

Prepared for  
**Baiada Poultry Pty Ltd**

Prepared by  
**Ramboll Australia Pty Ltd**

Date  
**7 April 2022**

Project Number  
**318001313**

# **INDEPENDENT ENVIRONMENTAL AUDIT**

## **BAIADA INTEGRATED POULTRY PROCESSING FACILITY DA 53/97 & SSD-9394**

## **INDEPENDENT ENVIRONMENTAL AUDIT BAIADA INTEGRATED POULTRY PROCESSING FACILITY, DA 53/97 & SSD-9394**

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Checked by **Shaun Taylor**  
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## GLOSSARY

AEMR	Annual Environmental Monitoring Report
AR	Annual Return
BCA	Building Code of Australia
BSI	BSI Group ANZ Pty Limited
CAL	Covered Anaerobic Lagoons
CEMP	Construction Environmental Management Plan
CRPAR	Compliance Reporting Post Approval Requirements
DA	Development Application
DG	Dangerous Goods
DPE	NSW Department of Planning & Environment (now DPIE)
DPIE	NSW Department of Planning, Industry & Environment
EMP	Environmental Management Plan
EMS	Environmental Management System
EPA	NSW Environment Protection Authority
EP&A	Environmental Planning and Assessment
EPL	Environment Protection Licence
IAPAR	Independent Audit Post Approval Requirements
IEA	Independent Environmental Audit
ISO	International Organization for Standardization
KPI	Key Performance Indicator
LNG	Liquefied Natural Gas
LTWSA	Liquid Trade Waste Services Agreement
MCC	Motor Control Centre
MOD	Modification
NC	Non-compliance
NCC	National Construction Code of Australia
NSW	New South Wales
OAK	Oakburn
OC	Occupation Certificate
OFI	Opportunity for Improvement
OMP	Odour Management Plan
OEMP	Operational Environmental Management Plan
PIRMP	Pollution Incident Response Management Plan
PM	Preventative Maintenance
POEO	Protection of the Environment Operations (Act)
PVC	Polyvinyl chloride
SBR	Sequencing Batch Reactor
SOP	Standard Operating Procedure
SSD	State Significant Development
TRC	Tamworth Regional Council
WTP / WTPP	Wastewater Treatment Plant

## 1. EXECUTIVE SUMMARY

Baiada Poultry Pty Ltd (Baiada) engaged Ramboll Australia Pty Ltd (Ramboll) to conduct an Independent Environmental Audit (IEA or Audit) of the Oakburn Processing Facility (the facility) located at 1154 Gunnedah Road, Westdale, New South Wales (NSW), 2340 and is described as Lots 100 to 102 in Deposited Plan (DP) 1097471, approximately 11 km north-west of Tamworth.

The IEA is a statutory requirement by the NSW Department of Planning, Industry and Environment (the Department or DPIE) as a condition of the Development Consent for Development Application 53/97 (DA 53/97) and the State Significant Development 9394 (SSD-9394).

The facility was subject to DA 53/97 during the Audit Period. DA 53/97 was surrendered on 21/12/21, which was following the Audit Period. SSD-9394 was approved by the Minister for Planning and Public Spaces on 18/12/2020 and effective on 22/01/21.

For the purpose of the Audit, the Auditors note that SSD-9394 defines the 'Development' as the:

- Existing Development, being the continuation of the existing Protein Recovery Plant; and
- Project, being construction and operation of an integrated poultry processing facility, including poultry processing, wastewater treatment plant, advanced water treatment plant and the increase to capacity of the Existing Development.

The objective of the Audit was to independently assess the environmental performance and compliance status of the Existing Development and Project under DA 53/97 and SSD-9394. The Audit Period was from 25 April 2019 to 1 December 2021.

The Auditors assessed the development to be generally compliant with DA 53/97 and SSD-9394, particularly in relation to its environmental performance. Twelve non-compliances were identified, nine of which are considered to be administrative in nature. The Auditors have made 13 recommendations regarding the non-compliances. The non-compliances are summarised as follows:

- 1) NC1, DA 53/97, Schedule 3, Condition 16 – Stored wastewater in the wastewater treatment plant (WWTP) area is not bunded as required by this condition and therefore, this is considered non-compliant. It is noted that bunding was not included in the approved design drawings for the WWTP under DA2018/0443 and SSD-9394 does not include a similar requirement to bund wastewater, that is, only chemicals, fuels and oils are required to be stored within bunds (Condition B61). Given that DA 53/97 was surrendered on 21/12/21 and this condition was superseded by Condition B61, SSD-9394 on 22/01/21, the Auditors have made an OFI as detailed in Section 5.2.
- 2) NC2, DA 53/97, Schedule 3, Condition 19 – The Oakburn – Management of Liquid Waste and Contingency Plan (2021 AEMR, Appendix I) and the 2021 OEMP section addressing Liquid Waste do not meet all of the requirements of Condition 19. Specifically, the 2021 OEMP (taken to represent the latest plan) does not:
  - characterise the quantity and quality of wastewater;
  - identify the criteria/limits for the disposal of treated wastewater; and
  - include:
    - detailed plans of pipelines, pumps and other infrastructure and connections to Council's system;
    - a protocol for the investigation, notification and mitigation of identified exceedances of the criteria/limits for the disposal of treated wastewater.

The Auditors recommend that the Liquid Waste elements of the OEMP be reviewed and revised to address all of the requirements of Condition 19, except those that relate to Stage 2/Project upgrades, including:

- characterising the quantity and quality of wastewater;
- identifying the criteria/limits for the disposal of treated wastewater;

- a plan(s) of the wastewater treatment process showing the key plant / equipment / infrastructure, sampling point(s) and discharge point; and
  - a protocol for the investigation, notification and mitigation of identified exceedances of the criteria/limits.
- 3) NC3, DA 53/97, Schedule 4, Condition 50 – The Auditors consider that the AEMRs comply with Condition 50 in most respects except for the presentation of the production data. The Auditors consider Condition 50 is non-compliant on the basis the AEMRs do not conclusively demonstrate that the Limits of Approval have been complied with 100% of the time.
- The Auditors note that DA 53/97 was surrendered on 21/12/21 and SSD-9394 does not include the same limits as Condition 6(a) and 6(b). The Auditors recommend that Baiada confirm DPIE's requirements for reporting production data in the Compliance Reports going forward. We also recommend the methodology and basis for reported production data be clearly indicated in the Compliance Report.
- 4) NC4, DA 53/97, Schedule 4, Condition 53 – The management plans and programs were reviewed within 3 months of the submission of the 2019 IEA report to DPIE, but they were submitted to DPIE 4 days later than the due date.
- The Auditors recommend that going forward, Baiada ensure that strategies, management plans and programs are reviewed and revised following submission of an IEA in accordance with the requirements of SSD-9394, Conditions C11 to C13.
- 5) NC5, SSD-9394, Condition B8 – An odour complaint on 04/04/21 indicates that an offensive odour was likely to have been emitted beyond the boundary of the site. Investigation indicated the odour was sourced from the CAL Biogas Vent.
- If it is not already being undertaken, the Auditors recommend that odour mitigation for the CAL Biogas Vent be investigated (e.g. feasibility study of options) and implemented to prevent a reoccurrence of an offensive odour emission beyond the boundary of the site.
- 6) NC6, SSD-9394, Condition B12 – The Auditors consider that the Odour Management Plan does not adequately address the management plan requirements of Condition C1.
- 7) NC7, SSD-9394, Condition B60 – The quantity of Sodium Hydroxide Solution stored onsite exceeds the Table 3 limit. The Packing Group of the stored chemical is also a higher risk Packing Group than shown in Table 3.
- The Auditors recommend that the chemical storage quantities be reviewed and Baiada reduce the quantity of Sodium Hydroxide stored onsite to comply with Table 3 limits and/or seek a modification of this condition to increase the limit for Sodium Hydroxide stored onsite and correct any factual inaccuracies in Table 3.
- 8) NC8, SSD-9394, Conditions C5, C1 & C6 – The 2021 OEMP does not adequately meet all of the requirements of Condition C5, including Condition C1 requirements, particularly the relevant statutory requirements, limits, performance measures and specific performance indicators.
- The 2021 OEMP generally meets Condition C6 requirements except that it does not include a procedure to respond to any non-compliance, which may or may not be an incident (as defined under SSD-9394), and under Condition C1 is defined as "*specifically including any exceedance of the impact assessment criteria and performance criteria*". This is considered non-compliant as an OEMP should clearly define and differentiate incidents and non-compliances and notification requirements under SSD-9394 and other approvals (e.g. EPL 7566, the LTWSA).
- The Auditors recommend that Baiada review and revise the OEMP to more completely and consistently meet Condition C1 requirements for all of the environmental aspects and impacts, which should be consistent with the site's environmental aspects and impacts register / risk assessment, as well as the requirements of SSD-9394. There should be clear links between identified environmental hazards, the control measures, required performance indicators and monitoring and reporting requirements with a particular focus on any regulatory limits and requirements. The OEMP should also

describe the procedure(s) to respond to “any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria)”, which may or may not be an incident.

- 9) NC9, SSD-9394, Condition C15 – Baiada did not submit a non-compliance notification in accordance with this condition when DPIE made Baiada aware on 10/08/21 that they were not complying with Condition C23, Access to Information.

The Auditors recommend that Baiada submit a non-compliance notification to DPIE regarding:

- the non-compliance with Condition A23 (the subject of DPIE’s letter dated 10/08/21) in accordance Conditions C15 and C16; and
- the non-compliance with Condition C19 (failure to upload 2021 AEMR and notify DPIE within required timeframes) in accordance with Condition C16.

This is in order to ensure that the reason(s) for the non-compliances are investigated and appropriate actions undertaken to address the non-compliances and prevent a reoccurrence. It is suggested that non-compliances are managed in a similar manner to incidents (within the meaning of SSD-9394, i.e. notifiable incidents) and recorded on the Incident/Complaint Register. Also refer to the findings and recommendations for Conditions C5 and C6 and procedures for responding to any non-compliance, which is considered to be one action for preventing a reoccurrence (i.e. provision of clear instructions).

- 10) NC10, SSD-9394, Condition C16 – Baiada did not submit non-compliance notifications for the Condition C19 and Condition C23 non-compliances, in accordance with Condition C16. This is considered to be a separate non-compliance to the Condition C15 non-compliance because all of the required information was not provided and there is no evidence that the non-compliances have been investigated and what actions have been undertaken to address the non-compliances and prevent a reoccurrence.

Refer to the recommendation for NC8, which also addresses NC9.

- 11) NC11, SSD-9394, Condition C18 – The 2021 AEMR and Compliance Report did not meet all of the requirements of Condition C18 and the Compliance Reporting Post Approval Requirements (Department 2020) (CRPAR 2020), as required and detailed in Table A-2 in relation to this condition. The Department reviewed the 2021 AEMR and considered it to generally satisfy the reporting requirements of the consents. DPIE required Baiada to ensure that the future Compliance Report layout complied with CRPAR 2020.

The Auditors recommend in line with DPIE’s requirement that future Compliance Reports comply with CRPAR 2020 requirements and include graphs of data to facilitate easy identification of trends and performance against limits and other targets

- 12) NC12, SSD-9394, Condition C19 – The 2021 AEMR was uploaded to the Oakburn SSD-9394 website more than 60 days after the report was submitted to DPIE on 07/05/21.

The Department was not notified of the upload to the public website 7 days prior to uploading the 2021 AEMR to the website.

The Auditors recommend that the Register of Portal & Website Uploads be reviewed and revised to include additional fields to prompt due dates for when reports must be uploaded, where applicable, and when DPIE must be notified.

- 13) NC13, SSD-9394, Condition C23 – Information required to be published on Baiada’s public website was missing and therefore, not accessible to be public. The missing information is detailed in Audit Table A-2, Condition C23.

The Auditors recommend that the website be reviewed and the missing information be uploaded as soon as practicable. Establish a process to ensure the required information is uploaded on a regular basis and within any required timeframes.

Management systems and environmental performance are considered to be of a generally high standard, particularly as there is no evidence of environmental harm or detrimental impacts on residents, aside from a very limited number of odour complaints during the Audit Period. The facility appeared tidy and in good condition. Seventeen opportunities for improvement (separate to those related to non-compliances) have also been identified as detailed in Section 5.2.

## 2. INTRODUCTION

### 2.1 Background

Baiada Poultry Pty Ltd (Baiada) engaged Ramboll Australia Pty Ltd (Ramboll) to conduct an Independent Environmental Audit (IEA or Audit) of the Oakburn Processing Facility (the facility) located at 1154 Gunnedah Road, Westdale, NSW, and described as Lots 100 to 102 in Deposited Plan (DP) 1097471 approximately 11 km north-west of Tamworth, New South Wales (NSW).

The IEA is a statutory requirement by the NSW Department of Planning, Industry and Environment (the Department or DPIE) as a condition of the Development Consent DA 53/97 and the State Significant Development 9394 (SSD-9394).

The facility was subject to DA 53/97 during the Audit Period, which was originally approved in February 1998 and has been the subject of six approved modifications. DA 53/97 was surrendered on 21/12/21, which was following the Audit Period.

DA 53/97 allowed for the construction and operation of an integrated poultry processing complex to be developed in four stages as follows:

- Stage 1 – Protein Rendering Plant
- Stage 2 – Integrated Poultry Processing Plant
- Stage 3 – Deboning Plant
- Stage 4 – Processing Plant

Only Stage 1 (the Protein Rendering Plant) had been constructed. The current rendering plant was constructed in 2014 following a fire that destroyed the original rendering plant.

The Minister for Planning and Public Spaces approved SSD-9394 on 18/12/2020 and effective on 22/01/21. SSD-9394 describes the development as the construction and operation of Baiada Integrated Poultry Processing Facility, including:

- Poultry processing facility, with capacity to process up to 3 million birds a week;
- Protein Recovery Plant, with capacity to render up to 1,680 tonnes of finished product per week;
- Wastewater treatment plant;
- Advanced water treatment plant;
- Road connection to Workshop Lane;
- Earthworks; and
- Connection to infrastructure

For the purpose of the Audit, the Auditors note that SSD-9394 defines the 'Development' as the:

- Existing Development, being the continuation of the existing Protein Recovery Plant; and
- Project, being construction and operation of an integrated poultry processing facility, including poultry processing, wastewater treatment plant, advanced water treatment plant and the increase to capacity of the Existing Development.

Stage 2 under DA 53/97 is essentially the same as the Project under SSD-9394, neither of which had commenced during the Audit Period.

In addition to DA 53/97 (as modified) and SSD-9394, Baiada also holds an Environmental Protection Licence 7566 (EPL 7566) issued by the Environment Protection Authority (EPA) under the *Protection of the Environment Operations Act 1997* (POEO Act).

## 2.2 Audit Team

The Audit was conducted by Shaun Taylor (Auditor) of Ramboll, supported by Emily Rowe (Auditor) and Greer Laing (Odour Expert). The Audit Report was prepared by Emily Rowe and Shaun Taylor and reviewed and authorised by Victoria Sedwick (Lead Auditor).

## 2.3 Audit Objectives

The objective of the Audit was to independently assess the environmental performance and compliance status of the Existing Development and Project under DA 53/97 and SSD-9394.

## 2.4 Audit Scope

The scope for the Audit is in accordance with DA 53/97, Schedule 4, Condition 51 and SSD-9394, Part c, Condition C20, as follows:

### **DA 53/97, Schedule 4:**

51. Within 12 months of the approval of DA 53/97 Mod 3, and every 3 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
- a) be conducted by a suitably qualified, experienced, and independent team of experts, including an odour expert, whose appointment has been endorsed by the Director-General;
  - b) be undertaken in consultation with EPA, NOW and Council;
  - c) assess whether the development is being carried out in accordance with industry best practice;
  - d) assess the environmental performance of the development, and its effects on the surrounding environment and sensitive receivers;
  - e) assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;
  - f) review the adequacy of any strategy/plan/program required under this approval; and, if necessary,
  - g) recommend measures or actions to improve the environmental performance of the development, and/or any strategy/plan/program required under this approval.

### **SS-9394, Part C:**

- C20. Within twelve months of the date of this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:
- a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)
  - b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and
  - c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary)

## 2.5 Audit Period

The audit period for the previous IEA conducted in 2019 was 8 March 2016 to 24 April 2019. The site visit for this Audit was conducted on 4 November 2021, with a follow-up interview on 1 December 2021. Hence, the Audit Period for this Audit site was taken to be 25 April 2019 to 1 December 2021.

### 3. AUDIT METHODOLOGY

#### 3.1 Selection and Endorsement of Audit Team

All of the Ramboll Auditors referred to in Section 2.2 have training and extensive experience in conducting environmental compliance audits and are independent from Baiada. Victoria Sedwick and Emily Rowe are certified Lead Auditors with Exemplar Global (Certificate No. 13180 and 204997, respectively). As required under the Development Consent Conditions, endorsement of the Audit Team by the Department is required and was provided in a letter dated 27 August 2021 (**Appendix B**).

#### 3.2 Independent Audit Scope Development

The scope for the Audit was developed to assess the development's environmental performance in relation to the Development Consent Conditions of DA 53/97 (as modified) and SSD-9394. DA 53/97 was modified towards the end of the previous Audit Period by MOD 6 on 10 April 2019.

Compliance with the site's EPL 7566 was excluded from the scope for this Audit.

Condition C20, SSD-9394 supersedes Condition 51, DA 53/97 to the extent of any inconsistency, in accordance with Condition A13, SSD-9394.

The Audit was conducted in accordance with IAPAR (Department, 2020) in accordance with Condition C20(a), to the extent practicable with particular regard to:

- Conduct and completion of the IEA in accordance with IAPAR requirements for an Independent Audit Methodology;
- Preparation of Independent Audit Reports in accordance with IAPAR requirements for an Independent Audit Report; and
- Allowing for pre-site audit documentation review, opening meeting, site audit, closing meeting and post-site audit documentation review and follow up.

#### 3.3 Compliance Evaluation

The following forms of evidence were gathered during the conduct of the Audit:

- Site inspection of the Baiada facility on 4 November 2021, which included the taking of photographs by the facility representative, as the Auditor was not permitted to take photographs;
- Review of documents, reports and other records including approvals, reports prepared to satisfy the conditions, site inspection checklists, site photographs, site plans and drawings, as well as correspondence with agencies including the EPA, DPIE, WaterNSW, DPIE Water and Tamworth Regional Council (TRC);
- Interviews of site personnel (refer Section 3.4); and
- Review of documents posted on Baiada public website and DPIE's website.

#### 3.4 Site Inspection and Interviews

The following Baiada personnel were interviewed by Shaun Taylor during the site visit on 4 November 2021:

- Ms Sherilee Stewart, Oakburn Compliance

A follow-up interview with Ms Stewart was also conducted by Emily Rowe on 1 December 2021.

#### 3.5 Consultation

The Auditors sought to consult DPIE, EPA, TRC, WaterNSW and DPIE Water on the scope of the audit, as detailed in Table 1. Responses are provided in **Appendix E**. The requirements of DPIE, EPA and TRC and the Auditors findings in relation to their requirements are summarised in Table 2, Table 3 and Table 4, respectively.

**Table 1: Consultation with Authorities**

Authority	Contact Details	Comment
DPIE	DPIE Planning Portal Contact: Joel Curran, A/Team Leader Northern Compliance	Response received from DPIE on 26/10/21. Refer to Table 2 for DPIE comments and the Auditors response.
EPA	Contact: Ingrid Carruthers, Operations Officer, Regulatory Operations	Response received from EPA on 23/11/21. Refer to Table 3 for EPA comments and the Auditors response.
TRC	Email sent to <a href="mailto:trc@tamworth.nsw.gov.au">trc@tamworth.nsw.gov.au</a> on 22/11/21 Contact: Ross Briggs, Manager Compliance	The Auditors had a remote Teams Meeting with representatives of TRC on 02/12/21. A written response was received from TRC on 14/12/21. Refer to Table 4 for TRC comments and the Auditors response.
WaterNSW	Email sent to <a href="mailto:Customer.Helpdesk@waterNSW.com.au">Customer.Helpdesk@waterNSW.com.au</a> on 22/11/21	No response received aside from an automated receipt.
DPIE Water	Email sent to <a href="mailto:water.enquiries@dpie.nsw.gov.au">water.enquiries@dpie.nsw.gov.au</a> on 22/11/21	No response received aside from an automated receipt.

**Table 2: DPIE Consultation**

DPIE Comment	Auditor Response
<p><i>"The IEA must be carried out as per the requirements of Schedule 2, Part C, Condition C20 of SSD-9394 and Schedule 2, Condition 51 of DA 53/97 and the Department's Independent Audit Post Approval Requirements (2020).</i></p> <p><i>The Department requests additional focus on Odour, Water/Wastewater management, and compliance with any conditions of consent where a requirement was to be met prior to construction commencing. ...</i></p> <p><i>Please append this consultation to the IEA report."</i></p>	<p>DPIE's requirements already formed the Audit Scope and Methodology.</p> <p>The Auditors observe that Stage 2 / Project construction has yet to commence and we understand from Baiada that the conditions of consent where a requirement was to be met prior to construction commencing have yet to be triggered (i.e. the work is still being prepared).</p>

**Table 3: EPA Consultation**

EPA Comment	Auditor Response
<p>The EPA advised that <i>"the EPA does not have any specific requirements for inclusion in the IEA. However, please note that it is a requirement for activities at the premises to remain consistent with relevant approvals, Environment Protection Licence No. 7566 and the Protection of the Environment Operations Act 1997."</i></p>	<p>Whilst the Auditors have not assessed compliance with EPL 7566 in detail, we have noted a material inconsistency where applicable.</p>

**Table 4: Tamworth Regional Council (TRC) Consultation**

TRC Comment	Auditor Response
<p>TRC advised during the remote Teams Meeting on 02/12/21 that they had no major concerns aside from the Tamworth Airport and bird management. Odour had been less of an issue. They have not received any community complaints. They did not have concerns regarding the trade waste. The Liquid Trade Waste Services Agreement had recently been executed on 15/11/21.</p> <p>TRC advised in writing on 14/12/21 that TRC <i>"consider the following to be the issues to focus on for the Audit:</i></p> <ul style="list-style-type: none"> <li><i>Odour management</i></li> <li><i>Wastewater management</i></li> <li><i>Waste Management</i></li> <li><i>Emergency management</i></li> <li><i>Complaints handling"</i>.</li> </ul>	<p>The Auditors have reviewed all of the requested focus issues in the context of the consent conditions, except for emergency management. The consent conditions that relate to emergency management (e.g. Emergency Plan) have not been triggered as they are required prior to commissioning or commencement of operations of Stage 2 / Project.</p>

### 3.6 Compliance Status Descriptors

This Audit Report has been prepared in accordance with the requirements for an Independent Audit Methodology and Independent Audit Report in IAPAR 2020. As such, the following compliance status descriptors have been used:

Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met at the time when the Audit is undertaken, therefore an assessment of compliance is not relevant.

