased Liquid Trade Waste discharge volume; (b) a Liquid Trade Waste Agreement has been entered into with the Council (as the Local Water Supply Authority) for Stage 2; (c) a Compliance Certificate under Section 306 of the Water Management Act 2000 has been obtained from the Council (as the Local Water Supply Authority) for Stage 2, and Stage 2 contribution payments have been paid to Council, or a formal Agreement with Council for payment of contributions associated with Stage 2 has been entered into; (c) the maximum volume of Liquid Trade Waste does not exceed 25.6ML/week; (d) the pollutant concentrations within the Liquid Trade Waste discharge do not exceed the following maximum concentrations: BOD=50 mg/L TN=20 mg/L TSS=50 mg/L NOx=2mg/L TP=2 mg/L TDS=1000 mg/L (e) within 24 months after the commencement of Stage 2 the AWTP is designed, constructed, commissioned, proven and operational, with a capacity to produce 42 ML/week of recycled water.	Advanced water treatment is among a range of measures that are being considered. An AWTP at Baiada would mitigate Baiada's risks associated with drought and water security. The Stage 2 LTWSA will be dependent upon: 1. Baiada meeting the stated conditions, 2. EPA agreeing to a temporary adjustment to EPL1600, and 3. DCCEEW providing concurrence. Headwork charges to be calculated once the above items have been addressed.
New Condition	<u>Operation of the AWTP</u> Once the AWTP first becomes operational, it must be continuously operated, so that the AWTP produces a minimum of 80% of the OPPP weekly demand for potable water and the recycled water produced from the AWTP is used on site at OPPP as a direct replacement for potable water from Councils water reticulation system.	Manages demand for water from Councils Water reticulation system. Required to satisfy the Liquid Trade Waste agreement discharge conditions for Stage 3.
New Condition	Prior to the commencement of Stage 3: (a) a Liquid Trade Waste Agreement for Stage 3 must have been entered into with the Council (as the Local Water Supply Authority) for Stage 3; and (b) a Compliance Certificate must have been obtained under Section 306 of the Water Management Act 2000 from the Council (as the Local Water Supply	It is expected Stage 2 Liquid Trade Waste discharge will be limited to a maximum of 36 months. All contribution payments cannot be calculated until the LTWSA is in place for stage 2.

<u>Condition</u>	<u>Proposed amendment</u>	<u>Justification</u>
	Authority) for Stage 3, and Stage 3 contribution payments must have been paid to Council, or a formal Agreement with Council for payment of contributions associated with Stage 3 entered into.	All contribution payments cannot be calculated until this stage is completed.
New Condition	<u>Stage 3: Baiada Treating up to 51.2ML / WK of Wastewater on-site</u> During Stage 3: (a) the discharge of Liquid Trade Waste from the OPPP must not exceed 12.8ML/week to Westdale WWTP; and (b) the pollutant concentrations within the Liquid Trade Waste discharge do not exceed the following maximum concentrations: BOD=50 mg/L TN=20 mg/L TSS=50 mg/L NOX=2mg/L TP=2 mg/L TDS=1000 mg/L.	AWTP to be in place before this stage can begin to confirm max discharges to TRC sewer network.

Should you require any clarification in relation to the matters raised above, please contact Council's Senior Development Assessment Planner, Nivin Cleatus Pathrose, on the number below.

Yours faithfully,



David Lightowler
Acting Director – Liveable Communities

Contact: Nivin Cleatus Pathrose on (02) 67675765 or n.pathrose@tamworth.nsw.gov.au

25 May 2026