Observations have also been made that identify opportunities for improvement (OFI).

## 4. AUDIT FINDINGS

### 4.1 Approval and Document List

Approvals and documents provided by Baiada and/or available on the Baiada Oakburn SSD-9394 Webpage (<https://www.baiada.com.au/our-commitment/oakburn-ssd-9394>), as well as the DPIE Major Projects website, reviewed by the Auditors included:

- DPIE, Development Consent (Consolidated version) DA 53/97 MOD 5, January 2014
- DPIE, Modification of Development Consent DA 53/97 MOD 6, 10 April 2019
- DPIE, Development Consent SSD-9394, 18/12/20
- TRC, Development Consent DA2018/0443, 20/07/18, Wastewater Treatment Plant
- TRC, Variation to Trade Waste Services Agreement TWC006/2006, 11/03/19
- TRC, Liquid Trade Waste Services Agreement, 07/11/19 to 07/11/21 (2019 LTWSA)
- TRC, Liquid Trade Waste Services Agreement, 15/11/21 to 14/11/26 (2021 LTWSA)
- Construction Certificates for the Wastewater Treatment Plant under DA2018/0443:
  - No. 313.1/2018, Waste Water Treatment Plant Blower MCC Building (Slab Only), DA2018-0443 & MOD2019-0077, 19/08/19
  - No. 313.1/2018, Waste Water Treatment Plant Blower MCC Building, DA2018-0443 & MOD2019-0077, 05/09/19
- Occupation Certificate, No. 313.1/2018, New Waste Water Treatment Plant Blower MCC Building, DA2018-0443, 06/02/20
- BSI Group ANZ PTY Limited, Certificate of Registration, Environmental Management System – ISO 14001:2015, Certificate Number EMS 628301, Last Revision Date: 2021-01-22
- SafeWork NSW, Acknowledgement of Notification of Hazardous Chemicals on Premises, 27/06/21
- Various management plans, programs and technical reports prepared by Baiada or their consultants
- Annual Environmental Monitoring Reports / Compliance Reports for the facility
- Incident / Complaints Register
- Selected Environmental Incident and Complaint Records
- Maintenance Records
- Training Records
- Selected Plant and External Inspection Records
- Various Baiada monitoring registers and records for production, waste, Key Performance Indicators (KPIs), Portal (i.e. NSW Planning Portal) and website uploads
- Various communications to and from government stakeholders (e.g. DPIE, EPA, TRC) confirming consultation, submission and approval of requirements specified in consent conditions
- DPIE Post Approvals for record of submission of documents
- Safety Management System Emergency Dangerous Goods Manifest
- Baiada's tracking documents for construction certificates, occupation certificates, DA conditions and issue of documentation on project website
- Various photographs provided by Baiada of the facility (external areas only)
- Various screenshots provided by Baiada of registers and records

Further details of the documents and communications reviewed are provided in the Audit Tables in **Appendix A**.

#### 4.2 Compliance Performance

The Auditors assessed the development to be compliant with DA 53/97 and SSD-9394 except for the non-compliances shown in Table 5. Refer to the Independent Audit Tables (**Appendix A**) for full details of the identified non-compliances and compliance status of other conditions.

Section 5.1 provides recommendations associated with each non-compliance.

**Table 5: Summary of Non-compliances**

NC#	Condition	Non-compliance
<b>DA 53/97</b>		
<b>Schedule 3</b>		
<b>NC1</b>	16	Stored wastewater in the wastewater treatment plant (WWTP) area is not bunded as required by this condition and therefore, this is considered non-compliant. It is noted that bunding was not included in the approved design drawings for the WWTP under DA2018/0443 and SSD-9394 does not include a similar requirement to bund wastewater, that is, only chemicals, fuels and oils are required to be stored within bunds (Condition B61).
<b>NC2</b>	19	The Oakburn – Management of Liquid Waste and Contingency Plan (2021 AEMR, Appendix I) and the 2021 OEMP section addressing Liquid Waste do not meet all of the requirements of Condition 19. Specifically, the 2021 OEMP (taken to represent the latest plan) does not: <ul style="list-style-type: none"> <li>characterise the quantity and quality of wastewater;</li> <li>identify the criteria/limits for the disposal of treated wastewater; and</li> <li>include: <ul style="list-style-type: none"> <li>detailed plans of pipelines, pumps and other infrastructure and connections to Council's system;</li> <li>a protocol for the investigation, notification and mitigation of identified exceedances of the criteria/limits for the disposal of treated wastewater.</li> </ul> </li> </ul>
<b>Schedule 4</b>		
<b>NC3</b>	50	The Auditors consider that the AEMRs comply with Condition 50 in most respects except for the presentation of the production data. The Auditors consider Condition 50 is non-compliant on the basis the AEMRs do not conclusively demonstrate that the Limits of Approval have been complied with 100% of the time.
<b>NC4</b>	53	The management plans and programs were reviewed within 3 months of the submission of the 2019 IEA report to DPIE but they were submitted to DPIE 4 days later than the due date.
<b>SSD-9394</b>		
<b>NC5</b>	B8	An odour complaint on 04/04/21 indicates that an offensive odour was likely to have been emitted beyond the boundary of the site. Investigation indicated the odour was sourced from the CAL Biogas Vent.
<b>NC6</b>	B12	The Auditors consider that the OMP does not adequately address the management plan requirements of Condition C1.
<b>NC7</b>	B60	The quantity of Sodium Hydroxide Solution stored onsite exceeds the Table 3 limit. The Packing Group of the stored chemical is also a higher risk Packing Group than shown in Table 3.
<b>NC8</b>	C5, C1 & C6	The 2021 OEMP does not adequately meet all of the requirements of Condition C5, including Condition C1 requirements, particularly the relevant statutory requirements, limits, performance measures and specific performance indicators.  The 2021 OEMP generally meets Condition C6 requirements except that it does not include a procedure to respond to any non-compliance, which may or may not be an incident (as defined under SSD-9394), and under Condition C1 is defined as " <i>specifically including any exceedance of the impact assessment criteria and performance criteria</i> ". This is considered non-compliant as an OEMP should clearly define and differentiate incidents and non-compliances and notification requirements under SSD-9394 and other approvals (e.g. EPL 7566, the LTWSA).
<b>NC9</b>	C15	Baiada did not submit a non-compliance notification in accordance with this condition when DPIE made Baiada aware on 10/08/21 that they were not complying with Condition C23, Access to Information.
<b>NC10</b>	C16	Baiada did not submit non-compliance notifications for the Condition C19 and Condition C23 non-compliances, in accordance with Condition C16. This is considered to be a separate non-compliance to the Condition C15 non-compliance because all of the required information was not provided and there is no evidence that the non-compliances have been investigated and what actions have been undertaken to address the non-compliances and prevent a reoccurrence.

NC#	Condition	Non-compliance
NC11	C18	The 2021 AEMR and Compliance Report did not meet the all of the requirements of Condition C18 and the Compliance Reporting Post Approval Requirements (Department 2020) (CRPAR 2020), as required and detailed in Table A-2 in relation to this condition. The Department reviewed the 2021 AEMR and considered it to generally satisfy the reporting requirements of the consents. DPIE required Baiada to ensure that the future Compliance Report layout complied with CRPAR 2020.
NC12	C19	The 2021 AEMR was uploaded to the Oakburn SSD-9394 website more than 60 days after the report was submitted to DPIE on 07/05/21. The Department was not notified of the upload to the public website 7 days prior to uploading the 2021 AEMR to the website.
NC13	C23	Information required to be published on Baiada's public website was missing and therefore, not accessible to be public. The missing information is detailed in Audit Table A-2, Condition C23.
<b>Number of non-compliances identified:</b>		<b>12</b>
<b>Total number of compliance requirements:</b>		<b>189</b>

#### 4.3 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

No Agency Notices, Orders, Penalty Notices or Prosecutions were issued in relation to the development during the Audit Period.

#### 4.4 Previous Audit Recommendations

An assessment of progress on the recommendations made in the 2019 IEA is presented in Table 6.

**Table 6: Status of Previous Audit Recommendations**

Approval ID	2019 IEA Recommendation	Action Status
<b>Non-compliance Recommendations</b>		
<b>DA 53/97</b>		
<b>Schedule 2</b>		
2(i) (previously 2h under MOD 5), 5b	It is recommended all actions arising from this IEA and the previous IEA are completed and recorded in the site register.	Completed May 2019. IEA actions are recorded in the EMS Hub, Oakburn, Site Audits register.
<b>Schedule 3</b>		
19(f)	It is recommended target wastewater quantities and qualities are included in the Wastewater Management Plan as per the LTWSA at the next update.	Baiada undertook to reference the content and location of stored data and KPI's in the Wastewater Management Plan, being the former 'Oakburn - Management of Liquid Waste and Contingency Plan SOP', now incorporated into the 'Oakburn - Environmental Operations Plan', 02/11/21 (herein referred to as the 2021 Operational Environmental Management Plan or 2021 OEMP).  Baiada completed the action based on their interpretation of the requirement.  However, as discussed in Table A-1 in relation to this condition, the Auditors found that the 2021 OEMP does not identify the criteria / limits for the disposal of treated wastewater.
22(d)	It is recommended target waste quantities for various materials are included in the Solid Waste Management Plan at the next update or reference made to the existing site database and where this information is located so all personnel can access this information.	Baiada undertook to reference the content and location of stored data and KPI's, which tracks and forecasts predicted waste quantities in the Solid Waste Management Plan, being

Approval ID	2019 IEA Recommendation	Action Status
		<p>the former 'Oakburn - Management of Solid Waste SOP', now incorporated into the 2021 OEMP.</p> <p>The 2021 OEMP refers to the Waste Classification Tab – OAKBURN EMS Hub", being the facility's Waste Classification Register, which includes details of the quantities and destinations of waste materials. The Auditors consider this meets the requirement of Condition 22(d).</p>
45(b)	Update the Water and Energy Efficiency Program to include: a reference to the location of the online database of energy and water usage so personnel can easily access this information; comparison to other facilities energy and water usage; and set benchmarks or target usages at the next update. Include a procedure on how regularly the data is to be viewed, and a response procedure if data shows adverse results.	<p>Baiada undertook to update and include the information in the next revision of the 'Oakburn – Waste and Energy Efficiency Program SOP', which is now incorporated into the 2021 OEMP.</p> <p>However, as discussed in Table A-1 in relation to this condition, the Auditors found that the 2021 OEMP does not specify what the set benchmarks / targets are or their basis.</p> <p>The 2021 OEMP details how water and energy are monitored, reported and reviewed for efficiency improvement opportunities, which is considered to meet the requirement for a procedure.</p>
<b>Schedule 4</b>		
50	Ensure all future annual reviews are sent to all the required regulatory agencies under this condition. Compliance may also be verified by uploading the Annual Reviews to Baiada's website and providing notification to the regulators.	This was found to be compliant for the AEMRs submitted during the Audit Period.
50(a)	Seek approval from DPE for authors for all future annual reviews.	This was found to be compliant for the AEMRs submitted during the Audit Period.
50(f)(iii)	Include further comparisons of operations to predicted impacts in future Annual Reviews such as water quality pollutant loads (refer to Table 6 of the MOD5 SEE).	This was found to be compliant for the AEMRs submitted during the Audit Period.
50(j)(ii)	It is recommended future annual reviews include more detailed waste monitoring results such as total waste produced and conversion to recycling for each waste product category.	This was found to be compliant for the AEMRs submitted during the Audit Period.
<b>Continual Improvement Recommendations</b>		
<b>DA 53/97</b>		
<b>Schedule 2</b>		
5(b)	It is recommended that the wastewater data is included as an appendix in future Annual Reviews as per DPE's request (email dated 3/09/18).	This recommendation was completed in the AEMRs during the Audit Period.
<b>Schedule 3</b>		
19, 22, 45	It is recommended written confirmation of approval for all management plans is followed up with DPE.	<p>There is no evidence that Baiada obtained written confirmation of DPE/DPIE's approval of these revised management plans. However, given that DA 53/97 does not specifically require that management plans are revised to the satisfaction of the Department (except for Stage 2) and we understand Stage 2 has yet to commence, the Auditors</p>

Approval ID	2019 IEA Recommendation	Action Status
		do not consider this to represent a non-compliance.
21	As per the previous IEA, it is recommended that the Solid Waste Management Plan is updated to include reference to the EPA's <i>Waste Classification Guidelines: Part 1 Classifying Waste</i> at the next update and details on which of the waste classifications in the guideline apply to each waste stream described in the management plan.	The Solid Waste Management Plan, being the former 'Oakburn - Management of Solid Waste SOP', now incorporated into the 2021 OEMP, references the EPA's <i>Waste Classification Guidelines: Part 1 Classifying Waste</i> and details how waste streams are classified in the "Waste Classification Oakburn Rendering Plant" (i.e. Waste Classification Register). This recommendation is considered complete.
21	It is recommended the location of the <i>Waste Classification Oakburn Rendering Plant</i> procedure (hard copy and electronic copy) is referenced in the Solid Waste Management Plan so all personnel can easily locate this document.	The 2021 OEMP references the Waste Classification Oakburn Rendering Plant (i.e. Waste Classification Register). This recommendation is considered complete.
26(i)	It is recommended that the location of the Environmental Incidents and Complaints Handling System procedure (hard copy and electronic copy) is included in the Odour Management Plan so that all site personnel can easily access this information.	The recommendation was addressed in the 2019 Odour Management Plan (2019 OMP).
<b>Schedule 4</b>		
50(j)	This condition requires the Annual Reviews to include a copy of the Wastewater Monitoring Report, Solid Waste Monitoring Report, the Odour Monitoring Report and the Water and Energy Efficiency Report. Baiada have interpreted this condition as including the management plans and have attached the relevant management plans to all Annual Reviews as an Appendix. The Auditor interprets this condition as including detailed monitoring results for the audit period as an appendix with actual production quantities. It is recommended clarification on this condition is sought from DPE.	The Auditors were not provided evidence to indicate that this occurred. The AEMRs continued to include management plans as appendices.
53	Undertake a review of all management plans within three months of this IEA and make updates as required.	As discussed in Table A-1 in relation to this condition, management plans were reviewed within 3 months of submitting the previous IEA report but were submitted four days later than the deadline, comprising an administrative non-compliance.
<b>EPL 7566</b>		
P1.1	Recommend clarification is sought on whether 'BIOFILTER 3' should be included as a licensed discharge point.	EPL 7566 was varied on 08/02/21 to include two new air discharge points, Points 6 and 7, being a Biofilter and a Biogas vent, respectively, this completing this recommendation.
M3.2	It is recommended that the contact number on the Baiada website is made clear to be a complaints line that operates 24-hours and is associated with the Oakburn facility.	Baiada's Response to Recommendations from the previous IEA Audit, indicated that "Baiada will review documentation with regards to this and update as required". The Baiada website still has a Contact webpage ( <a href="#">Contact   Baiada</a> ) that is not specific to the facility and does not indicate that it is a complaints line. Given that this was an OFI, no further recommendation is made.
N/A	During the site visit, it was observed that all doors at the truck unloading area were left open despite not being used at the time (see <b>Photo 10</b> in <b>Appendix 4</b> ). It is recommended that, consistent	The Auditor observed during the site inspection that doors were observed to be open at the truck unloading area. The 2021 OMP

Approval ID	2019 IEA Recommendation	Action Status
	with the Odour Management Plan, these doors are closed when not in use.	does not require that the doors of the raw product delivery area are kept closed at all times (unlike the finished goods area where doors are to be kept closed at all time when the area is not being utilised) on the basis that fresh raw product is not particularly odorous and the odour mitigation focus is on ensuring the raw material is fresh. Given that the Auditor did not observe significant odour in outdoor areas, no further action is considered warranted for this recommendation.

#### 4.5 EMP, Sub-plans and Post Approval Documents

The following environmental management plans (EMPs) management plans were updated during the Audit Period, mainly in response to the 2019 IEA:

- MPN Consulting Pty Ltd, Stormwater Management Plan, Oakburn Processing Plant, Issue B, 03/06/19.
- Baiada, Oakburn – Management of Solid Waste, Standard Operating Procedure (SOP), Issue No. 3, 25/07/19
- Baiada, Oakburn – Water and Energy Efficiency Program, SOP, issued 30/07/19
- Baiada, Oakburn – Odour Management Plan, Issue No. 4, 30/07/19
- Baiada, Oakburn – Environmental Operations Plan, V04, Amend Date: 15/11/19
- Baiada, Oakburn – Management of Liquid Waste and Contingency Plan, SOP, Issue No. 7, 23/12/19 (for commencement of operation of upgrades to WWTP), previously updated July 2019 following IEA.
- Baiada, Oakburn – Environmental Operations Plan, V05, Amend Date: 24/11/20
- Baiada, Oakburn – Odour Management Plan, Issue No. 5, 19/05/21 (2021 OMP)
- Baiada, Oakburn – Environmental Operations Plan, V06, Issue No. 3, Issue Date: 02/11/21 (2021 Operational Environmental Management Plan (2021 OEMP))

With the exception of the OMP, the other EMPs were incorporated into the 2021 OEMP. Both the 2021 OMP and the 2021 OEMP were prepared to the satisfaction of DPIE. However, the Auditors found that the OMP and the OEMP could be improved to more fully meet the requirements of Conditions B12 and C5/C6, respectively, as discussed in Table A-2.

The Auditors found that management plans are being implemented effectively. In particular, there has been a continued reduction in odour complaints during the Audit Period. However, there is evidence that offensive odour is being emitted beyond the facility's boundary sourced from the Covered Anaerobic Lagoons (CAL) Biogas Vent, which is considered non-compliant and Baiada advised that a mitigation plan is in the process of being assessed.

#### 4.6 EMS

The facility has an Environmental Management System (EMS) that is certified by BSI Group ANZ Pty Limited (BSI) as complying with ISO 14001:2015. It was originally registered in 2002. And the current Certificate of Registration, Certificate Number: EMS 628301, is effective 21/01/21 to its expiry on 30/04/24.

#### 4.7 Environmental Performance

As discussed in Section 4.5, overall, the EMPs are being implemented effectively. However, there are two environmental aspects that require further improvement in environment performance as follows:

1. As mentioned above there is evidence that the CAL Biogas Vent is a source of offensive odour beyond the site boundary. It has resulted in one community complaint and is sometimes detected during odour monitoring. Baiada advised that a mitigation plan is in the process of being assessed.

2. Wastewater discharges do not meet the Liquid Trade Waste Services Agreement (LTWSA) with Tamworth Regional Council (TRC). DPIE advised Baiada in response to the 2021 Annual Environmental Monitoring Report and Compliance Report (2021 AEMR) they noted the continuing non-compliances with the LTWSA, for which TRC were the regulatory authority. Based on consultation with TRC for this Audit, the Auditors understand that the TRC is satisfied that Baiada is working to improve its wastewater compliance. However, this represents a watch-point for both TRC and DPIE.

#### 4.8 Complaints

Based on the Incident / Complaint Register, there have been only four complaints during the Audit Period, all of which were odour related, three in 2019 (2019-2020 reporting period) and only one on 04/04/21 (2021-2022 reporting period).

#### 4.9 Incidents

Based on the Incident / Complaint Register provided, there were fifteen incidents involving spills during the Audit Period, all of which were considered 'Minor' in severity and not reportable to regulatory authorities. The Auditors have found no evidence of an incident or potential incident occurring that required reporting to DPIE or the EPA.

#### 4.10 Actual Verses Predicted Environmental Impacts

As mentioned in Section 4.9, there have been no significant or reportable environmental incidents. However, as discussed in Section 4.7, the CAL Biogas Vent presents a source of offensive odour that requires mitigation and wastewater emissions continue to be non-compliant with the LTWSA in some respects.

#### 4.11 Site Inspection

The Auditor carried out a site inspection on 4 November 2021 accompanied by facility personnel referred to in Section 3.4. Photographs taken during the site visit by facility personnel are provided in **Appendix D**.

#### 4.12 Site interviews

As discussed in Section 3.4, facility personnel were interviewed during the site visit on 4 November 2021. A follow-up interview was conducted remotely on 1 December 2021.

#### 4.13 Improvement Opportunities

The following opportunities for improvement have also been identified in Table 7. Refer to Section 5.2 for recommended actions. Refer to the Independent Audit Tables (**Appendix A**) for full details.

**Table 7: Opportunities for Improvement**

Condition	Opportunity for Improvement
<b>DA 53/97</b>	
<b>Schedule 3</b>	
16	Stored wastewater in the WWTP area is not bunded as required by this condition and therefore, this is considered non-compliant.  A concrete pit was observed to have a pipe through it, which was subsequently plugged following a release outside the pit. The incident report did not identify the pipe as a contributing factor to the leak escaping the pit.
27	The operation hours are not specified in the OEMP.
40	Evacuation Area 2 is located in the vicinity of the LNG tanks and within the impact zones for a vapour cloud explosion, tanker BLEVE (Boiling Liquid Expanding Vapour Explosion) and storage tank BLEVE. Therefore, the Auditors consider that this may not a good location for an evacuation area.
45	Facility personnel advised that there may be no other industries with the same or similar operations to compare the facility's energy and water usage ratios against, and set benchmarks for, industry best practice in accordance with Condition 45(b). The 2021 OEMP, which now incorporates the Water and Energy Efficiency Program (WEEP), does not meet the requirement of Condition 45(b) and does not justify why benchmarks for industry best practice have not been set.

Condition	Opportunity for Improvement
<b>Schedule 4</b>	
48	The incident investigation for the 'Gasket blown on Cal discharge line to SBR' (30/01/21) did not address the issue of the pipe through the pit wall, which was a contributing factor to the release of wastewater from the pit to ground.
<b>SSD-9394</b>	
A2	The Auditors observe that Condition A2(e) refers to the management and mitigation measures in Appendix 3; however, the management and mitigation measures are in Appendix 4. This error is repeated in Condition B3, B72. Condition B6 also incorrectly references Appendix 3, which should be Appendix 2.
A32	The 2021 OEMP references the "Waste Classification Guidelines: Part 1 Classification of Waste", which is slightly incorrect and should be EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
B9	The Auditors observe that the site's 2021 OEMP does not refer to dust as a hazard and does not include dust mitigation measures.
B20	The 2021 OEMP does not address soil management or more specifically, prevention of soil contamination from imported soil.
B42	The 2021 OEMP does not in the Auditors' opinion, adequately describe how pests are managed. Conversely, it does not describe how protected species, such as snakes or native vegetation required to be conserved, are managed.
B45	The 2021 OEMP does not explicitly state that waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
B46	The requirement to retain all sampling and waste classification data for the life of the development is not explicitly stated in the 2021 OEMP.
B52	The OEMP does not explicitly address all of the requirements of Condition B52 (e.g. covering of loads, keeping turning areas clear) as they relate to the Existing Development. The Auditors are not suggesting that all of the requirements should be addressed in the OEMP but keys aspects of traffic management could be addressed more holistically (e.g. not impacting public roads / local roads / footpaths, covering loads).
B63	The Auditors note that the Bird Life Monitoring Plan (BLMP) indicates that laser lights are a common visual deterrent. However, they could only be used in compliance with Condition B74 and presumably any requirements of Tamworth Regional Airport.
B76	The Auditors observe that the Neighbour Call Register does not identify the residences consistent with Figure 2, Appendix 2, but does include Tamworth Airport Management. The call register does not include the TRC or Registered Aboriginal Parties.

#### 4.14 Key Strengths

The Auditors consider management of the development by Baiada to be of a generally high standard as there is no evidence of environmental harm or detrimental impacts on residents, aside from a very limited number of odour complaints (only four during the whole Audit Period). The facility appeared tidy and in good condition. Recommendations have been made in Section 5 to further improve management systems and environmental performance.

## 5. RECOMMENDATIONS AND OPPORTUNITIES FOR IMPROVEMENT

### 5.1 Recommendations in Relation to Non-compliances

- 1) NC1, DA 53/97, Schedule 3, Condition 16 – Refer to Section 5.2 for an OFI for this condition relating to storage of wastewater in bunds.
- 2) NC2, DA 53/97, Schedule 3, Condition 19 – Review the Liquid Waste elements of the OEMP to address all of the requirements of Condition 19, except those that relate to Stage 2/Project upgrades, including:
  - characterising the quantity and quality of wastewater;
  - identifying the criteria/limits for the disposal of treated wastewater;
  - a plan(s) of the wastewater treatment process showing the key plant / equipment / infrastructure, sampling point(s) and discharge point; and
  - a protocol for the investigation, notification and mitigation of identified exceedances of the criteria/limits.
- 3) NC3, DA 53/97, Schedule 4, Condition 50 – The Auditors note that DA 53/97 was surrendered on 21/12/21 (refer to Table A-2, SSD-9394, Condition A12) and SSD-9394 does not include the same limits as Condition 6(a) and 6(b). The Auditors recommend that Baiada confirm DPIE's requirements for reporting production data in the Compliance Reports going forward. We also recommend the methodology and basis for reported production data be clearly indicated in the Compliance Report.
- 4) NC4, DA 53/97, Schedule 4, Condition 53 – Ensure that strategies, management plans and programs are reviewed and revised following submission of an IEA in accordance with the requirements of SSD-9394, Conditions C11 to C13.
- 5) NC5, SSD-9394, Condition B8 – If it is not already being undertaken, investigate options for odour mitigation for the CAL Biogas Vent (e.g. feasibility study of options) and implement the preferred option to prevent a reoccurrence of an offensive odour emission from the CAL Biogas Vent beyond the boundary of the site.
- 6) NC6, SSD-9394, Condition B12 – the OMP and OEMP be reviewed and revised to address the identified gaps, in particular, improving the objectives and targets, ensuring consistency between the OMP and OEMP, ensuring all potential odour sources under normal and abnormal conditions are assessed and compliance reporting requirements are better defined. Also ensure that the OMP complies with Condition C1 requirements.
- 7) NC7, SSD-9394, Condition B60 – Review the chemical storage quantities and reduce the quantity of Sodium Hydroxide stored onsite to comply with Table 3 limits and/or seek a modification of this condition to increase the limit for Sodium Hydroxide stored onsite, and correct any factual inaccuracies in Table 3.
- 8) NC8, SSD-9394, Conditions C5, C1 & C6 – Review and revise the OEMP to more completely and consistently meet Condition C1 requirements for all of the environmental aspects and impacts, which should be consistent with the site's environmental aspects and impacts register / risk assessment, as well as the requirements of SSD-9394. There should be clear links between identified environmental hazards, the control measures, required performance indicators and monitoring and reporting requirements with a particular focus on any regulatory limits and requirements. The OEMP should also describe the procedure(s) to respond to "any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria)", which may or may not be an incident.
- 9) NC9, SSD-9394, Condition C15 – Submit a non-compliance notification to DPIE regarding:
  - the non-compliance with Condition A23 (the subject of DPIE's letter dated 10/08/21) in accordance Conditions C15 and C16; and
  - the non-compliance with Condition C19 (failure to upload 2021 AEMR and notify DPIE within required timeframes) in accordance with Condition C16.

This is in order to ensure that the reason(s) for the non-compliances are investigated and appropriate actions undertaken to address the non-compliances and prevent a reoccurrence. It is suggested that non-compliances are managed in a similar manner to incidents (within

the meaning of SSD-9394, i.e. notifiable incidents) and recorded on the Incident/Complaint Register. Also refer to the findings and recommendations for Conditions C5 and C6 and procedures for responding to any non-compliance, which is considered to be one action for preventing a reoccurrence (i.e. provision of clear instructions).

- 10) NC10, SSD-9394, Condition C16 – Refer to the recommendation for NC8, which also addresses NC9.
- 11) NC11, SSD-9394, Condition C18 – Record three sets of production data, one set for each Limit of Approval, as suggested in Table A-1 for DA 53/97, Condition 50 that can be presented in the Compliance Report. The Auditors recommend in line with DPIE's requirement that future Compliance Reports comply with CRPAR 2020 requirements and include graphs of data to facilitate easy identification of trends and performance against limits and other targets.
- 12) NC12, SSD-9394, Condition C19 – Review and revise the Register of Portal & Website Uploads to include additional fields to prompt due dates for when reports must be uploaded and when DPIE must be notified by, as applicable, in addition to when reports were actually submitted and notified.
- 13) NC13, SSD-9394, Condition C23 – Review the website and upload the identified missing information as soon as practicable. Establish a process to ensure the required information is uploaded on a regular basis and within any required timeframes.

## 5.2 Opportunities for Improvement

- 1) DA 53/97, Schedule 3, Condition 16 – Review the bunding requirement for stored wastewater on a risk management basis for the protection of the environment and human health. Conduct a review of the integrity of pits and bunds that includes checking that there are no pipes through the bunds or pit walls that are open / unblocked.
- 2) DA 53/97, Schedule 3, Condition 27 – Specify the operation hours in the OEMP.
- 3) DA 53/97, Schedule 3, Condition 40 – Review and update the Safety Management System Emergency Dangerous Goods Manifest based on the latest version of the site Emergency Plan and in light of the 2020 Risk Assessment conducted by Lote Consulting Pty Ltd.
- 4) DA 53/97, Schedule 3, Condition 45 – Review and revise the 2021 OEMP to identify the targets used (i.e. energy and water usage ratios of the development), their basis and justify why benchmarks for industry best practice are not used if that is the case.
- 5) DA 53/97, Schedule 4, Condition 48 – Ensure that incident reports address all of the contributing factors / root causes to an incident.
- 6) SSD-9394, Condition A2 – Ask DPIE to correct the appendix references in the next modification of the consent.
- 7) SSD-9394, Condition A32 – Review and revise, as necessary, the 2021 OEMP and any other management plans required under this consent to ensure that correct references are used for any guideline, protocol, Australian Standard or policy.
- 8) SSD-9394, Condition AN1 – The site has an Obligations Listing on the EMS Hub. The Auditors noted that SSD-9394 was not included in the Obligation Listing. SSD-9394 should be included in the Obligation Listing.
- 9) SSD-9394, Condition B9 – Review and revise the OEMP to address dust as a hazard and include mitigation measures to ensure compliance with this condition.
- 10) SSD-9394, Condition B12 – Review and revise the OMP and OEMP as considered appropriate to address the identified gaps, in particular, improving the objectives and targets, ensuring consistency between the OMP and OEMP, ensuring all potential odour sources under normal and abnormal conditions are assessed and compliance reporting requirements are better defined. Also ensure that the OMP complies with Condition C1 requirements.
- 11) SSD-9394, Condition B20 – Review and revise the OEMP or other plan or procedure to address this requirement and ensure that the required records are kept.
- 12) SSD-9394, Condition B42 – Review and revise the OEMP and associated procedures to differentiate between pests and protected species and describe how protected species are managed.

- 13) SSD-9394, Condition B45 – Review and revise the OEMP to include the requirement that waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- 14) SSD-9394, Condition B46 – Review and revise the OEMP to include the requirement to retain all sampling and waste classification data for the life of the development in accordance with the requirements of the EPA.
- 15) SSD-9394, Condition B52 – Review and revise the OEMP as considered appropriate to address the traffic and access requirements as they relate to ongoing operations of the Existing Development.
- 16) SSD-9394, Condition B63 – In the event that it is proposed to use lasers as a mitigation method, ensure that the method complies with Condition B74 and approval is sought from Tamworth Regional Airport.
- 17) SSD-9394, Condition B76 – The Auditors recommend that Baiada:
  - a. Review and revise the Oakburn – Neighbour Call Register so that the Figure 2 sensitive receivers are identified (i.e. R1 to R4);
  - b. Identify the relevant interested stakeholders that are required to be consulted in accordance with this condition; and
  - c. Obtain in writing if stakeholders have particular consultation requirements (e.g. only during specific stages of the development or only at a requested frequency).

## 6. CONCLUSIONS

The Auditors assessed the development to be generally compliant with DA 53/97 and SSD-9394 particularly in relation to its environmental performance. Twelve non-compliances were identified, nine of which are considered to be administrative in nature. The Auditors have made eleven recommendations and one OFI.

Management systems and environmental performance are considered to be of a generally high standard, particularly as there is no evidence of environmental harm or detrimental impacts on residents, aside from a very limited number of odour complaints during the Audit Period. The facility appeared tidy and in good condition. Twenty recommendations for opportunities for improvement have also been identified.

## **APPENDIX A INDEPENDENT AUDIT TABLES**

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
<b>Schedule 2 – Administrative Conditions</b>					
	<b>Obligation to Minimise Harm to the Environment</b>				
1	The Applicant must implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the development.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21 This Audit</li> <li>Further evidence provided by Baiada following issue of the draft Audit Tables for factual review:</li> <li>BSI Group ANZ Pty Limited, Certificate of Registration, Environmental Management System – ISO 14001:2015, Certificate Number EMS 628301, Last Revision Date: 2021-01-22</li> </ul>	No significant issues were identified during the Audit Period. Operations are generally in accordance with Baiada's Environmental Policy, the Development Consent and environmental management plans as described in this table. The Facility operates under ISO 14001:2015 certificate number 628301 BSI (effective from 21/01/2021 and expires 30/04/2024).	Compliant	
	<b>Terms of Approval</b>				
2	<p>The development must be carried out generally in accordance with:</p> <p>a) Development Application 53/97 and supporting Environmental Impact Statement titled "<i>An Environmental Impact Statement for a Poultry Processing Complex at 'Oakburn', Oxley Highway Tamworth NSW</i>" prepared by Ellis Environmental Services Pty Ltd. Dated September 1997.</p> <p>b) DA 53/97 Mod 1, dated 22/02/1999;</p> <p>c) DA 53/97 Mod 2, dated 13/08/2001;</p>	<ul style="list-style-type: none"> <li>DPIE, Notice of Modification, DA 53/97 Mod 5, 16/01/14</li> <li>DPIE, Development Consent (Consolidated version), DA 53/97 Mod 5, January 2014</li> <li>DA 53/97 MOD 6, 10/04/19</li> <li>PSA Consulting, SA 55(1A)</li> </ul>	The Auditors observe that the site layout at the time of the site visit is generally consistent with the Proposed General Arrangement Plan in DA 53/97 Mod 5, Appendix B, except that the Boiler House may be larger, there are two Biofilters located differently and the Appendix B plan does not show the three Liquefied Natural Gas (LNG) tanks, the four water tanks or the Shed. However, given that it is generally consistent with the Figure 1: Site Plan in SSD-9394, which has more recently been approved by DPIE, the Auditors do not consider this to be non-compliant.	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>d) DA 53/97 Mod 3 and supporting Statement of Environmental Effects titled <i>"Statement of Environmental Effects, Section 96(2) Modification Application, Oakburn Processing Complex, Lot 100 in DP 1097471, Oxley Highway, Tamworth NSW"</i>;</p> <p>e) DA 53/97 Mod 4 and supporting Statement of Environmental Effects titled <i>"Modification of Development Consent (DA 53/97) on Land at Oxley Highway, Tamworth (Lot 100 DP1097471)"</i>;</p> <p>f) DA53/97 Mod 5 and the report titled <i>"Environmental Assessment Report"</i>, dated 29 November 2013 and prepared by PSA Consulting;</p> <p>g) the site plan in Appendix A except as modified by the Development Application plans in Appendix B;</p> <p>h) DA 53/97 MOD 6 and the report titled <i>"SA 55(1A) Modification Application Planning Report"</i> dated 7 January 2019 and prepared by PSA Consulting; and</p> <p>i) the conditions of this consent.</p>	<p>Modification Application Planning Report), 07/01/19</p>	<p>The Auditors have not reviewed the DAs issued since January 2014 (DA2016/0551, DA2017/0278, DA2017/0282, DA2018/0443) in relation to the Wastewater Treatment Plant (WTP), entrance signage and the biofilter, as they are considered out of scope for this Audit.</p> <p>The Auditors have found five (5) non-compliances with the conditions of this consent as detailed in this table. However, as the development has generally met the conditions of this consent and to avoid duplication of non-compliances, the Auditors consider this condition to be compliant.</p>		
3	<p>If there is any inconsistency between the above, then the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.</p>	<ul style="list-style-type: none"> <li>DPIE, SSD-9394, 18/12/20</li> </ul>	<p>SSD-9394 was approved by DPIE on 18/12/20 and its conditions of consent prevail to the extent of any inconsistencies with DA 53/97 and the other DAs listed in Appendix 3 of SSD-9394 from 18/12/20. We have noted in this Audit Table where we consider conditions under DA 53/97 have been superseded by SSD-9394.</p>	Compliant	
4	Deleted	<ul style="list-style-type: none"> <li>DA 53/97 Mod 4, 02/12/09</li> </ul>			

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
5	<p>The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:</p> <ul style="list-style-type: none"> <li>any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and</li> <li>the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.</li> </ul>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>DPE Letter to Baiada, Baiada Oakburn Poultry Processing Complex (DA 53/97), Annual Review 2018-19, 27/06/19</li> <li>DPIE Letter to Baiada, Baiada Oakburn Poultry Processing Complex (DA 53/97), Annual Environmental Monitoring Report 2019/2020, 27/05/20</li> <li>DPIE Letter to Baiada, Baiada Oakburn (DA 53/97), Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</li> </ul>	<p>The Baiada representative advised that the Department had no requirements / written directions during the Audit Period.</p> <p>However, DPIE made written requests/requirements regarding improvements to the Annual Environmental Monitoring Reports required under Condition 50. in relation to the 2021. The Auditors found that Baiada sought to comply with the Department's requirements, although as discussed in the findings for Condition 50 further improvement can be made in relation to reporting production data and compliance with the Limits of Approval.</p>	Compliant	
<b>Limits on Approval</b>					
6	<p>The Applicant must ensure the development does not exceed <del>a maximum processing volume of:</del></p> <ul style="list-style-type: none"> <li>(a) A processing volume of 530 tonnes of raw material per day;</li> <li>(b) 160 tonnes of finished product per day (24 hour period), averaged over seven days, with a maximum of 180</li> </ul>	<ul style="list-style-type: none"> <li>DA 53/97 MOD 6, 10/04/19</li> <li>Site visit and interview on 04/11/21</li> <li>Oakburn KPI's spreadsheet</li> </ul>	<p>The Auditors viewed the production data during the site interviews. It was not provided electronically to the Auditors. Based on the viewing of the data, it is understood that the daily data is recorded on a weekly basis in a spreadsheet listing the throughputs for Monday to Sunday for that week. The maximum throughputs for the week are then transposed / copied to a larger spreadsheet that</p>	Compliant	

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
	tonnes of finished product on any individual day (24 hour period), in the protein recovery plant; and (c) 1 million birds per week in the processing plant (Stage 2).	<ul style="list-style-type: none"><li>KPI' Summary, Oakburn</li><li>SLR Consulting Australia Pty Ltd (SLR), Oakburn Poultry Rendering Plant, Annual Review 2018-19, 07/05/19 (<b>2019 AEMR</b>)</li><li>SLR, Oakburn Poultly Rendering Plant, Annual Review 2019-20, 05/05/20 (<b>2020 AEMR</b>)</li><li>SLR, Oakburn Poultly Rendering Plant, Annual Review / Compliance Report 2020-21, 06/05/21 (<b>2021 AEMR</b>)</li><li>Interview on 01/12/21</li></ul>	<p>lists the weekly data on a continuous basis, referred to as "Oakburn KPI's" spreadsheet. Hence, the daily volumes do not appear to be readily available in a spreadsheet for the whole year / reporting period.</p> <p>The weekly data in the Oakburn KPI's spreadsheet was only recorded in that spreadsheet and therefore, viewed by the Auditors from 25/10/20. Facility personnel advised that throughputs have increased only slowly and were therefore, well below the Limits of Approval prior to 25/10/20 and the Auditors have no reason to believe otherwise. The Auditors reviewed the Oakburn KPI's spreadsheet for the Audit Period and saw that the maximum weekly raw material intake of 2,036 tonnes occurred on 21/22 Week 15, weekend ending 17/10/21. The Auditor then viewed the daily data for Week 15 and verified that the maximum daily raw material intake was 450 tonnes/day, which is less than Limit of Approval 6(a). The maximum daily production for Week 15 was 135 tonnes, which was shown in the Oakburn KPI's spreadsheet where conditional formatting would flag an exceedance of the 6(b) 180 tonnes Limit of Approval. The Week 15 throughputs (raw material and finished products) were highly variable, which facility personnel advised was normal, and the average daily production throughput for Week 15 (i.e. 7 day average) was 87 tonnes, which is well below the 6(b) 160 tonnes (7 day average) Limit of Approval. Hence, the Auditors consider that the site has been operating within the Limits of Approval.</p>		

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			The 6(c) Limit of Approval does not yet apply as Stage 2 has not commenced.		
	<b>Statutory Requirements</b>				
6a	The Applicant must ensure that all licences, permits and approval/consents are obtained as required by law and maintained 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 approval/consents.	<ul style="list-style-type: none"> <li>EPA, Environment Protection Licence 7566 (EPL 7566), 08/02/21</li> <li>Obligation Listing (Within Hub)</li> <li>EPA Email to Baiada, EPL 7566 – Oakburn, 24/05/19</li> <li>Tamworth Regional Council (<b>TRC</b>), Variation to Trade Waste Services Agreement TWC006/2006, 11/03/19</li> <li>TRC Letter to Baiada, Renewal of Trade Waste Approval No. TWC006/2006 for the Facility on Lot 100 DP 1097471, Gunnedah Road Westdale NSW 2340, 15/10/19</li> <li>TRC, Liquid Trade Waste Services Agreement, 07/11/19 to 07/11/21 (<b>2019 LTWSA</b>)</li> </ul>	<p>Compliance Obligations are listed with links to documents in the EMS HUB for Oakburn, including EPL 7566, Liquid Trade Waste Agreement 2019-2021, DA 53/97 Mod 5 and Mod 6, other DAs (e.g. DA 2018-0443 Waste Water Treatment plant (<b>WWTP</b>)) and references to legislation. The Auditors observe that the list does not include DA0775/2008, DA0080/2010 and DA0571/2010, which are included in Appendix 3, SSD-9394 and are required to be surrendered under Condition A12, SSD-9394.</p> <p>Baiada consulted the EPA following the 2019 Independent Environmental Audit (<b>2019 IEA</b>) in relation to whether the WWTP biofilter should be added to EPL 7566 as a discharge point. The EPA advised that it should be added the next time an EPL variation was applied for/required for the premises. The current EPL 7566 includes two new EPA Points, Points 6 and 7, being a Biofilter and Biogas vent, respectively, as marked on plans provided to the EPA on 23/06/20.</p>	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		<ul style="list-style-type: none"> <li>TRC, Liquid Trade Waste Services Agreement, 15/11/21 to 14/11/26 (<b>2021 LTWSA</b>)</li> </ul>			
	<b>Management Plans / Monitoring Programs</b>				
7	With the approval of the Secretary, the Applicant may submit any management plan or monitoring program required by this approval on a progressive basis.		No requests have been made by the Applicant to submit plans on a progressive basis under DA 53/97.	Not Triggered	
7a	Within 3 months of any modification approval, the Applicant must prepare and implement a revised version of any relevant management plan or monitoring program required by this approval to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>DA 53/97 MOD 6, 10/04/19</li> <li>Baiada, Oakburn – Environmental Operations Plan, V06, Amend Date: October 2021, Issue No. 3, Issue Date: 02/11/21 (<b>2021 OEMP</b>)</li> <li>Baiada email to DPIE, Baiada Oakburn Environmental Management Plans, 30/07/19</li> </ul>	<p>The following management plans have been updated during the Audit Period, mainly in response to the 2019 IEA:</p> <ul style="list-style-type: none"> <li>MPN Consulting Pty Ltd, Stormwater Management Plan, Oakburn Processing Plant, Issue B, 03/06/19.</li> <li>Baiada, Oakburn – Management of Solid Waste, Standard Operating Procedure (SOP), Issue No. 3, 25/07/19</li> <li>Baiada, Oakburn – Water and Energy Efficiency Program, SOP, issued 30/07/19</li> <li>Baiada, Oakburn – Odour Management Plan, Issue No. 4, 30/07/19</li> <li>Baiada, Oakburn – Environmental Operations Plan, V04, Amend Date: 15/11/19</li> <li>Baiada, Oakburn – Management of Liquid Waste and Contingency Plan, SOP, Issue No. 7, 23/12/19 (for commencement of operation of upgrades to WWTP), previously updated July 2019 following IEA.</li> <li>Baiada, Oakburn – Environmental Operations Plan, V05, Amend Date: 24/11/20</li> </ul>	Compliant	

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
			<ul style="list-style-type: none"><li>Baiada, Oakburn – Environmental Operations Plan, V06, Issue No. 3, Issue Date: 02/11/21</li></ul> <p>DA 53/97 MOD 6 included new Limits on Approvals (Condition 6) and new Operating Noise Limits (Condition 28). The Auditors have not sighted the superseded 2019 version of the OEMP but the 2021 OEMP does not include Limits on Approvals but does include operating noise limits. Based on the above amendment history, the OEMP was not amended to include the new noise limits within 3 months of the approval of DA 53/97 MOD 6 (i.e. by 10/07/19). However, given that DA 53/97 does not specifically require an Operational Environmental Management Plan (OEMP) (required under SSD-9394) and the Environmental Management Strategy required under Condition 46 relates to Stage 2 construction and operation, which has not yet been triggered, this is considered compliant.</p> <p>The Auditors observe that the OEMP prepared in accordance with Conditions C5 to C10 of SSD-9394 refers to the EPL 7566 noise limits but does not refer to the DA 53/97 MOD 6 Operating Noise Limits or the Operational Noise Limits specified in Condition B6 of SSD-9394. There are inconsistencies between these 3 sets of operational noise limits, that all apply under the 'Existing Development', at least until DA 53/97 is surrendered. As noted above, the OEMP does not refer to the Limits on Approvals. Please refer to SSD-9395 for further discussion of the OEMP for the Existing Development.</p>		

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<b>Structural Adequacy</b>				
8	<p>The Applicant must ensure that any new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>· Under Part 4A of the EP&amp;A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</li> <li>· Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</li> </ul>	<ul style="list-style-type: none"> <li>• Pro Cert Group Pty Ltd, Construction Certificate No. 313.1/2018, Waste Water Treatment Plant Blower MCC Building (Slab Only), DA2018-0443 &amp; MOD2019-0077, 19/08/19</li> <li>• Pro Cert Group Pty Ltd, Construction Certificate No. 313.1/2018, Waste Water Treatment Plant Blower MCC Building, DA2018-0443 &amp; MOD2019-0077, 05/09/19</li> <li>• Pro Cert Group Pty Ltd, Occupation Certificate No. 313.1/2018, New Waste Water Treatment Plant Blower MCC Building, DA2018-0443, 06/02/20</li> </ul>	<p>No new buildings have been constructed under this Development Consent.</p> <p>However, a new Waste Water Treatment Plant (WWTP) was constructed during the Audit Period under DA2018/0443, including a Blower MCC Building.</p> <p>An Occupation Certificate indicates that the "building is suitable for occupation or use in accordance with its classification under the National Construction Code of Australia [NCC] as a Class 7b building". As the NCC incorporates the BCA, it is considered this is evidence of compliance with this requirement.</p>	Compliant	
	<b>Protection of Public Infrastructure</b>				
9	<p>The Applicant must:</p> <p>a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters, footpaths, etc) in consultation with Council and the RMS to the satisfaction of the Secretary, prior</p>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	<p>Stage 2 construction has not commenced. Superseded by SSD-9394 Conditions A18 to A19.</p>	Not Triggered	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	to the commencement of construction of Stage 2; b) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and c) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.				
10	Prior to the issue of a construction certificate for any utility works, the Applicant must obtain the relevant approvals from service providers, including Council.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>The Baiada representative advised that no new utilities were connected during the Audit Period.</p> <p>Superseded by SSD-9394 Conditions A28.</p>	Not Triggered	
<b>Operation of Plant and Equipment</b>					
11	The Applicant must ensure that all plant and equipment used on the site is maintained and operated in a proper and efficient manner, and in accordance with relevant Australian Standards.	<ul style="list-style-type: none"> <li>Maintenance Experts Pty Ltd (MEX) database screenshot, 04/11/21</li> <li>MEX Work Order Listing screenshot for work orders scheduled to start in October and November 2021, 04/11/21</li> <li>MEX Activator screenshot, 04/11/21</li> <li>Site visit and interview on 04/11/21</li> <li>20210201 OAK Incident -Gasket blown on Cal discharge line to</li> </ul>	<p>Baiada operates in accordance with a computer-based maintenance system named 'MEX' which includes electronic records of any maintenance undertaken. MEX provides a number of registers including but not limited to: Assets; Work Orders; History; Readings; and Preventative Maintenance (PM).</p> <p>Facility personnel showed the Auditor various listings within MEX including Work Orders, the Activator list which shows PM and 'Request' checks/service (e.g. E-STOP Weekly Test, WWTP Fortnightly Alarm Tests).</p> <p>Two incidents occurred in 2021 involving spills of effluent from blown gaskets. In both instances, the preventative actions involved immediate repairs to the gaskets but also reviews of root causes including reviewing use of gaskets and adding gasket replacement to MEX, as well as other issues that were identified with a compressor and a bund.</p>	Compliant	

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
		<p>SBR.doc, Environmental Incident and Complaint Record, 30/01/21</p> <ul style="list-style-type: none"><li>• 20210824 OAK Incident - WWTP Leak Balance tank.doc, Environmental Incident and Complaint Record, 24/08/21</li><li>• Oakburn – Weekly Inspection (External) forms for 29/10/20, 29/01/21, 27/10/21</li><li>• Oakburn Bio-Filter Checks, High Temp, 16/03/20</li><li>• Oakburn Bio-Filter Checks, Low Temp, 02/11/20</li><li>• Oakburn Bio-Filter Checks, Waste Water Treatment Plant, 15/11/20</li><li>• Training records for one of the facility personnel, including:<ul style="list-style-type: none"><li>○ Baiada, Task Instruction, Oakburn – Operation of the WWTP, including</li></ul></li></ul>	<p>Observations during the site visit confirmed that plant and equipment and associated infrastructure appeared to be maintained in a proper and efficient manner.</p> <p>Evidence of training records were sighted for one of the facility personnel relating to managing key environmental aspects/aspects including the WWTP, biofilters (odour prevention) and pesticides.</p> <p>Superseded by SSD-9394 Conditions A28.</p>		

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		<p>Competency Questionnaire, 23/02/21</p> <ul style="list-style-type: none"> <li>○ Baiada, Task Instruction, Oakburn – Monitoring of Biofilters, including Competency Demonstration and Competency Questionnaire, 02/07/21</li> <li>○ Australian Training Plus, Statement of Attainment, AHCSS00074 Agricultural Chemical Skill Set, 19/11/21</li> </ul>			
	<b>Compliance</b>				
12	Prior to the commencement of construction of Stage 2, and again prior to the commencement of operations of Stage 2, 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.	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	<p>Stage 2 construction has not commenced.</p> <p>Effectively superseded by SSD-9394 Conditions C18 to C19.</p>	Not Triggered	
13	Notwithstanding condition 12) of this consent, the Secretary may require an update on compliance with all, or any part, of the conditions of this consent. Any such	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	<p>Stage 2 construction has not commenced.</p> <p>Effectively superseded by SSD-9394 Conditions C18 to C19.</p>	Not Triggered	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	update must meet the reasonable requirements of the Secretary and be submitted within a period determined by the Secretary.				
<b>Schedule 3 – Specific Environmental Conditions</b>					
	<b>SOIL AND WATER</b>				
	<b>Discharge Limits</b>				
14	Except as may be expressly provided in an Environmental Protection Licence for the development, the Applicant must comply with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> .	<ul style="list-style-type: none"> <li>EPL 7566</li> <li>2019 AEMR with EPL 7566 Annual Return attached</li> <li>2020 AEMR with EPL 7566 Annual Return attached</li> <li>2021 AEMR with EPL 7566 Annual Return attached</li> <li>211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>Incident / Complaint Register</li> </ul> </li> <li>20190904 OAK BOC Truck Hyd Oil Leak.doc, Environmental Incident and Complaint Record Sheet, 09/04/19</li> <li>20191109 OAK Incident - Offal Spill MWP.doc, Environmental</li> </ul>	EPL 7566 does not set specific water discharge limits. No evidence of a non-compliance with this condition has been observed by the Auditors. Superseded by SSD-9394 Condition B22.	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		<p>Incident and Complaint Record, 09/11/19</p> <ul style="list-style-type: none"> <li>20210201 OAK Incident -Gasket blown on Cal discharge line to SBR.doc, Environmental Incident and Complaint Record, 30/01/21</li> <li>20210824 OAK Incident - WWTP Leak Balance tank.doc, Environmental Incident and Complaint Record, 24/08/21</li> </ul> <p>Site visit and interview on 04/11/21</p>			
15	All wastewater from staff facilities must be discharged direct to the sewerage system to the satisfaction of Council.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Wastewater from staff facilities (i.e. sewage) discharges directly to the TRC sewerage system. There is no evidence that TRC are not satisfied with this.	Compliant	
	<b>Bunding</b>				
16	All chemicals, fuels, oils and wastewater must be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. The bund(s) must be designed and installed in accordance with the:	<ul style="list-style-type: none"> <li>Bunding Register, located on EMS Hub for Oakburn</li> <li>Site visit and interview on 04/11/21</li> <li>20210201 OAK Incident -Gasket</li> </ul>	The Auditor viewed bunds around chemical, oil and wastewater areas during the site visit. All chemical storage areas were considered to be appropriately bunded with sufficient capacity to contain spills. Spill kits were observed in various locations on site and appeared to be well maintained and in good condition.	Non-compliant	NC1

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
	<p>(a) requirements of all relevant Australian Standards; and</p> <p>(b) EPA's <i>Storing and Handling Liquids: Environmental Protection – Participants Manual</i>.</p>	<p>blown on Cal discharge line to SBR.doc, Environmental Incident and Complaint Record, 30/01/21</p> <ul style="list-style-type: none"> <li>• IMG_20211210_130538_01.jpg, photo of a pipe in a bund that had been plugged.</li> <li>• 20210824 OAK Incident - WWTP Leak Balance tank.doc, Environmental Incident and Complaint Record, 24/08/21</li> </ul> <p>Further evidence provided by Baiada following issue of the draft Audit Tables for factual review:</p> <ul style="list-style-type: none"> <li>• Telephone call with Baiada on 06/01/22 with comments.</li> </ul>	<p>The Auditors also viewed the site's Bunding Register on the EMS Hub including bund identification numbers, location, material, and maximum storage capacity.</p> <p>The Auditors observe that an incident occurred on 30/01/21 involving a 3,000 L spill into a concrete pit from the Covered Anaerobic Lagoons (CAL) outlet to the Sequencing Batch Reactor (SBR) due to a blown gasket. The effluent escaped the pit through a polyvinyl chloride (PVC) pipe in the pit wall and soaked into the ground. It appeared that the integrity of the pit was compromised by the pipe. Although the incident report did not identify the pipe as a contributing factor to the leak escaping the pit, facility personnel advised that the pipe was identified and subsequently blocked off with a plug. Facility personnel provided a photograph of the blocked pipe at the request of the Auditor. The Auditors understand that this area is not a bund.</p> <p>The Auditors considered that bunding practices observed during the site visit were generally consistent with Australian Standards and the EPA's <i>Storing and Handling Liquids: Environmental Protection – Participants Manual</i>. However, stored wastewater in the WWTP area is not bunded as required by this condition and therefore, this is considered non-compliant. It is noted that bunding was not included in the approved design drawings for the WWTP under DA2018/0443 and SSD-9394 does not include a similar requirement to bund wastewater, that is, only chemicals, fuels and oils</p>		

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			<p>are required to be stored within bunds (Condition B61).</p> <p><b>Given that DA 53/97 was surrendered on 21/12/21 (refer to Table A-2, SSD-9394, Condition A12), and this condition was superseded by Condition B61, SSD-9394 on 22/01/21, there is no recommendation to address this non-compliance as SSD-9394 does not require wastewater storages to be bunded.</b></p> <p><b>The Auditors note an opportunity for improvement (OFI) would be to conduct a review of the integrity of pits and bunds.</b></p>		
	<b>Erosion and Sediment Controls</b>				
17	<p>The Applicant must implement Erosion and Sediment Controls for the development which must:</p> <ul style="list-style-type: none"> <li>(a) be consistent with the requirements of Landcom's (2004) <i>Managing Urban Stormwater: Soils and Construction</i> manual;</li> <li>(b) manage activities that could cause soil erosion and generate sediment;</li> <li>(c) minimise soil erosion and the potential for the transport of sediment to downstream waters;</li> <li>(d) be maintained throughout construction; and</li> <li>(e) be upgraded if required by the Secretary.</li> </ul>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> <li>• 2021 OEMP</li> <li>• 211104 C Photo's for Ramboll.docx</li> </ul>	<p>The WWTP commenced operation in late 2019, with commissioning completed in February 2020. Therefore, construction activities occurred on-site during part of the Audit Period, however, that construction was subject to DA2018/0443. Facility personnel advised no construction activities occurred during the Audit Period under DA 53/97 as Stage 2 construction has not commenced. The Department has not required an upgrade to erosion and sediment controls during the Audit Period.</p> <p>Outdoor surfaces around the main buildings are concrete-paved. The ground surfaces around the WWTP infrastructure and evaporation ponds are mostly grass covered with a surface layer of gravel laid down around the edges of the ponds to prevent soil erosion. The ponds themselves are lined.</p>	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			The Auditor observed during the site visit that there was no evidence of soil erosion or sediment entering waterways / drains. Superseded by SSD-9394 Condition B21.		
	<b>Stormwater Management Plan</b>				
18	<p>The Applicant must prepare and implement a Stormwater Management Plan for the development to the satisfaction of the Secretary. The plan must:</p> <ol style="list-style-type: none"> <li>be prepared in consultation with Council and NOW, and be approved by the Secretary prior to the commencement of construction of Stage 2;</li> <li>be prepared in accordance with EPA's <i>Managing Urban Stormwater: Council Handbook</i>; and</li> <li>include details of: <ul style="list-style-type: none"> <li>pre and post development flows;</li> <li>water quality;</li> <li>the existing and proposed stormwater detention, treatment and control infrastructure; and</li> <li>measures to maintain this infrastructure and the proposed monitoring of stormwater quantity and quality during operation of the development.</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 AEMR with the following attached as Appendix J: <ul style="list-style-type: none"> <li>MPN Consulting Pty Ltd, Stormwater Management Plan, Oakburn Processing Plant, Issue B, 03/06/19.</li> </ul> </li> </ul>	<p>Facility personnel advised that Stage 2 construction has not commenced.</p> <p>The site's Stormwater Management Plan, which was attached to the AEMRs as an appendix, was last updated on 03/06/19. It indicates that the "Stormwater Management Plan [had] been prepared to support the Development Application for the proposed extension to the Oakburn Processing Plant" (i.e. Stage 2).</p> <p>The Auditors observe that SSD-9394 does not include a requirement to prepare a Stormwater Management Plan for the Project, being the Stage 2 development. SSD-9394 Condition B23, Stormwater Management System, requires that the system must be consistent with the Stormwater Management Plan for the catchment. It is not clear if that plan is the same as the Stormwater Management Plan attached to the 2021 AEMR as Appendix J.</p>	Not Triggered	
18a	<p>The Applicant must prepare and implement a Stormwater Management Plan for the replacement rendering plant to the satisfaction of the Secretary. The plan must:</p> <ol style="list-style-type: none"> <li>be prepared in consultation with Council and the EPA, and be approved by the Secretary by the end of March 2014;</li> </ol>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2019 IEA</li> <li>2021 AEMR with the following attached as Appendix J:</li> </ul>	<p>Preparation of the Stormwater Management Plan was audited in previous IEAs.</p> <p>The Auditor observed that the stormwater management infrastructure appeared to be operating and being maintained effectively.</p>	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	b) be generally consistent with the <i>Oakburn Rendering Plant Stormwater Management Plan</i> dated 25 November 2013 prepared by J. Wyndham Prince Pty Ltd, except for revisions that may be required by Council or the EPA.	<ul style="list-style-type: none"> <li>MPN Consulting Pty Ltd, Stormwater Management Plan, Oakburn Processing Plant, Issue B, 03/06/19</li> </ul>			
	<b>Wastewater Management</b>				
19	<p>The Applicant must prepare and implement a Wastewater Management Plan for the development to the satisfaction of the Secretary. The plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with Council and the EPA, and be approved by the Secretary within 3 months of the date of approval of DA 53/97 Mod 3;</li> <li>(b) be updated and approved by the Secretary, prior to the commencement of construction of Stage 2;</li> <li>(c) include the final design of the trade waste facility (for stage 2);</li> <li>(d) characterise the quantity and quality of wastewater produced by the development;</li> <li>(e) detail the measures to treat and dispose of wastewater;</li> <li>(f) identify the criteria/limits for the disposal of treated wastewater;</li> <li>(g) confirm Council are able to accept this wastewater; and</li> <li>(h) include:</li> </ul>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2019 IEA</li> <li>2019 IEA – Baiada Table Recommendations and Timings.docx, 2019 IEA – Baiada Response to Recommendations, 26/04/19 (2019 RAR)</li> <li>2021 OEMP</li> <li>Baiada Email, FW: Baiada Integrated Poultry Processing Facility – Post Approval Document Received – (SSD-9394-PA-7), 03/11/21</li> </ul>	<p>Preparation of the Wastewater Management Plan was audited in previous IEAs.</p> <p>The 2019 IEA found that the Wastewater Management Plan was non-compliant because it did not include specific targets or criteria for wastewater quality and quantity and recommended that target wastewater quantities and qualities are included in the Wastewater Management Plan at the next update. Baiada's RAR indicated that "reference would be made to the content and location of stored data and KPI's which tracks and provides targets for waste water quality and quantity, in the next revision of the Oakburn – Management of Liquid Waste and Contingency Plan SOP". This is discussed further below in the context of this Audit's findings.</p> <p>The 2019 IEA also found that there was no evidence that the previous versions of the Wastewater Management Plan had been approved by the Department and recommended as an OFI that Baiada follow up with the Department regarding its approval of the revised management</p>	Non-compliant	NC2

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)				
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	<ul style="list-style-type: none"> <li>detailed plans of pipelines, pumps and other infrastructure and connections to Council's system, to be upgraded during Stage 2, ensuring the infrastructure is designed to the relevant Australian Standards and alarms and monitoring systems would detect any leaks or failures;</li> <li>details of the additional odour capture, treatment and mitigation required as a result of the wastewater treatment plant (for stage 2);</li> <li>a program to monitor and report the quantity and quality of treated wastewater;</li> <li>a maintenance program and contingencies should a breakdown occur; and</li> <li>a protocol for the investigation, notification and mitigation of identified exceedances of the criteria/limits for the disposal of treated wastewater.</li> </ul>	<ul style="list-style-type: none"> <li>2021 AEMR with the following attached as Appendix I: <ul style="list-style-type: none"> <li>Baiada, Oakburn – Management of Liquid Waste and Contingency Plan, SOP, Issue No. 7, 23/12/19</li> </ul> </li> <li>DPIE Letter to Baiada, Baiada Oakburn (DA53/97), Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</li> </ul> <p>Further evidence provided by Baiada following issue of the draft Audit Tables for factual review:</p> <ul style="list-style-type: none"> <li>Telephone call with Baiada on 06/01/22 with comments</li> <li>DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Operational Environmental Management Plan</li> </ul>	<p>plan. Baiada's RAR indicated that "Additional clarity with regards to these procedures will be built into the Solid Waste Management Plan", which does not relate to the Wastewater Management Plan.</p> <p>The 2021 AEMR contains Baiada's Oakburn – Management of Liquid Waste and Contingency Plan, which was last issued in December 2019 with the commencement of operation of the newer WWTP. The 2021 AEMR reported non-compliances with 2019 LTWSA limits. Following its review of the 2021 AEMR, DPIE noted continuing non-compliances with the 2019 LTWSA and that the TRC was the appropriate regulatory authority to deal with these non-compliances.</p> <p>The 2021 OEMP incorporates the main components of that plan and was submitted to DPIE on 02/11/21 and approved on 23/12/2021.</p> <p>The Auditors observe that the Oakburn – Management of Liquid Waste and Contingency Plan (2021 AEMR, Appendix I) and the 2021 OEMP Section 8.3 addressing Liquid Waste do not meet all of the requirements of this condition. Specifically, the 2021 OEMP (taken to represent the latest plan) does not:</p> <ul style="list-style-type: none"> <li>characterise the quantity and quality of wastewater;</li> <li>identify the criteria/limits for the disposal of treated wastewater; and</li> <li>include: <ul style="list-style-type: none"> <li>detailed plans of pipelines, pumps and other infrastructure and connections to Council's system;</li> </ul> </li> </ul>	

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
		(OEMP) – Stage 1, 23/12/21	<ul style="list-style-type: none"> <li>a protocol for the investigation, notification and mitigation of identified exceedances of the criteria/limits for the disposal of treated wastewater.</li> </ul> <p>Whilst it may be argued that detailed plans of the WWTP are not required as they relate to Stage 2, the Auditors consider that a plan of the WWTP showing key infrastructure, sampling point(s) and the discharge point should be included in the Wastewater Management Plan.</p> <p>The 2021 OEMP does discuss various contingency measures and indicates, for example, “Where Waste water analysis is identified outside of <u>trigger values</u> and/or are not complying with this standard, consultation with management may be required to ensure compliance”. However, the plan does not specify what the trigger values or the ‘standard’ are. The 2019 LTWSA Limits and other requirements are not specified. For example, the 2019 LTWSA requires that flowrate, pH, temperature have to be maintained below specified limits at all times and therefore, may have to be monitored continuously. Other parameters are monitored weekly but the plan does not specify what those parameters are. Section 8.3.2.5 Monitoring and Corrective Action indicates that “Review and/or trending of waste water analysis results [are monitored and that] These results are tracked and stored in the OAKBURN – EMS Hub”, which is consistent with the RAR but does not mention KPIs. However, this Condition requires that the [LTWSA] criteria/limits are identified in the Wastewater Management Plan, which is also a</p>		

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			<p>requirement of SSD-9394, Condition C1 relating to management plans, including the OEMP. It is standard practice for Wastewater Management Plans and OEMPs to identify all applicable limits (e.g. SSD-9394, DA 53/97, EPL 7566, LTWSA).</p> <p>Further to the previous IEA OFI, there was no evidence that the previous versions of the Wastewater Management Plan had been approved by DPIE. However, the 2021 OEMP was approved by DPIE on 23/12/21. The Auditors note that DA 53/97 does not specifically require that management plans are revised to the satisfaction of the Department (except for Stage 2).</p> <p><b>The Auditors recommend that the Liquid Waste elements of the OEMP be reviewed and revised to address all of the requirements of Condition 19, except those that relate to Stage 2/Project upgrades, including:</b></p> <ul style="list-style-type: none"> <li>• characterising the quantity and quality of wastewater;</li> <li>• identifying the criteria/limits for the disposal of treated wastewater;</li> <li>• a plan(s) of the wastewater treatment process showing the key plant / equipment / infrastructure, sampling point(s) and discharge point; and</li> <li>• a protocol for the investigation, notification and mitigation of identified exceedances of the criteria/limits.</li> </ul>		
	<b>WASTE</b>				
20	During the construction and operation of the development the Applicant must implement all reasonable and feasible measures to	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	The 2021 OEMP provides a comprehensive description of waste streams, which are recycled where possible.	Compliant	

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
	minimise the waste generated by the development.	<ul style="list-style-type: none"><li>2021 AEMR with the following attached as Appendix H:<ul style="list-style-type: none"><li>Baiada, Oakburn – Management of Solid Waste, SOP, Issue No. 3, 25/07/19</li></ul></li><li>2021 OEMP</li><li>EMS Hub, Oakburn, Waste Landfill and Recycling register</li><li>EMS Hub, Oakburn, Waste Classification Register</li><li>211104 Information for Ramboll.docx</li><li>Baiada, Oakburn Processing Plant FY Annual KPI Report, 2020-2021, July 2020</li></ul>	<p>Waste types are also listed in the Waste Classification Register. The Auditors viewed the Waste Classification Register and it includes Council waste docket numbers and quantities. Recyclable waste is separated and collected generally on a fortnightly basis and recorded in the register.</p> <p>The Auditors observe that the 2021 OEMP does not commit to minimise waste using all reasonable and feasible measures. However, it does state in Section 8.2.9 that pressed sludge from the WWTP SBR, which is currently disposed of to landfill, is being tested for suitability for land application. This indicates that the site is working to continually improve and minimise the quantity of waste sent to landfill.</p> <p>The commitment to minimise waste is demonstrated in the Oakburn Processing Plant FY Annual KPI Report, 2020-2021, July 2020. It presents and analyses monitoring data (Gas, electricity, water, landfill, waste water) relative to targets in an effort to minimise the site’s footprint on the environment and continually improve. It states “<i>Each year we aim to reduce KPI limits through the implementation of new initiatives and “best practice” methods</i>”. Based on the available evidence, the Auditors consider that Baiada are adequately minimising waste generation during operation.</p> <p><b>The Auditors recommend as an OFI that the 2021 OEMP more explicitly commit to minimise waste and detail how the site reviews and sets targets in the Annual KPI</b></p>		

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			<b>Report. Periodically review whether there may be newer and available technologies for recycling/reusing some wastes (e.g. e-waste, soft plastic, food waste suitable for worm farming or composting) to avoid sending some wastes to landfill.</b>		
21	The Applicant must ensure that all waste generated on the site is classified in accordance with the EPA's <i>Waste Classification Guidelines: Part 1 Classifying Waste</i> and disposed of to a facility that may lawfully accept the waste, or managed in accordance with resource recovery exemptions as approved by the EPA.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2019 IEA</li> <li>2019 RAR</li> <li>2021 AEMR with the following attached as Appendix H: <ul style="list-style-type: none"> <li>Baiada, Oakburn – Management of Solid Waste, SOP, Issue No. 3, 25/07/19</li> </ul> </li> <li>2021 OEMP</li> <li>EMS Hub, Oakburn, Waste Landfill and Recycling register</li> <li>EMS Hub, Oakburn, Waste Classification Register</li> <li>211104 Information for Ramboll.docx</li> <li>Interview on 01/12/21</li> </ul>	<p>This condition was audited in the previous IEA. The 2019 Auditors found that this condition was compliant but made two OFI recommendations for the Solid Waste Management Plan to:</p> <ul style="list-style-type: none"> <li>refer to the EPA's <i>Waste Classification Guidelines: Part 1 Classifying Waste</i>; and</li> <li>refer to the location of where the site's <i>Waste Classification Oakburn Rendering Plant</i> procedure can be found so site personnel may readily find it.</li> </ul> <p>Baiada's RAR indicated that further clarity would be provided in the Solid Waste Management Plan.</p> <p>The Auditors observe that Baiada's Oakburn – Management of Solid Waste, SOP was updated following the 2019 IEA on 25/07/19 (attached to the 2021 AEMR) and Section 5 included a table of referenced documents and records including the EPA's guidelines and <i>Waste Classification – Oakburn</i>, the latter being located on the Oakburn Server and Oakburn EMS Hub.</p> <p>The SOP also states that "<i>Waste Classification Oakburn Rendering Plant outlines the types of waste and by-products generated on this site, the class of waste, whether it is recyclable, Waste transporter and destination, tracking requirements, destination and other additional information as required.</i>" Facility personnel that this is a reference</p>	Compliant	

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)				
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			<p>to the Waste Classification Register, not a separate procedure.</p> <p>The Auditors understand that Baiada's Oakburn – Management of Solid Waste, SOP has been incorporated into the 2021 OEMP. The 2021 OEMP indicates that wastes are classified in accordance with the EPA's <i>Waste Classification Guidelines: Part 1 Classifying Wastes</i>, although the Auditors observe the reference in the 2021 OEMP is not quite correct.</p> <p>It is also observed that Section 8.2.1 Classification of Waste is a subheading for Solid Waste whereas it should apply to all wastes including liquid wastes, which is addressed in Section 8.3 and does not include reference to the EPA's guideline. Waste oil should also be classified in accordance with the EPA guideline and only disposed of to a facility that may lawfully accept the waste.</p> <p>The Waste Classification Register indicates the destination of each waste stream and the EPL number for the facility, where applicable.</p> <p>Whilst the 2021 OEMP infers that <i>"all waste generated on the site is ... disposed of to a facility that may lawfully accept the waste, or managed in accordance with resource recovery exemptions as approved by the EPA"</i>, the OEMP does not explicitly state this. Nor is it entirely clear that some of the wastes are destined for facilities that may lawfully receive them. For example, <i>"light globes and fluorescent tubes are recycled through an approved waste handler. All lights are retained on site and sent to the processing plant or Tamworth</i></p>	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			<p><i>Regional Council Recycling facility to be included in the light recycling". It is not clear if the processing plant or TRC facility are licensed by the EPA to lawfully receive these wastes, particularly as lights are not included in the Waste Classification Register as viewed by the Auditors</i></p> <p>Overall, the Auditors consider this condition is compliant.</p> <p>Superseded by SSD-9394 Conditions B43 to B44.</p> <p><b>The Auditors recommend as an OFI, that the 2021 OEMP be reviewed and revised as follows:</b></p> <ul style="list-style-type: none"> <li><b>The section Classification of Waste should apply to and address both solid and liquid wastes (i.e. all waste types);</b></li> <li><b>Explicitly state that all wastes are only sent to facilities that may lawfully accept the waste.</b></li> </ul>		
	<b>Waste Management Plan</b>				
22	<p>The Applicant must update the Solid Waste Management Plan for the site in consultation with EPA and to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval within 3 months of the approval of DA 53/97 MOD 3;</p> <p>(b) be revised and submitted to the Secretary for approval prior to the commencement of operation of Stage 2;</p> <p>(c) characterise (or provide a program to characterise) all waste imported, exported and re-used on site according</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2019 IEA</li> <li>2019 RAR</li> <li>2021 AEMR with the following attached as Appendix H: <ul style="list-style-type: none"> <li>Baiada, Oakburn – Management of Solid Waste, SOP, Issue No. 3, 25/07/19</li> </ul> </li> </ul>	<p>This condition was audited in the previous IEA. The 2019 Auditors found that this condition was non-compliant because the Solid Waste Management Plan did not include details on waste material quantities, which was maintained in a separate register. The 2019 Auditors recommended that target waste quantities for various materials be included in the Solid Waste Management Plan. Baiada's RAR undertook to reference the "content and location of stored data and KPI's, which tracks and forecasts predicted waste quantities".</p>	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>to the current waste classification guidelines, and include procedures for classifying each of the waste materials;</p> <p>(d) include details of the quantities and destinations of all waste materials;</p> <p>(e) describe the measures in place to minimise and manage waste, including any existing and proposed land application;</p> <p>(f) describe the options available to further reduce and reuse waste;</p> <p>(g) confirm that all waste materials are sent to sites that can lawfully accept the waste; and</p> <p>(h) include a:</p> <ol style="list-style-type: none"> <li>a program to monitor and report the quantity and quality of waste and any impacts associated with land application of the waste; and</li> <li>a protocol for the investigation, notification and mitigation of identified impacts or exceedances of the criteria/limits for the disposal of treated waste.</li> </ol>	<ul style="list-style-type: none"> <li>2021 OEMP</li> <li>Baiada, Oakburn Processing Plant FY Annual KPI Report, 2020-2021, July 2020</li> </ul>	<p>There was no evidence that the Solid Waste Management Plan had been approved by the Department and the 2019 Auditors recommended as an OFI that Baiada follow up with DPE regarding approval of the revised management plans.</p> <p>The Auditors observe that Baiada's Oakburn – Management of Solid Waste, SOP was updated following the 2019 IEA on 25/07/19. There is no evidence that this plan was approved by the Department at that time. Given that DA 53/97 does not specifically require that management plans are revised to the satisfaction of the Department (except for Stage 2) and we understand Stage 2 has yet to commence, the Auditors do not consider this to be non-compliant in this respect.</p> <p>As noted in relation to Condition 20, the Auditors observe that the 2021 OEMP, which incorporates the Waste Management Plan, does not commit to minimise waste but it does describe the waste streams that are recycled where possible, which would reduce the quantity of waste going to landfill. It also indicates that pressed sludge from the WWTP SBR, which is currently disposed of to landfill, is being tested for suitability for land application.</p> <p><b>The Auditors have made two recommendations as OFIs under the Findings for Conditions 20 and 21 that relate to improving the waste management section of the OEMP.</b></p>		
<b>AIR</b>					

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
23	The Applicant must carry out all reasonable and feasible measures to minimise dust generated by the development.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>No visible dust emissions were observed during the site visit. Roads are sealed (except for road to WWTP, which is compacted gravel), and work areas concreted, creating minimal dust emission risk.</p> <p>Superseded by SSD-9394 Conditions B9 to B10 and B17.</p>	Compliant	
24	<p>During construction, the Applicant must ensure that:</p> <ul style="list-style-type: none"> <li>(a) all trucks entering or leaving the site with loads have their loads covered;</li> <li>(b) trucks associated with the development do not track dirt onto the public road network; and</li> <li>(c) public roads used by these trucks are kept clean.</li> </ul>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>The WWTP was constructed during the early part of the Audit Period, however, that development was subject to DA2018/0443. The Auditors have no reason to believe that this condition was not being complied with.</p> <p>Facility personnel advised no construction activities occurred during the Audit Period under DA 53/97 as Stage 2 construction had not commenced.</p> <p>Internal roads where trucks travel are paved and public roads did not appear to be impacted by tracked dirt.</p> <p>Superseded by SSD-9394 Conditions B18.</p>	Compliant	
	<b>Odour</b>				
25	<p>Except as may be expressly provided in an EPL for the development, the Applicant must ensure that the development complies with Section 129 of the <i>Protection of the Environment Operations Act, 1997</i>.</p> <p><i>Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the Applicant must not cause or permit the emission of any offensive odour from the site, but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive</i></p>	<ul style="list-style-type: none"> <li>2019 AEMR</li> <li>2020 AEMR</li> <li>2021 AEMR</li> <li>211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>Incident / Complaint Register</li> </ul> </li> </ul>	<p>Based on the Incident / Complaint Register, there have been four odour complaints during the Audit Period, three in 2019 (2019-2020 reporting period) and one on 04/04/21 (2021-2022 reporting period).</p> <p>Offensive odour was not observed in the outdoor areas of the site by the Auditor during the site inspection.</p> <p>The Auditors have not reviewed the complaint records for the complaints in 2019 but did review the complaint record for the 2021 odour complaint,</p>	Non-compliant	Refer to Table A-2, Condition B8, NC5

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<i>odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.</i>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>20210404 OAK Odour Oakburn Raceway.doc, Environmental Incident and Complaint Record Sheet, 04/04/21</li> </ul>	<p>which was considered to be a likely offensive odour that was beyond the site boundary. Refer to Table A-2 and the finding and recommendation for Condition B8 for discussion of the 2021 odour complaint. While there has been a limited number of community complaints and no odour observed during the site inspection, offensive odour has been recorded beyond the site boundary during the Audit Period, and therefore this condition is considered non-compliant. However, we have counted the non-compliance in Table A-2 for Condition B8, to avoid duplication.</p> <p>Superseded by SSD-9394 Conditions B8 and B9.</p>		
26	<p>The Applicant must prepare and implement an Odour Management Plan, in consultation with the EPA, outlining measures to minimise odour impacts associated with the operation. The Plan must:</p> <ul style="list-style-type: none"> <li>(a) be approved by the Secretary with 3 months of the approval of DA 53/97 Mod 3;</li> <li>(b) be revised and approved by the Secretary prior to commencement of operation of Stage 2;</li> <li>(c) identify all point and diffuse sources of odour associated with the operation;</li> <li>(d) confirm (with engineering details where relevant) that the odour control equipment has the design capacity to treat odour from all captured point sources (for stage 2);</li> <li>(e) include best practice odour mitigation and management practices to be implemented to ensure offensive odour</li> </ul>	<ul style="list-style-type: none"> <li>2019 AEMR</li> <li>2020 AEMR</li> <li>2021 AEMR</li> <li>211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>Incident / Complaint Register</li> </ul> </li> <li>Site visit and interview on 04/11/21</li> <li>2021 AEMR with the following attached as Appendix G: <ul style="list-style-type: none"> <li>Baiada, Oakburn – Odour Management Plan, Issue 4, 30/07/19 (2019 OMP).</li> </ul> </li> </ul>	<p>Preparation of the Odour Management Plan (OMP) was audited in previous IEAs. The 2019 Auditors recommended as an OFI that the site location of the Environmental Incidents and Complaints Handling System procedure be included as in the Odour Management Plan so that all site personnel could easily access this information. Section 5 of the 2019 OMP included a table of referenced documents and records including Environmental Incidents and Complaints with corresponding Document No.'s. Section 7.11 of the 2019 OMP indicated where to find forms, standards and the Incidents and Complaints Register on the ELO (i.e. document control management system) and Oakburn EMS Hub. The Auditors consider that the 2019 IEA recommendations were adequately addressed in the 2019 OMP.</p> <p>Refer to Table A-2, SSD-9394, Condition B12 in relation to revision of the OMP in 2021. Refer to that condition for discussion on the 2021 OMP.</p>	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>impacts do not occur off-site (for stage 2);</p> <p>(f) include a program to monitor the effectiveness of the odour mitigation and management practices, associated with the operation of the development;</p> <p>(g) detail the proposed contingency measures should odour impacts occur;</p> <p>(h) detail the proposed maintenance procedures to ensure potential odour impacts are managed; and</p> <p>(i) detail the odour complaints system to be implemented to record, investigate, report and action any odour complaints received.</p>	<ul style="list-style-type: none"> <li>Baiada, Oakburn – Odour Management Plan, Issue 5, 19/05/21 (2021 OMP)</li> <li>Oakburn – Weekly Inspection (External) forms for 29/10/20, 29/01/21, 27/10/21</li> <li>Oakburn Bio-Filter Checks, High Temp, 16/03/20</li> <li>Oakburn Bio-Filter Checks, Low Temp, 02/11/20</li> <li>Oakburn Bio-Filter Checks, Waste Water Treatment Plant, 15/11/20</li> </ul>	<p>Stage 2 has yet to commence and therefore, the OMP has not been revised for Stage 2, only the Existing Development.</p> <p>As found in relation to Condition 25, there have been relatively few community complaints (4) during the Audit Period and offensive odour was not observed during the site inspection. The odour mitigation measures identified in the OMP were observed to be implemented during the site inspection. Odour monitoring is conducted most days as part of the Weekly Inspection process and the Biofilter inspections. There is no evidence that the OMP is not being effectively implemented and therefore, this condition is considered compliant. However, as discussed in Table A-2 in relation to Condition B12, the OMP does not address all potential sources of odour, particularly the CAL Biogas Vent, which was the source of the odour complaint in April 2021. Refer to Table A-2, Condition B12 for discussion of the OMP and 2021 OEMP that were both revised in accordance with SSD-9394 requirements. Condition 26(b) is superseded by SSD-9394 Conditions B12 to B13. Condition 26 in relation to implementation of the OMP is superseded by SSD-9394 Condition B14.</p>		
	<b>NOISE</b>				
	<b>Construction and Operation Hours</b>				
27	The Applicant must comply with the construction and operation hours in Table 1.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> </ul>	The WWTP was constructed during the early part of the Audit Period, however, that development was subject to DA2018/0443. The Auditors have no reason to believe that this condition was not being complied with.	Compliant	

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)																																			
CONDITION			EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #																													
	<div>Table 1: Construction Hours</div> <table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td rowspan="3">Construction</td><td>Monday – Friday</td><td>7am to 6pm</td></tr><tr><td>Saturday</td><td>8am to 1pm</td></tr><tr><td>Sunday and Public Holidays</td><td>Nil</td></tr><tr><td>Operation</td><td>All Days</td><td>Any time</td></tr></table> <div>Notes:<ul style="list-style-type: none"><li>· Construction activities may be conducted outside the hours in Table 1 provided that the activities are not audible at any residence beyond the boundary of the site; and</li><li>· Emergency work to avoid the loss of life, property and/or prevent environmental harm may be undertaken outside the hours in Table 1.</li></ul></div>		Activity	Day	Time	Construction	Monday – Friday	7am to 6pm	Saturday	8am to 1pm	Sunday and Public Holidays	Nil	Operation	All Days	Any time	<ul style="list-style-type: none"><li>211104 Information for Ramboll.docx, including screenshot of the:<ul style="list-style-type: none"><li>Incident / Complaint Register</li></ul></li></ul>	<p>Facility personnel advised no construction activities occurred during the Audit Period under DA 53/97 as Stage 2 construction had not commenced. Operation hours are in compliance with this condition.</p> <p>The Auditors observe that the operation hours are not specified in the OEMP.</p> <p><b>The Auditors recommend as an OFI that the operation hours be specified in the OEMP.</b></p> <p>Superseded by SSD-9394 Conditions B1 and B2.</p>																		
Activity	Day	Time																																	
Construction	Monday – Friday	7am to 6pm																																	
	Saturday	8am to 1pm																																	
	Sunday and Public Holidays	Nil																																	
Operation	All Days	Any time																																	
	Noise Limits																																		
28	<p>The Applicant must ensure that noise generated by the development does not exceed the noise limits presented in Table 1. The locations referred to in the table are indicated by the 'Noise Impact Assessment' prepared by Revere Acoustics, dated October 2018.</p> <div>Table 1: Operation Noise Limits (dB(A))</div> <table><tr><th rowspan="2">Location</th><th colspan="4">Noise Limits, dB(A)</th></tr><tr><th>Day LAeq(15 min)</th><th>Evening LAeq(15 min)</th><th>Night LAeq(15 min)</th><th>Night L<sub>Amax</sub></th></tr><tr><td>'Girrawheen', Old Winton Road, Westdale</td><td>40</td><td>35</td><td>35</td><td>52</td></tr><tr><td>'Abbeylands', Bowlers Lane, Westdale</td><td>40</td><td>37</td><td>37</td><td>52</td></tr><tr><td>'The Billabong', Wallamore Road, Westdale</td><td>41</td><td>38</td><td>37</td><td>52</td></tr><tr><td>Various Residences, Old Winton Road, south of Tamworth Airport</td><td>40</td><td>36</td><td>35</td><td>52</td></tr></table>		Location	Noise Limits, dB(A)				Day LAeq(15 min)	Evening LAeq(15 min)	Night LAeq(15 min)	Night L <sub>Amax</sub>	'Girrawheen', Old Winton Road, Westdale	40	35	35	52	'Abbeylands', Bowlers Lane, Westdale	40	37	37	52	'The Billabong', Wallamore Road, Westdale	41	38	37	52	Various Residences, Old Winton Road, south of Tamworth Airport	40	36	35	52	<ul style="list-style-type: none"><li>Site visit and interview on 04/11/21</li><li>2021 OEMP</li></ul>	<p>No noise complaints were recorded during the Audit Period. Therefore, no noise monitoring was conducted. There is no evidence that the noise limits were not being complied with.</p> <p>Superseded by SSD-9394 Condition B6.</p>	Compliant	
Location	Noise Limits, dB(A)																																		
	Day LAeq(15 min)	Evening LAeq(15 min)	Night LAeq(15 min)	Night L <sub>Amax</sub>																															
'Girrawheen', Old Winton Road, Westdale	40	35	35	52																															
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Various Residences, Old Winton Road, south of Tamworth Airport	40	36	35	52																															
	Noise Monitoring Program																																		
29	<p>The Applicant must prepare and implement a Noise Validation Monitoring Program for the development to the satisfaction of the Secretary. The program must:</p> <p>(a) be prepared in consultation with EPA, and be approved by the Secretary prior to the commencement of operations of Stage 2:</p>		<ul style="list-style-type: none"><li>Site visit and interview on 04/11/21</li></ul>	<p>Stage 2 construction has not commenced.</p>	Not Triggered																														

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	(b) provide for monitoring and reporting of noise from the facility; (c) validate the monitoring data against the development noise limits; and (d) detail the contingencies that would be implemented should complaints or exceedances occur.				
<b>TRANSPORT</b>					
<b>Road Upgrades</b>					
30	The Applicant must ensure the following roadworks are completed prior to the commencement of construction of Stage 2, to the satisfaction of the RMS: (a) the existing modified type B right-turn bay must be upgraded to an AUSTROAD CHR right turn bay with adequate storage for B-Doubles; (b) the highway must be widened to provide an AUSTROAD AUL left turn deceleration lane. The deceleration lane (including taper) must be at least 150m long; and (c) the existing access seal needs to be further extended into the property to prevent the fouling of the highways pavement.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>Interview on 01/12/21</li> </ul>	Stage 2 construction has not commenced. No road upgrade work has been carried out during the Audit Period.	Not Triggered	
<b>Vehicle Queuing, Parking and Transport</b>					
31	The Applicant must ensure that: (a) the internal road network and parking on site complies with Australian Standards <i>AS 2890.1:2004 and AS 2890.2:2002</i> ; (b) vehicular access to the site is constructed in accordance with the requirements of Council and the RMS; (c) all parking generated by the development is accommodated on site,	<ul style="list-style-type: none"> <li>2019 IEA</li> <li>Baiada, Oakburn – Traffic Management Plan, 29/05/19</li> </ul>	This condition was assessed in the previous IEA and found to be compliant.  The Traffic Management Plan was re-issued on 29/05/19 but facility personnel advised that any changes were not significant and limited to minor internal traffic movement changes. This was observed by the Auditor during the site inspection.	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>and that no vehicles associated with the development must park on the public road system at any stage;</p> <p>(d) the development does not result in any vehicles queuing on the public road network;</p> <p>(e) a travel demand management plan is prepared and implemented; and</p> <p>(f) suitable parking for bicycles and associated facilities including change rooms are provided at the facility, to the satisfaction of the Secretary.</p>		No significant changes have occurred during the Audit Period in relation to vehicular access, parking, vehicular queuing, travel demand management or bicycle parking.		
	<b>ABORIGINAL AND CULTURAL HERITAGE</b>				
32	<p>In the event that Aboriginal objects are uncovered during the course of the development, then work in the immediate areas must cease, the Secretary, the OEH and relevant Aboriginal Groups must be notified and expert archaeological advice must be sought from an appropriately qualified professional. Works may only commence in this area with the written approval of the Secretary.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>No Aboriginal objects have been uncovered during the Audit Period.</p> <p>Superseded by SSD-9394 Conditions B67 to B68.</p>	Not Triggered	
	<b>VISUAL</b>				
	<b>Lighting</b>				
33	<p>The Applicant must ensure that the lighting associated with the development:</p> <p>(a) complies with the latest version of <i>Australian Standard AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting</i>; and</p> <p>(b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties, the airport or the public road network.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>This condition was assessed in the previous IEA and found to be compliant.</p> <p>No significant changes have occurred during the Audit Period in relation to lighting.</p> <p>Superseded by SSD-9394 Condition B74.</p>	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<b>Airport</b>				
34	The external materials and finishes of the buildings must be non-reflective to the satisfaction of the Council, to avoid distraction to air crews.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> </ul>	<p>This condition was assessed in the previous IEA and found to be compliant.</p> <p>No significant changes have occurred during the Audit Period in relation to lighting.</p> <p>The 2021 OEMP addresses this requirement.</p> <p>Superseded by SSD-9394 Condition B62.</p>	Compliant	
35	All water and effluent storage tanks, dams and solid waste receptacles must be constructed and covered so as not to present an attraction to birds.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> <li>Cumberland Ecology, Bird Life Monitoring Program, Baiada Poultry Processing Facility, Tamworth, 19/05/21 (<b>BLMP</b>)</li> <li>DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Bird Life Monitoring Program – Condition B63, 22/06/21</li> <li>Interview on 01/12/21</li> </ul>	<p>The 2021 OEMP indicates that: waste bins are kept closed at all times and are sanitized inside the plant area or raw material intake area, not outside; and bird netting has been installed on clear wells.</p> <p>CAL were installed during the Audit Period, which are covered.</p> <p>The majority of tanks and wells are covered. The two Clear Wells at the WWTP have netting across the top of the ponds to discourage birds from landing on the pond surface.</p> <p>The SBR has no netting or other exclusion mitigation however, facility personnel advised that birds do not find it attractive.</p> <p>The stormwater detention basin was also identified as potentially bird attracting in the Bird Life Monitoring Program (BLMP) that was prepared and established in mid-2021. It requires that continuous water surface areas of permanent water bodies should not exceed 100 m<sup>2</sup> and if they do, exclusion measures are required to be installed to break the continuity of the surface area of water.</p> <p>Superseded by SSD-9394 Condition B74.</p>	Compliant	
	<b>Landscape</b>				
36	The Applicant must prepare and implement a revised Landscape Management Plan for the		Stage 2 construction has not commenced.	Not Triggered	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	development to the satisfaction of the Secretary. The plan must: (a) be prepared in consultation with Council and be approved by the Secretary prior to the commencement of construction of Stage 2; (b) specify the number and species of trees to be planted along key boundaries, ensuring the plan uses endemic species only; and (c) provide for the maintenance of landscaping on the site.				
37	Any proposed landscaping, fencing or signage is not to impede the desired sight lines of all road users including pedestrians and cyclists.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	No landscaping, fencing or signage work was undertaken during the Audit Period.	Not Triggered	
	<b>Advertising Structures</b>				
38	The Applicant must not install any signage, advertising or fencing, without the written approval of the Secretary. In seeking this approval the Applicant must: (a) submit detailed plans of the proposed signage, advertising or fencing, which have been prepared in consultation with Council; and (b) demonstrate that the proposed signage, advertising or fencing is consistent with the relevant requirements in the DCP.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	No new signage was installed during the Audit Period.	Not triggered	
	<b>HAZARDS</b>				
39	During the detailed design of the development the Applicant must consider the potential hazards on site in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i> and the Department's publication " <i>Applying SEPP</i>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>Stage 2 construction has not commenced. The Hazard Report is not required until prior to operation of Stage 2.</p> <p>Superseded by SSD-9394 Conditions B53 to B55.</p>	Not Triggered	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	33". The Applicant must prepare hazards report to be approved by the Secretary prior to the commencement of operation of Stage 2. The report must include: (a) details of the potential hazards on site; (b) details of the ammonia refrigeration plant; and (c) the measures undertaken to minimise and manage the potential hazards of the facility.				
40	The Applicant must update the Emergency Plan for the development, to the satisfaction of the Secretary prior to the commencement of operations of stage 2. The plan must: (a) identify the likely impact of breakdown and emergency scenarios; (b) describe the controls and procedures that would be implemented to prevent emergencies, including fire controls and maintenance schedules; (c) describe the management measures that would be implemented should an emergency occur.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>211104 B Information for Ramboll.docx, with screenshots of: <ul style="list-style-type: none"> <li>The cover page of the latest Emergency Procedure Manual, Oakburn, 13/05/21</li> <li>Baiada Safety Management System, Emergency Dangerous Goods Manifest, Issue Date 30/04/21</li> </ul> </li> <li>PSA Consulting Pty Ltd Letter to DPIE, Re: Baiada</li> </ul>	<p>Stage 2 construction has not commenced. The update of the Emergency Plan for the development is not required until prior to operation of Stage 2.</p> <p>This condition is superseded by SSD-9394 Condition B56.</p> <p>The site's Emergency Plan was last updated on 16/11/20 and issued on 13/05/21. The Auditors observe that the site's Safety Management System Emergency Dangerous Goods Manifest including the site layout plan showing the locations of dangerous goods storages is dated 30/04/21. It does not show the current site layout including the new WWTP, just the earthworks. It indicates the location of the LNG tanks. The Auditors observe that Evacuation Area 2 is located in the vicinity of the LNG tanks and within the impact zones for a vapour cloud explosion, tanker BLEVE (Boiling Liquid Expanding Vapour Explosion) and storage tank BLEVE. Therefore, the Auditors consider that this may not be an appropriate location for an evacuation area.</p>	Not Triggered	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		<p>Integrated Poultry Processing Facility (SSD 9394) – DPIE Hazards, 21/09/20, with attached:</p> <ul style="list-style-type: none"> <li>SLR Consulting Australia Pty Ltd, SEPP 33 Preliminary Risk Screening &amp; Hazard Analysis, Proposed Baiada Oakburn Poultry Processing Facility, 1154 Gunnedah Road, Westdale NSW 2340, SSD-9394, 18/09/20</li> <li>Lote Consulting Pty Ltd, Risk Assessment, 1154 Gunnedah Road, Westdale, NSW 2340, 17/09/20</li> </ul>	<p><b>The Auditors recommend as an OFI that the Safety Management System Emergency Dangerous Goods Manifest be reviewed and updated based on the latest version of the site Emergency Plan and in light of the 2020 Risk Assessment conducted by Lote Consulting Pty Ltd.</b></p>		
41	The gas pipeline to the complex must be installed with an excess flow valve at either the source of the gas, or at the property boundary to provide for the shutdown of the line due to excess flow as a result of a break in the line or other cause.	<ul style="list-style-type: none"> <li>2019 IEA</li> <li>211104 B Information for Ramboll.docx, with a screenshot of the gas Shut Off Vales</li> </ul>	<p>This condition was audited in the previous IEA and found to be compliant. There has been no change to the gas pipeline during the Audit Period. The Auditor observed that the existing gas shut off valves were still in place.</p>	Compliant	
42	The Applicant must ensure fire trucks access around the development is not restricted, to minimise the risk from bushfire.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>Access roads were viewed during site visit and appeared adequate for fire truck access.</p> <p>Superseded by SSD-9394, Appendix 4 requirement for traffic impacts. The “<i>detailed design of the car</i>”</p>	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			<i>park [is] to incorporate minor amendments to the kerb line near the northern end of the staff car park to ensure fire truck access is available through the car park if required."</i>		
	<b>ANIMAL WELFARE</b>				
43	The Applicant must ensure the development is designed and operated in accordance with the latest version of the: (a) <i>Model Code of Practice for the Welfare of Animals: Livestock at Slaughtering Establishments</i> ; and (b) <i>National Animal Welfare Standards at Livestock Processing Establishments Preparing Meat for Human Consumption, 2005: Standards &amp; Work Manual</i> .	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>Stage 2 construction has not commenced.</p> <p>Superseded by SSD-9394 Condition B64.</p>	Not Triggered	
	<b>WATER AND ENERGY EFFICIENCY</b>				
44	The Applicant must ensure the development is energy and water efficient, in accordance with industry best practice, to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>211104 Information for Ramboll.docx, with graphs tracking FY20-21 Weekly Gas GJ, Water and Electricity Usage / T Finished Product</li> <li>2021 OEMP</li> </ul>	<p>The site's water and energy appears to generally track below the targets.</p> <p>The 2021 OEMP commits to minimise the site's water and energy usage.</p> <p>The target for water usage was reduced slightly at the beginning of 2021.</p> <p>The site has commissioned a study to identify options for reducing electricity consumption.</p>	Compliant	
45	The Applicant must prepare and implement a Water and Energy Efficiency Program for the development, to the satisfaction of the Secretary. The program must: (a) be submitted to the Secretary for approval within 6 months of the approval of DA 53/97 MOD 3;	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2019 IEA</li> <li>2021 AEMR with the following attached as Appendix K:</li> </ul>	<p>This condition was audited in the previous IEA and found to be non-compliant because the program had not assessed and set benchmark for energy and water usage. The 2019 Auditors recommended the WEEP be updated to include:</p> <ul style="list-style-type: none"> <li>a reference to the location of the online database of energy and water usage so personnel can easily access this information;</li> </ul>	Compliant	

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)				
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	<ul style="list-style-type: none"> <li>(b) compare the proposed energy and water usage ratio of the development to other existing chicken processing facilities, and set benchmarks for industry best practice;</li> <li>(c) investigate energy and water efficiency measures available;</li> <li>(d) describe the measures that would be implemented onsite, demonstrating the use of best available technology;</li> <li>(e) include a program to monitor and report on the efficiency of the development, ensuring the development would continue to operate at industry best practice overtime.</li> </ul>	<ul style="list-style-type: none"> <li>○ Baiada, Oakburn – Water and Energy Efficiency Program, Issue No. 4, 30/07/19 (<b>2019 WEEP</b>)</li> <li>• Baiada, Oakburn Processing Plant FY Annual KPI Report, 2020-2021, July 2020</li> </ul> <p>Further evidence provided by Baiada following issue of the draft Audit Tables for factual review</p> <ul style="list-style-type: none"> <li>• Telephone call with Baiada on 06/01/22 with comments.</li> </ul>	<ul style="list-style-type: none"> <li>• comparison to other facilities energy and water usage;</li> <li>• set benchmarks or target usages at the next update; and</li> <li>• a procedure on how regularly the data is to be viewed, and a response procedure if data shows adverse results.</li> </ul> <p>The WEEP was updated on 30/07/19 to refer to the location of the KPI data. However, it does not indicate how the KPIs / targets were derived (i.e. through benchmarking with other similar facilities or not as the case may be with appropriate justification, as required) or what the set benchmarks are. The 2021 OEMP, which now incorporates the WEEP also does not specify what the set benchmarks / targets are or their basis..</p> <p>The Annual KPI Report, 2020-2021, indicates that “KPI targets are based on consumption per Tonne of Finished product produced in line with other key stakeholder reporting”. However, no further detail is provided. Facility personnel advised that there may be no other industries with the same or similar operations to benchmark against. The Auditors consider this condition to be compliant on the basis that benchmarking with a similar facility is not feasible, however, if that is the case, it should be stated in the 2021 OEMP and an explanation provided on how targets are derived and set.</p> <p>The previous IEA Auditors also recommended as an OFI that Baiada follow up with the Department to clarify whether revised management plans, such</p>	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			<p>as the WEEP, required the Department's approval. There is no evidence that this was done. However, the 2021 OEMP was approved by DPIE on 23/12/21. The Auditors note that DA 53/97 does not specifically require that management plans are revised to the satisfaction of the Department (except for Stage 2).</p> <p><b>Given that SSD-9394 does not have a similar requirement to Condition 45, the Auditors make no recommendation. However, an OFI is noted that the 2021 OEMP can be reviewed and revised to identify the targets used (i.e. energy and water usage ratios of the development), their basis and justify why benchmarks for industry best practice are not used if that is the case.</b></p>		
<b>Schedule 4 – Environmental Management and Monitoring</b>					
	<b>ENVIRONMENTAL MANAGEMENT STRATEGY</b>				
46	<p>The Applicant must prepare and implement an Environmental Management Strategy for the development, to the satisfaction of the Secretary. The Strategy must:</p> <ul style="list-style-type: none"> <li>(a) be approved by the Secretary prior to construction of Stage 2;</li> <li>(b) be updated and approved by the Secretary prior to operation of Stage 2, and every 3 years thereafter, unless otherwise agreed by the Secretary;</li> <li>(c) provide the strategic context for environmental management of the development;</li> </ul>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	<p>Stage 2 construction has not commenced.</p> <p>Although there is not an equivalent condition under SSD-9394, it is superseded in general by Part C of SSD-9394.</p>	Not Triggered	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	(d) identify the statutory and other obligations that apply to the development; (e) describe in general how the environmental performance of the development would be monitored and managed; (f) describe the procedures that would be implemented to: <ul style="list-style-type: none"> <li>keep the local community and relevant agencies informed about the construction/operation and environmental performance of the development;</li> <li>receive, handle, respond to, and record any complaints that are received;</li> <li>resolve any disputes that may arise during the course of the development;</li> <li>respond to any non-compliance; and</li> <li>respond to emergencies;</li> </ul> (g) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development; and (h) incorporate the various studies, plans and programs required under this approval.				
	<b>ENVIRONMENTAL MONITORING</b>				
47	The Applicant must ensure all facilities at the site, including effluent pipelines and drains, stormwater drains, pumps, sumps and bund walls, are inspected on a weekly basis and after any significant rainfall event.	<ul style="list-style-type: none"> <li>Oakburn – Weekly Inspection (External) forms for 29/10/20, 06/01/21, 29/01/21, 27/10/21</li> </ul>	The Auditors viewed four weekly inspection checklists for external areas including the Boiler House, Chemical Storage Shed, Maintenance Area, Raw Material Area, Site Surrounds, Biofilters, New and Old WWTPs. The later checklist for 27/10/21	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	Maintenance work is to be carried out immediately if any facility is not operating to its design capacity.		<p>also included a table for the 'Weekly Site Odour Checks' conducted for each day of the week although it is observed that the weekend odour checks had not been conducted that week. The CAL was cited as a source for distinct to strong odour on 3 of the days.</p> <p>Any actions are noted for follow up. Follow up actions are added to the 'EMS Hub Weekly Inspection' register with dates noted.</p> <p>The inspection conducted on the 06/01/21 followed rainfall on 05/01/21. It indicated that factory and new WWTP retention ponds were drained out on 06/01/21, 07/01/21 and 08/01/21 indicating that necessary maintenance work was carried out to ensure the ponds were drained appropriately.</p>		
<b>ENVIRONMENTAL REPORTING</b>					
<b>Incident Reporting</b>					
48	As soon as practicable, and with the 24 hours following detection of an exceedance of the limits/performance criteria in this approval or the occurrence of an incident that causes (or may cause) harm to the environment, the Applicant must notify the Department and other relevant agencies of the exceedance/incident.	<ul style="list-style-type: none"> <li>• 2019 AEMR</li> <li>• 2020 AEMR</li> <li>• 2021 AEMR</li> <li>• 211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>◦ Incident / Complaint Register</li> </ul> </li> <li>• Site visit and interview on 04/11/21</li> <li>• 20190904 OAK BOC Truck Hyd Oil Leak.doc, Environmental Incident and</li> </ul>	<p>No incidents were notified during the Audit Period. The Auditors have found no evidence of an incident or potential incident occurring that required reporting.</p> <p>The Auditors observe that an incident occurred on 30/01/21 involving a 3,000 L spill into a pit from the CAL outlet to the SBR due to a blown gasket. The effluent escaped the pit through a PVC pipe in the pit wall and soaked into the ground. The area was subsequently cleaned up and other preventative actions taken to address the root cause, in this instance a compressor issue. The incident was not reported on the basis that the clean-up cost or loss was considered to be &lt;\$10,000. Given that this incident occurred after SSD-9394 was approved, then SSD-9394 prevails where there may be inconsistencies in accordance</p>	Not Triggered	

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
		<p>Complaint Record Sheet, 09/04/19</p> <ul style="list-style-type: none"> <li>20191109 OAK Incident - Offal Spill MWP.doc, Environmental Incident and Complaint Record, 09/11/19</li> <li>20210201 OAK Incident -Gasket blown on Cal discharge line to SBR.doc, Environmental Incident and Complaint Record, 30/01/21</li> <li>IMG_20211210_130538_01.jpg, photo of a pipe in a bund that had been plugged.</li> <li>20210824 OAK Incident - WWTP Leak Balance tank.doc, Environmental Incident and Complaint Record, 24/08/21</li> </ul>	<p>with Condition A13, SSD-9394. SSD-9394 defines an incident and material harm including the \$10,000 threshold and therefore, the Auditors consider that approach reasonable.</p> <p>The Auditors observe that the incident report was of a high standard but in this instance, it did not address the issue of the pipe through the pit wall. As discussed in the finding for Condition 16, facility personnel advised that the pipe was subsequently blocked off to prevent a re-occurrence.</p> <p><b>The Auditors note an OFI that incident reports address all of the contributing factors / root causes to an incident.</b></p>		
49	Within 6 days of notifying the Department and other relevant agencies of an exceedance/incident, the Applicant must provide the Department and these agencies with a written report that:	<ul style="list-style-type: none"> <li>2019 AEMR</li> <li>2020 AEMR</li> <li>2021 AEMR</li> <li>211104 Information for Ramboll.docx,</li> </ul>	No incidents were notified during the Audit Period.	Not Triggered	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	(a) describe the date, time, and nature of the exceedance/incident; (b) identify the cause (or likely cause) of the exceedance/incident; (c) describe what action has been taken to date; and (d) describe the proposed measures to address the exceedance/incident.	including screenshot of the: <ul style="list-style-type: none"> <li>Incident / Complaint Register</li> <li>Site visit and interview on 04/11/21</li> </ul>			
	<b>Annual Reporting</b>				
50	The Applicant must submit an Annual Environmental Monitoring Report, every 12 months, to the Secretary and make copies available to the EPA, NOW and Council. This report must: <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified expert approved by the Secretary;</li> <li>(b) be prepared to the satisfaction of the Secretary;</li> <li>(c) identify the standards and performance measures that apply to the development;</li> <li>(d) include a summary of the complaints received during the year, and compare this to the complaints received in the previous years;</li> <li>(e) include a summary of the monitoring results for the development during the past year;</li> <li>(f) include an analysis of these monitoring results against the relevant:               <ul style="list-style-type: none"> <li>i. impact assessment criteria/limits specified in this consent and the EPL;</li> <li>ii. monitoring results from previous years; and</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>2019 AEMR</li> <li>Department of Planning &amp; Environment (DPE) Letter to Baiada, Baiada Oakburn Poultry Processing Complex (DA 53/97), Annual Review 2017-18, 27/02/19</li> <li>DPE Email to Baiada, Automatic Response, 08/05/19</li> <li>TRC and Baiada Emails, Oakburn AEMR 2019, 13/05/19</li> <li>Baiada Email with screenshot, sharing 2019 AEMR, 14/05/19</li> <li>Baiada and EPA Emails, Oakburn AEMR 2019, 14/05/19</li> <li>DPE Letter to Baiada, Baiada Oakburn Poultry Processing</li> </ul>	The 2019 Auditors found this condition was non-compliant and made the following recommendations: <ul style="list-style-type: none"> <li>Ensure all future annual reviews are sent to the required regulatory agencies under this condition. Compliance may also be verified by uploading the Annual Reviews to Baiada's website and providing notification to the regulators.</li> <li>Seek approval from DPE for authors for all future annual reviews.</li> <li>Include further comparisons of operations to predicted impacts such as water quality pollutant loads (refer to Table 6 of the MOD5 SEE).</li> <li>Future annual reviews should include more detailed monitoring results such as total waste produced and conversion to recycling for each waste product category.</li> </ul> The recommendations were addressed in the subsequent AEMRs. The 2019 Auditors also recommended as an OFI that Baiada clarify with DPIE the requirement of Condition 50j in relation to monitoring results versus management plans. The Auditors were not provided evidence to indicate that this occurred.	Non-compliant	NC3

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
	<div>iii. predictions in the SEE supporting DA 53/97 Mod 3;</div> <div>(g) identify any trends in the monitoring results over the life of the development;</div> <div>(h) identify any non-compliance during the previous year;</div> <div>(i) describe what actions were, or are being, taken to ensure compliance and improve the environmental performance of the facility; and</div> <div>(j) must include a copy of:<div><div>i. the Wastewater Monitoring Report;</div><div>ii. the Solid Waste Monitoring Report;</div><div>iii. the Odour Monitoring Report;</div><div>iv. the Water and Energy Efficiency Monitoring Report; and</div><div>v. the EPA EPL Annual Return.</div></div></div>	<div>Complex (DA 53/97), Annual Review 2018-19, 27/06/19</div> <div><div><div>• 2020 AEMR</div><div>• DPIE Letter to Baiada, Baiada Oakburn Poultry Processing Complex (DA 53/97), Annual Review 2017-18, 24/02/20</div><div>• SLR and TRC Emails, Annual Review 2019-20 DA 53/97 Baiada, 05-06/05/20</div><div>• SLR Email to EPA, Annual Review 2019-20 DA 53/97 Baiada, 05/05/20</div><div>• SLR Email to WaterNSW, Annual Review 2019-20 DA 53/97 Baiada, 05/05/20</div><div>• DPIE Letter to Baiada, Baiada Oakburn Poultry Processing Complex (DA 53/97), Annual Environmental Monitoring Report 2019/2020, 27/05/20</div><div>• 2021 AEMR</div><div>• Baiada Letter to DPIE, Baiada Oakburn Poultry Processing Facility,</div></div></div>	<div>The Department requested in response to the 2019 AEMR that Baiada include a summary of production data, date any aerial photograph and additional information to show on-going compliance with the Wastewater Management Plan required under Condition 19. The requests had to be included in a table with cross-references to where they were addressed in the next AEMR. The Auditors consider that the Department’s requests were addressed in the 2020 AEMR although we make the following observations:</div> <div><div>1. The tabulated production data is not presented in such a way as to facilitate direct comparison between the production data and the Limits on Approval. Also, Condition 6(b) comprises 2 limits and the data was only compared to one of the limits (the 7 day average of 160 tonnes per day) .Data should be presented in the same units over the same period / averaging period (i.e. per day or 7 day average), where applicable. It appears that the data presented are averages, not the maximum value (or maximum 7 day average value) for the reporting period. Therefore, it cannot be shown that the limit has not been exceeded 100% of the time. There should be two sets of data presented in relation to Condition 6(b) for comparison with the two different limits. Averages should not be used unless the limit itself is for an averaged value.</div><div>2. Condition 19 requires that the Wastewater Management Plan be implemented. The</div></div>		

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		<p>Annual Review / Compliance Report 2020-21, Endorsement of Suitability Qualified Expert, 29/01/21</p> <ul style="list-style-type: none"> <li>DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Approval of Experts Requested – AR 2020-21, 03/02/21 (Appendix A, 2021 AEMR)</li> <li>Baiada Email to EPA, TRC and WaterNSW, Annual Environmental Monitoring Report – Baiada Oakburn, 07/05/19</li> <li>DPIE Email to Baiada, Baiada Poultry – Post Approval Document Received – (DA53/97-PA-1), 07/05/21</li> <li>Baiada Email to TRC, EPA and WaterNSW, Annual Environmental Monitoring Report – Baiada Oakburn, 07/05/21</li> <li>DPIE Letter to Baiada, Baiada Oakburn (DA53/97),</li> </ul>	<p>discussion in Sections 3.4 and 7.1 of the 2020 AEMR indicate that Baiada are communicating with the TRC in relation to the non-compliances and are implementing an Effluent Improvement Program (EIP) with the construction and commissioning of the WWTP. The Auditors consider that this is sufficient for the purpose of the purpose of the AEMR reporting.</p> <p>The Department requested in response to the 2020 AEMR that Baiada provide production data that can be compared directly with the Limit of Approval of 180 tonnes/day of finished product. The Auditors concur that, as already noted above, the data presented should be directly comparable to the Limits of Approval and there should be two sets of data presented in relation to Condition 6(b).</p> <p>In the 2021 AEMR the production data again appears to be averages and this time the daily production data is compared to the 180 tonnes/day limit (not averaged). They have not compared production data against the 7 day average limit of 160 tonnes/day.</p> <p>The Auditors consider that the AEMRs comply with this condition in most respects except for the presentation of the production data. The Auditors understand that the Department approved the use of averaged data to determine compliance both for production data and wastewater data in 2018. As discussed in the finding for Condition 6, based on the Auditors review of the production data for the Audit Period, it is considered that the Limits of</p>		

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		<p>Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</p> <ul style="list-style-type: none"> <li>DPIE Letter to Baiada, Baiada Chicken Processing Facility DA53/97, Annual Review 2017-18 0 accepted, 03/09/18</li> </ul>	<p>Approval have been met. However, we consider this condition is non-compliant on the basis the AEMRs do not conclusively demonstrate that the Limits of Approval have been complied with 100% of the time.</p> <p><b>The Auditors note that DA 53/97 was surrendered on 21/12/21 (refer to Table A-2, SSD-9394, Condition A12) and SSD-9394 does not include the same limits as Condition 6(a) and 6(b). The Auditors recommend that Baiada confirm DPIE's requirements for reporting production data in the Compliance Reports going forward. We also recommend the methodology and basis for reported production data be clearly indicated in the Compliance Report.</b></p>		
<b>INDEPENDENT ENVIRONMENTAL AUDIT</b>					
51	<p>Within 12 months of the approval of DA 53/97 Mod 3, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <ol style="list-style-type: none"> <li>be conducted by a suitably qualified, experienced, and independent team of experts, including an odour expert, whose appointment has been endorsed by the Secretary;</li> <li>be undertaken in consultation with EPA, NOW and Council;</li> <li>assess whether the development is being carried out in accordance with industry best practice;</li> </ol>	<ul style="list-style-type: none"> <li>SLR, 2016 Independent Environmental Audit Oakburn Processing Complex: Stage 1 – Protein Recovery Plant (<b>2016 IEA</b>)</li> <li>Ramboll, 2019 Independent Environmental Audit, Oakburn Processing Complex, 24/04/19 (<b>2019 IEA</b>)</li> <li>DPIE Letter to Baiada, Oakburn Processing Complex (DA 53/97), 2019</li> </ul>	<p>The Auditors consider that the 2019 IEA was conducted in accordance with this condition, including consultation with required authorities, and the Department also considered that the 2019 IEA generally met the requirements of DA53-97. This Audit is being conducted within 3 years of the 2019 IEA. The timing was brought forward to align with the requirement of Condition C20 of SSD-9394. The Audit Team including an odour expert was endorsed by DPIE. Consultation was sought from DPIE, EPA, TRC, WaterNSW and DPIE Water.</p>	Compliant	

<b>Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)</b>					
<b>CONDITION</b>		<b>EVIDENCE</b>	<b>IEA FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>d) assess the environmental performance of the development, and its effects on the surrounding environment and sensitive receivers;</p> <p>e) assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;</p> <p>f) review the adequacy of any strategy/plan/program required under this approval; and, if necessary,</p> <p>g) recommend measures or actions to improve the environmental performance of the development, and/or any strategy/plan/program required under this approval.</p>	<p>Independent Environmental Audit, 11/06/19</p> <ul style="list-style-type: none"> <li>DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), 2021 Independent Audit – auditor endorsement request, 27/08/21</li> </ul>			
52	<p>Within 6 weeks of completing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary with a response to any recommendations contained in the audit report.</p>	<ul style="list-style-type: none"> <li>Baiada Email to DPIE, Baiada – Oakburn IEA 2019 – In compliance with DA53-97 Conditions 51 and 52, 26/04/19</li> <li>DPIE Letter to Baiada, Oakburn Processing Complex (DA 53/97), 2019 Independent Environmental Audit, 11/06/19</li> <li>2019 RAR</li> </ul>	<p>The 2019 IEA and 2019 RAR were submitted on 26/04/19. The Department considered that the 2019 IEA and RAR generally met the requirements of DA53-97 and required that a status update of the RAR be included in future Annual Reviews until each action was completed.</p>	Compliant	
53	<p>Within 3 months of submitting an audit report to the Secretary, the Applicant must review and if necessary revise the strategy/plans/programs required under this approval to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> <li>2019 IEA</li> <li>2019 RAR</li> <li>2020 AEMR</li> <li>2021 AEMR</li> </ul>	<p>The 2019 IEA recommended that Baiada undertake a review of all management plans within 3 months of this IEA and make updates as required. The RAR indicated that that would be done by July 2019.</p>	Non-compliant	NC4

Table A-1: Compliance with Development Consent DA 53/97 (up to its surrender on 21/12/21)					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
		<ul style="list-style-type: none"><li>Baiada email to DPIE, Baiada Oakburn Environmental Management Plans, 30/07/19</li></ul>	<p>Based on the 2020 AEMR and the 2021 AEMR, the following management plans were updated:</p> <ul style="list-style-type: none"><li>Stormwater Management Plan, Rev b was issued 03/06/19;.</li><li>Management of Solid Waste SOP was issued 25/07/19</li><li>Water and Energy Efficiency Program SOP was issued 30/07/19</li><li>Odour Management Plan was issued 30/07/19</li><li>Management of Liquid Waste and Contingency Plan SOP was updated in July 2019 following the IEA and again 23/12/19 for commencement of operation of upgrades to WWTP.</li></ul> <p>All of the above management plans and programs were reviewed within 3 months of the submission of the 2019 IEA report to DPIE. With the exception of the Stormwater Management Plan, all of the above management plans and programs were submitted to Department on 30/07/19, which is 4 days later than the due date for this requirement (26/07/19). Therefore, this condition is considered to be an administrative non-compliance. This condition is superseded by SSD-9394, Conditions C11 to C13.</p> <p><b>The Auditors recommend that going forward, Baiada ensure that strategies, management plans and programs are reviewed and revised following submission of an IEA in accordance with the requirements of SSD-9394, Conditions C11 to C13.</b></p>		

Table A-2: Compliance with SSD-9394 – effective from 22/01/21					
CONDITION		EVIDENCE	IEA FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
Part A – Administrative Conditions					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	<ul style="list-style-type: none"><li>Site visit and interview on 04/11/21</li><li>This Audit</li></ul> Further evidence provided by Baiada following issue of the draft Audit Tables for factual review: <ul style="list-style-type: none"><li>BSI Group ANZ PTY Limited, Certificate of Registration, Environmental Management System – ISO 14001:2015, Certificate Number EMS 628301, Last Revision Date: 2021-01-22</li></ul>	No significant environmental performance issues were identified during the Audit Period. Operations are generally in accordance with the Development Consent and environmental management plans as described in this table. The Facility operates under ISO 14001:2015 certificate number 628301 BSI (effective from 21/01/2021 and expires 30/04/2024).	Compliant	
TERMS OF CONSENT					
A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS, Response to Submissions and Supplementary Response to Submissions; (d) in accordance with the Development Layout in Appendix 1; and (e) in accordance with the management and mitigation measures in Appendix 3.	<ul style="list-style-type: none"><li>DPIE Letter to Baiada, Baiada Oakburn (DA53/97), Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</li></ul>	Based on the site visit and findings of this Audit, the development is being carried out generally in accordance with the requirements of this condition.  DPIE made a written request/requirement regarding improvements to the Compliance Report submitted under Condition 18 and being prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020).  The Auditors observe that Condition A2(e) refers to the management and mitigation measures in Appendix 3; however, the management and mitigation measures are in Appendix 4. This	Compliant	

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			error is repeated in Condition B3, B72. Condition B6 also incorrectly references Appendix 3, which should be Appendix 2. The Auditors recommend as an OFI that Baiada ask DPIE to correct the appendix references in the next modification of the consent.		
A3	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and</p> <p>(b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).</p>	<ul style="list-style-type: none"> <li>DPIE Letter to Baiada, Baiada Oakburn (DA53/97), Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</li> <li>Baiada Email to Ramboll, Re: IEA EMAILS from Queries 24.11.21 - (9) - Screenshot of Portal and website lodgements / Post Visit Doc Request, 01/12/21, with attached: <ul style="list-style-type: none"> <li>Register of Portal &amp; Website Uploads, Baiada Email_Register Portal and Website Uploads_01-12-21.pdf</li> </ul> </li> <li>DPIE Post Approval, Baiada Integrated Poultry Processing Facility - SSD-9394-PA-10, Notification of publication, 01/12/21</li> </ul>	<p>DPIE made a written request/requirement regarding improvements to the Compliance Report submitted under Condition 18 and being prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020). This requirement applies to future compliance reports.</p> <p>DPIE also required that the Annual Review / Compliance Report 2020-21 (2021 AEMR) be made publicly available and DPIE notified in accordance with Condition C19. Baiada did not comply with this requirement as found and discussed under Condition C19. The Auditors consider this condition to be non-compliant but have not included it in the count of non-compliances to avoid duplication of findings and recommendations.</p>	Non-compliant	Refer to Condition C19
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(e), the most recent	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	No inconsistencies with the documents were noted during Audit Period.	Not Triggered	

	document prevails to the extent of the inconsistency, ambiguity or conflict. <i>Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.</i>				
<b>LIMITS OF CONSENT</b>					
<b>Lapsing</b>					
A5	This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.		The Auditors observe that Schedule 1 Definitions of SSD-9394 defines the 'Development' as " <i>The Existing Development and the Project</i> ". The Existing Development is ongoing and therefore, the development has physically commenced.	Not Triggered	
<b>Protein Recovery Plant</b>					
A6	The rendering capacity cannot increase from 1,120 tonnes to 1,680 tonnes of finished rendering product per week in the protein recovery plant until such time that all works associated with the project, are complete and operational, to the satisfaction of the Planning Secretary.	<ul style="list-style-type: none"> <li>• Oakburn Rendering Plant KPIs table for 24/10/2021 to 30/10/2021</li> <li>• Site visit and interview on 04/11/21</li> <li>• Oakburn KPI's spreadsheet</li> <li>• KPI' Summary, Oakburn</li> <li>• SLR, Oakburn Poultly Rendering Plant, Annual Review / Compliance Report 2020-21, 06/05/21 (2021 AEMR)</li> <li>• Interview on 01/12/21</li> </ul>	<p>The Auditors observe that Schedule 1 Definitions of SSD-9394 defines the 'Development' as "<i>The Existing Development and the Project</i>", where the 'Existing Development' is "<i>The continuation of the existing protein recovery plant with a processing volume of 530 tonnes of raw material per day and 160 tonnes of finished product per day ...</i>".</p> <p>Refer to Table A-1, DA 53/97, Condition 6 for discussion on how the production data is recorded and compliance with the Limits of Approval for the Existing Development assessed. Production throughputs were found to be compliant with DA 53/97, Condition 6 Limits of Approval.</p> <p>The Oakburn KPI's table records Total Weekly Production throughputs, which are the sum of the Total Daily Production data from the weekly</p>	Compliant	

			data tables. The maximum Total Weekly Production throughput during the Audit Period was 625 tonnes in 21/22 Week 15, the same week with the maximum Total Raw Material Intake throughput, which is well below the rendering capacity limit of 1,120 tonnes/week. Hence, this condition is considered to be compliant.		
<b>Poultry Processing Facility</b>					
A7	The development is limited to the following limits within the processing plant: (a) processing of up to 3 million birds per week; and (b) holding of 90,000 birds (average over 24 hour period) within the live bird area.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised that construction of the Project, including the Poultry Processing Facility, has not commenced and therefore, this condition is not triggered.	Not Triggered	
A8	Exhaust fans on the processing areas must be designed to achieve a minimum exit velocity of 15 milliseconds			Not Triggered	
A9	The final design and operation of the plant must not preclude the ability for air pollution and odour emission controls to be retrofitted.			Not Triggered	
<b>NOTIFICATION OF COMMENCEMENT</b>					
A10	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary: (a) construction; (b) operation; and (c) cessation of operations.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised that construction of the Project has not commenced and therefore, this condition is not triggered.	Not Triggered	
A11	If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage of the date of commencement			Not Triggered	

	and the development to be carried out in that stage, or a timeframe otherwise agreed with the Planning Secretary				
<b>SURRENDER OF EXISTING CONSENTS</b>					
A12	Within 12 months of the date of determination of this development consent, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the consents specified in Appendix 3 in accordance with the EP&A Regulation	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>PSA Consulting email to TRC, 21/12/21, with two letters attached: <ul style="list-style-type: none"> <li>Baiada letter to TRC, Surrender of Development Consents - Baiada Oakburn Processing Plant, 01/12/21</li> <li>Baiada letter to DPIE, Surrender of Development Consents Related to the Baiada Oakburn Poultry Processing Facility on Land at 1154 Gunnedah Road, Westdale, NSW, 2340, 01/12/21</li> </ul> </li> <li>PSA Consulting email to DPIE, 21/12/21, with two letters attached: <ul style="list-style-type: none"> <li>Baiada letter to TRC, Surrender of Development Consents - Baiada Oakburn Processing Plant, 01/12/21</li> <li>Baiada letter to DPIE, Surrender of Development</li> </ul> </li> </ul>	<p>Baiada surrendered the referenced development consents to:</p> <ul style="list-style-type: none"> <li>Tamworth Regional Council: DA0775/2008, DA0080/2010, DA0571/2010, DA2016/0551, DA2017/0278, DA2017/0282 and DA2018/0443; and</li> <li>DPIE: DA53/97.</li> </ul> <p>The notices of surrender met the requirements of the EP&amp;A Regulation and are considered effective from the date of surrender, 21/12/21. The Auditors observe that the development consents were surrendered by PSA Consulting, Baiada's planning consultant, to DPIE and TRC on behalf of Baiada on 21/12/21. The Auditors consider this condition compliant as Baiada's letters of surrender were dated 01/12/21.</p>	Compliant	

		Consents Related to the Baiada Oakburn Poultry Processing Facility on Land at 1154 Gunnedah Road, Westdale, NSW, 2340, 01/12/21			
A13	<p>Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals as required under condition A12, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.</p> <p><i>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&amp;A Act or Part 6 of the EP&amp;A Act as applies from 1 September 2018. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.</i></p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>DA 53/97 MOD 6, 10/04/19</li> <li>EPL 7566</li> </ul>	<p>The Auditors note that Schedule 1 Definitions of SSD-9394 defines the 'Development' as "<i>The Existing Development and the Project</i>", where the 'Existing Development' is "<i>The continuation of the existing protein recovery plant with a processing volume of 530 tonnes of raw material per day and 160 tonnes of finished product per day at 1154 Gunnedah Road, Westdale, as described in the EIS and RTS.</i>" and the 'Project' is "<i>The construction and operation of an integrated poultry processing facility, including poultry processing, wastewater treatment plant, advanced water treatment plant and the increase to capacity of the Existing Development, as described in the EIS and RTS, and as generally depicted in plans in Appendix 1</i>".</p> <p>Based on advice from the Baiada representative, the Project, which was referred to as Stage 2 in DA 53/97, has not commenced. However, for the purpose of this condition, the Auditors consider that the development has commenced as it includes the Existing Development. Therefore, where there are inconsistencies, SSD-9394 conditions prevail over the conditions of DA 53/97 and other existing DAs that have not been surrendered. One such inconsistency is the operational noise limits. The DA 53/97 MOD 6 Operating Noise Limits are inconsistent with the Operational Noise Limits specified in Condition B6 of SSD-</p>	Compliant	

			9394. They are also inconsistent with the EPL 7566 noise limits. On the basis of this condition, the Auditors consider that the Operational Noise Limits specified in Condition B6 of SSD-9394 prevail over the DA 53/97 MOD 6 Operating Noise Limits. The EPL 7566 noise limits also apply.		
EVIDENCE OF CONSULTATION					
A14	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p> <p>b) provide details of the consultation undertaken including:</p> <p>i. the outcome of that consultation, matters resolved and unresolved; and</p> <p>ii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p>	<ul style="list-style-type: none"> <li>Baiada Email to Ramboll, Re: IEA EMAILS from Queries 24.11.21 - (9) - Screenshot of Portal and website lodgements / Post Visit Doc Request, 01/12/21</li> </ul>	<p>Consultation is required in relation to the following conditions:</p> <ul style="list-style-type: none"> <li>A18 – Relevant owner(s) and service provider(s) of public infrastructure that may be impacted by construction – Not Triggered</li> <li>B27 – Engineer in relation to Evaporation Ponds Commissioning Report – Not Triggered</li> <li>B28 – Water Management Plan, DPI-Water – Not Triggered</li> <li>B47 – Construction Traffic Management Plan (CTMP), TfNSW – Not Triggered</li> <li>B54 – Fire Safety Study (FSS), Fire and Rescue NSW – Not Triggered</li> <li>B63 – Bird Life Monitoring Program, CASA and TRC</li> <li>B65 - Emergency Disposal and Bio-security Protocol, TRC, EPA, DPIE – Not Triggered</li> <li>B75 – Signage, TRC – Not Triggered</li> <li>B76 – Community engagement, community, sensitive receivers, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders</li> <li>App. 4 - Aboriginal Objects Find Procedure, Aboriginal community and Heritage NSW – Aboriginal Cultural Heritage Office – Not Triggered</li> </ul> <p>Consultation was undertaken during the Audit Period in relation to Conditions B63 and B76.</p>	Compliant	

			Consultation was also sought in relation to the scope of the 2021 AEMR and 2021 IEA.		
STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS					
A15	<p>With the approval of the Planning Secretary, the Applicant may:</p> <p>a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);</p> <p>b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and</p> <p>c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul> <p>Further evidence provided by Baiada following issue of the draft Audit Tables for factual review:</p> <ul style="list-style-type: none"> <li>DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Operational Environmental Management Plan (OEMP) – Stage 1, 23/12/21</li> </ul>	<p>Baiada submitted a letter to DPIE on 01/12/21 proposing to stage the submission of the OEMP in accordance with this Condition as follows:</p> <ul style="list-style-type: none"> <li>Stage 1: Existing rendering plant (existing operations)</li> <li>Stage 2: Commencement of construction of the processing plant (approved project) with ongoing rendering operation.</li> <li>Stage 3: Operation of the processing plant (approved project) and rendering plant (existing operations).</li> </ul> <p>DPIE advised in a letter dated 23/12/2021 that it agreed to the staged submission of the OEMP on a progressive basis (i.e. the OEMP has to be resubmitted for approval for subsequent stages). The Stage 2 OEMP has to be submitted to the Planning Secretary at least one month before the commencement of the development to be carried out at that stage. This timing is consistent with the Condition A11 requirement and may translate to submission of other required management plans but could be clarified with DPIE as considered necessary.</p>	Compliant	
A16	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Baiada sought and gained DPIE's approval for the staged submission of the OEMP. Baiada submitted the 2021 OEMP as being for Stage 1 of the development. However, preparation of the OEMP did not require consultation.	Not Triggered	
A17	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them	<ul style="list-style-type: none"> <li>DA 53/97 MOD 6, 10/04/19</li> </ul>	The Oakburn – Environmental Operations Plan (2021 OEMP) was the only management plan to be revised since the approval of SSD-9394.	Compliant	

	and must be implemented in accordance with the condition that requires the strategy, plan or program	<ul style="list-style-type: none"> <li>Baiada, Oakburn – Environmental Operations Plan, V06, Amend Date: October 2021, Issue No. 3, Issue Date: 02/11/21 (2021 OEMP)</li> <li>Baiada email to DPIE, Baiada Oakburn Environmental Management Plans, 30/07/19</li> </ul>	<p>DPIE issued a letter dated 23/12/21 that it approved the OEMP for Stage 1 of the development. .</p> <p>There is no evidence that Baiada are not implementing the latest approved versions of management plans.</p>		
PROTECTION OF PUBLIC INFRASTRUCTURE					
A18	<p>Before the commencement of construction, the Applicant must:</p> <p>(a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;</p> <p>(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site(including roads, gutters and footpaths); and</p> <p>(c) submit a copy of the dilapidation report to the Planning Secretary and Council.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred during the Audit Period under SSD-9394 as the Project construction had not commenced.	Not Triggered	
A19	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred during the Audit Period under SSD-9394 as the Project construction had not commenced. Public infrastructure has not been damaged or required relocation.	Not Triggered	

	<p>public infrastructure that needs to be relocated as a result of the development.</p> <p><i>Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by A23 of this consent</i></p>				
DEMOLITION					
A20	<p>All demolition must be carried out in accordance with <i>Australian Standard AS 2601-2001 The Demolition of Structures</i> (Standards Australia, 2001).</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Demolition has not occurred during the Audit Period.	Not Triggered	
STRUCTURAL ADEQUACY					
A21	<p>All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Note: Under Part 6 of the EP&amp;A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</i></p> <p><i>Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</i></p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>Pro Cert Group Pty Ltd, Occupation Certificate No. 313.1/2018, New Waste Water Treatment Plant Blower MCC Building, DA2018-0443, 06/02/20</li> </ul>	No new buildings have been constructed during in the period since approval of SSD-9394.	Not Triggered	
COMPLIANCE					
A22	<p>The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>Training Register</li> <li>Induction package</li> <li>Training records for one of the facility personnel, including: <ul style="list-style-type: none"> <li>Baiada, Task Instruction, Oakburn</li> </ul> </li> </ul>	The Auditors sighted the induction package records, training register and samples of training records that addressed key aspects of the conditions of this consent.	Compliant	

		<ul style="list-style-type: none"> <li>- Operation of the WWTP, including Competency Questionnaire, 23/02/21</li> <li>o Baiada, Task Instruction, Oakburn</li> <li>- Monitoring of Biofilters, including Competency Demonstration and Competency Questionnaire, 02/07/21</li> <li>o Australian Training Plus, Statement of Attainment, AHCSS00074 Agricultural Chemical Skill Set, 19/11/21</li> </ul>			
<b>DEVELOPMENT CONTRIBUTIONS</b>					
A23	Before the issue of an occupation certificate for any part of the project a levy of 1% of the development cost, as determined by a Registered Quantity Surveyor's Detailed Cost Report, must be paid to Council to cater for the increased demand for community infrastructure resulting from the development, in accordance with Section 4.17 and Section 7.12 of the EP&A Act and the Tamworth Regional Council Section 94A (Indirect) Contributions Plan.2013	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised the Project has not been constructed and no occupation certificates have been issued.	Not Triggered	
<b>OPERATION OF PLANT AND EQUIPMENT</b>					
A24	<p>All plant and equipment used on site, or to monitor the performance of the development must be:</p> <p>(a) maintained in a proper and efficient condition; and</p>	<ul style="list-style-type: none"> <li>• Maintenance Experts Pty Ltd (MEX) database screenshot, 04/11/21</li> <li>• MEX Work Order Listing screenshot for work</li> </ul>	Baiada operates in accordance with a computer-based maintenance system named 'MEX' which includes electronic records of any maintenance undertaken. MEX provides a number of registers including but not limited to: Assets; Work	Compliant	

	<p>(b) operated in a proper and efficient manner.</p>	<p>orders scheduled to start in October and November 2021, 04/11/21</p> <ul style="list-style-type: none"> <li>• MEX Activator screenshot, 04/11/21</li> <li>• Site visit and interview on 04/11/21</li> <li>• 20210201 OAK Incident - Gasket blown on Cal discharge line to SBR.doc, Environmental Incident and Complaint Record, 30/01/21</li> <li>• 20210824 OAK Incident - WWTP Leak Balance tank.doc, Environmental Incident and Complaint Record, 24/08/21</li> <li>• Oakburn Bio-Filter Checks, High Temp, 16/03/20</li> <li>• Oakburn Bio-Filter Checks, Low Temp, 02/11/20</li> <li>• Oakburn Bio-Filter Checks, Waste Water Treatment Plant, 15/11/20</li> <li>• Training records for one of the facility personnel, including: <ul style="list-style-type: none"> <li>○ Baiada, Task Instruction, Oakburn – Operation of the WWTP, including Competency Questionnaire, 23/02/21</li> </ul> </li> </ul>	<p>Orders; History; Readings; and Preventative Maintenance (PM). Facility personnel showed the Auditor various listings within MEX including Work Orders, the Activator list which shows PM and 'Request' checks/service (e.g. E-STOP Weekly Test, WWTP Fortnightly Alarm Tests).</p> <p>Two incidents occurred in 2021 involving spills of effluent from blown gaskets. In both instances the preventative actions involved immediate repairs to the gaskets but also reviews of root causes including reviewing use of gaskets and adding gasket replacement to MEX, as well as other issues that were identified with a compressor and a bund.</p> <p>Observations during the site visit confirmed that plant and equipment and associated infrastructure appeared to be maintained in a proper and efficient manner. During the site inspection the Auditor observed training records of personnel that are commensurate with the activities they are required to undertake.</p>		
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		<ul style="list-style-type: none"> <li>○ Baiada, Task Instruction, Oakburn – Monitoring of Biofilters, including Competency Demonstration and Competency Questionnaire, 02/07/21</li> <li>○ Australian Training Plus, Statement of Attainment, AHCSS00074 Agricultural Chemical Skill Set, 19/11/21</li> </ul>			
EXTERNAL WALLS AND CLADDING					
A25.	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred since approval of SSD-9394 as existing buildings have had no additions and the Project construction had not commenced.	Not Triggered	
A26.	<p>Before the issue of:</p> <p>(a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and</p> <p>(b) an Occupation Certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.</p>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred since approval of SSD-9394 and no construction or occupation certificates have been issued.	Not Triggered	
A27	The Applicant must provide a copy of the documentation given to the Certifier under condition A26 to the Planning Secretary within seven days after the Certifier accepts it.	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	Not Triggered as Condition A26 was Not Triggered.	Not Triggered	

UTILITIES AND SERVICES					
A28.	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities or utility works occurred since approval of SSD-9394.	Not Triggered	
A29.	<p>Before the issue of a Subdivision Works Certificate or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:</p> <p>(a) the installation of fibre-ready facilities to the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and</p> <p>(b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to the development demonstrated through an agreement with a carrier.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred since approval of SSD-9394 and Subdivision Works Certificate or Construction Certificate have been issued.	Not Triggered	
A30.	Before the issue of an Occupation Certificate, the Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred since approval of SSD-9394 and no occupation certificates have been issued.	Not Triggered	
WORKS AS EXECUTED PLANS					
A31.	Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred since approval of SSD-9394 and no occupation certificates have been issued.	Not Triggered	
APPLICABILITY OF GUIDELINES					

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A32.	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	<ul style="list-style-type: none"> <li>2021 OEMP</li> </ul>	<p>The 2021 OEMP references the “Waste Classification Guidelines: Part 1 Classification of Waste”, which is slightly incorrect and should be EPA's <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014). The Auditors consider this to be a typographical error and therefore, do not consider this condition to be non-compliant.</p> <p>The Auditors recommend as an Opportunity for Improvement (OFI) that Baiada review and revise, as necessary, the 2021 OEMP and any other management plans required under this consent to ensure that correct references are used for any guideline, protocol, Australian Standard or policy.</p>	Compliant	
A33.	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	<ul style="list-style-type: none"> <li>DPIE Letter to Baiada, Baiada Oakburn (DA53/97), Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</li> </ul>	DPIE's response to the 2021 AEMR referenced the Compliance Reporting Post Approval Requirements (Department 2020), which is consistent with Condition C18.	Compliant	
ADVISORY NOTES					
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	<ul style="list-style-type: none"> <li>NSW EPA, Environment Protection Licence 7566 (EPL 7566), 08/02/21</li> <li>Obligation Listing (Within Hub)</li> </ul>	<p>Refer to DA 53/97, Condition 6a.</p> <p>The site has an Obligations Listing on the EMS Hub. The Auditors noted that SSD-9394 was not included in the Obligation Listing.</p> <p>The Auditors note an OFI that SSD-9394 be included in the Obligation Listing.</p>	Compliant	
PART B SPECIFIC ENVIRONMENTAL CONDITIONS					
NOISE					
Hours of Work					

07 April 2022

B1	<p>The Applicant must comply with the hours detailed in Table 1.</p> <p>Table 1: Hours of Work</p> <table><tr><th>Activity<sup>a</sup></th><th>Days<sup>a</sup></th><th>Times<sup>a</sup></th></tr><tr><td>Earthworks and construction<sup>a</sup></td><td>Monday – Friday Saturdays<sup>a</sup></td><td>7:am to 6 pm<sup>a</sup> 8:am to 1 pm<sup>a</sup></td></tr><tr><td>Operation (general)<sup>a</sup></td><td>Monday – Sunday<sup>a</sup></td><td>24 hours<sup>a</sup></td></tr></table>	Activity <sup>a</sup>	Days <sup>a</sup>	Times <sup>a</sup>	Earthworks and construction <sup>a</sup>	Monday – Friday Saturdays <sup>a</sup>	7:am to 6 pm <sup>a</sup> 8:am to 1 pm <sup>a</sup>	Operation (general) <sup>a</sup>	Monday – Sunday <sup>a</sup>	24 hours <sup>a</sup>	<ul style="list-style-type: none"><li>Site visit and interview on 04/11/21</li><li>2021 OEMP</li></ul>	<p>The WWTP was constructed during the early part of the Audit Period, however, that development was subject to DA2018/0443. The Auditors have no reason to believe that this condition was not being complied with.</p> <p>Facility personnel advised no construction activities occurred during the Audit Period under SSD-9394 as the Project construction had not commenced.</p> <p>Operation hours have been complied with during the Audit Period.</p> <p>The Auditors observe that the operation hours are not specified in the OEMP.</p> <p>The Auditors recommend as an OFI that the operation hours be specified in the OEMP.</p>	Compliant	
Activity <sup>a</sup>	Days <sup>a</sup>	Times <sup>a</sup>												
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B2	<p>Works outside of the hours identified in condition B1 may be undertaken in the following circumstances:</p> <p>(a) works that are inaudible at the nearest sensitive receivers; or</p> <p>(b) works agreed to in writing by the Planning Secretary; or</p> <p>(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.</p>	<ul style="list-style-type: none"><li>Site visit and interview on 04/11/21</li><li>2021 OEMP</li></ul>	<p>Work has not been conducted outside the required Hours of Work.</p>	Not Triggered										
Construction Noise Limits														
B3	<p>The development must be constructed to achieve the construction noise management levels detailed in <i>the Interim Construction Noise Guideline</i> (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified</p>	<ul style="list-style-type: none"><li>Site visit and interview on 04/11/21</li></ul>	<p>Facility personnel advised no construction activities occurred since approval of SSD-9394. Construction of the Project has not commenced.</p>	Not Triggered										

	and managed in accordance with the management and mitigation measures in the Appendix 3.				
Construction Noise Management Plan					
B4	<p>The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must</p> <ol style="list-style-type: none"> <li>be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;</li> <li>be approved by the Planning Secretary prior to the commencement of construction of the project</li> <li>describe procedures for achieving the noise management levels in EPA's <i>Interim Construction Noise Guideline</i> (DECC, 2009) (as may be updated or replaced from time to time);</li> <li>describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</li> <li>include a complaints management system that would be implemented for the duration of the development.</li> </ol>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred since approval of SSD-9394. Construction of the Project has not commenced and therefore, the CEMP required under Condition C2 has yet to be prepared.	Not Triggered	
B5.	<p>The applicant must:</p> <ol style="list-style-type: none"> <li>not commence construction of any relevant stage of the project until the Construction Noise Management Plan required by condition B4 is approved by the Planning Secretary; and</li> <li>implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.</li> </ol>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has not commenced.	Not Triggered	
Operational Noise Limits					

B6	<p>The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.</p> <p>Table 2: Noise Limits (dB(A))</p> <table border="1"> <thead> <tr> <th>Locality<sup>a</sup></th><th>Locations<sup>a</sup></th><th>Day- L<sub>avg</sub>(15 minute)<sup>a</sup></th><th>Evening- L<sub>avg</sub>(15 minute)<sup>a</sup></th><th>Night- L<sub>avg</sub>(15 minute)<sup>a</sup></th><th>Night- L<sub>Amax</sub><sup>a</sup></th></tr> </thead> <tbody> <tr> <td>R1<sup>a</sup></td><td>Girraween<sup>a</sup></td><td>40<sup>a</sup></td><td>35<sup>a</sup></td><td>35<sup>a</sup></td><td>52<sup>a</sup></td></tr> <tr> <td>R2<sup>a</sup></td><td>Abbeylelands<sup>a</sup></td><td>40<sup>a</sup></td><td>35<sup>a</sup></td><td>35<sup>a</sup></td><td>52<sup>a</sup></td></tr> <tr> <td>R3<sup>a</sup></td><td>The Billabong<sup>a</sup></td><td>40<sup>a</sup></td><td>35<sup>a</sup></td><td>35<sup>a</sup></td><td>52<sup>a</sup></td></tr> <tr> <td>R4<sup>a</sup></td><td>Airport South<sup>a</sup></td><td>40<sup>a</sup></td><td>35<sup>a</sup></td><td>35<sup>a</sup></td><td>52<sup>a</sup></td></tr> </tbody> </table> <p><i>Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for the location of residential sensitive receivers.</i></p>	Locality <sup>a</sup>	Locations <sup>a</sup>	Day- L <sub>avg</sub> (15 minute) <sup>a</sup>	Evening- L <sub>avg</sub> (15 minute) <sup>a</sup>	Night- L <sub>avg</sub> (15 minute) <sup>a</sup>	Night- L <sub>Amax</sub> <sup>a</sup>	R1 <sup>a</sup>	Girraween <sup>a</sup>	40 <sup>a</sup>	35 <sup>a</sup>	35 <sup>a</sup>	52 <sup>a</sup>	R2 <sup>a</sup>	Abbeylelands <sup>a</sup>	40 <sup>a</sup>	35 <sup>a</sup>	35 <sup>a</sup>	52 <sup>a</sup>	R3 <sup>a</sup>	The Billabong <sup>a</sup>	40 <sup>a</sup>	35 <sup>a</sup>	35 <sup>a</sup>	52 <sup>a</sup>	R4 <sup>a</sup>	Airport South <sup>a</sup>	40 <sup>a</sup>	35 <sup>a</sup>	35 <sup>a</sup>	52 <sup>a</sup>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> <li>211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>Incident / Complaint Register</li> </ul> </li> </ul>	<p>No noise complaints were recorded during the Audit Period. Therefore, no noise monitoring was conducted. There is no evidence that the noise limits were not being complied with.</p> <p>The Auditors observe that the OEMP does not specify the noise limits that apply under SSD-9394. Instead the OEMP specifies the noise limits set by EPL 7566, which are different. Therefore, both sets of noise limits apply until such time that they are modified/varied to be made consistent.</p> <p>The Auditors note an OFI that the Table 2 noise limits be specified in the OEMP along with the EPL 7566 noise limits.</p>	Compliant	
Locality <sup>a</sup>	Locations <sup>a</sup>	Day- L <sub>avg</sub> (15 minute) <sup>a</sup>	Evening- L <sub>avg</sub> (15 minute) <sup>a</sup>	Night- L <sub>avg</sub> (15 minute) <sup>a</sup>	Night- L <sub>Amax</sub> <sup>a</sup>																														
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Noise Walls																																			
B7	<p>The Applicant must construct the noise walls shown on page 32 of the <i>Revised Noise Impact Assessment – Oakburn Processing Facility &amp; Rendering Plant dated August 2020</i>, prior to the commencement of operation of the project.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has not commenced.	Not Triggered																															
	<p>If construction of noise walls is to be staged, the Applicant must submit a noise verification study to the satisfaction of the Planning Secretary to demonstrate the development will comply with the noise limits in condition B6 at all times.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has not commenced.	Not Triggered																															
AIR QUALITY																																			
Operational odour impact management																																			
B8	<p>The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined under the POEO Act) beyond the boundary of the site.</p>	<ul style="list-style-type: none"> <li>211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>Incident / Complaint Register</li> </ul> </li> <li>Site visit and interview on 04/11/21</li> </ul>	<p>Based on the Incident / Complaint Register, there was one odour complaint in 2021 (up to the completion of the Audit) since the approval of SSD-9394. The complainant was camping at the Oakburn Raceway to the west of the site over Easter. The complaint was received on Easter Sunday and the odour was described as</p>	Non-compliant	NC5																														

		<ul style="list-style-type: none"> <li>• 2021 OMP</li> <li>• 2021 OEMP</li> <li>• 20210404 OAK Odour Oakburn Raceway.doc, Environmental Incident and Complaint Record Sheet, 04/04/21</li> </ul>	<p>"quite strong and bad smelling". The facility personnel that responded to and investigated the odour complaint determined that there was a strong smell from the covered anaerobic lagoons (CAL) venting to atmosphere. Based on the evidence of the complaint record, it is considered likely that an offensive odour was emitted beyond the boundary of the site.</p> <p>The complaint record indicated that the incident was reported to Senior Management and capital was required to prevent venting of the CAL to atmosphere, such as flaring or using the gas in the boilers. Facility personnel advised the Auditors that options were still being investigated.</p> <p>Offensive odour was not observed in the outdoor areas of the site, or at the boundaries of the site, by the Auditor during the site inspection.</p> <p>The OMP mitigation measures were observed to be implemented during the site inspection. There is no evidence that the OMP is not being effectively implemented to prevent emissions of offensive odour. The number of odour complaints has steadily decreased during the Audit Period. However, this condition is considered non-compliant on the basis that an offensive odour was emitted beyond the boundary.</p> <p>If it is not already being undertaken, the Auditors recommend that odour mitigation for the CAL Biogas Vent be investigated (e.g. feasibility study of options) and implemented to prevent a reoccurrence of an offensive odour emission the CAL Biogas Vent beyond the boundary of the site.</p>		
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B9.	The site must be maintained in a condition which minimises or prevents the emission of air pollution (including odour and dust) from the site.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OMP</li> <li>2021 OEMP</li> </ul>	<p>No visible dust emissions were observed during the site visit. Roads are sealed (except for road to WWTP, which is compacted gravel), and work areas concreted, creating minimal dust emission risk. Other ground surfaces are grass or gravel covered to minimise dust emissions.</p> <p>The Auditors observe that the site's 2021 OEMP does not refer to dust as a hazard and does not include dust mitigation measures.</p> <p>The Auditors recommend as an OFI that the OEMP be reviewed and revised to address dust as a hazard and include mitigation measures to ensure compliance with this condition.</p>	Compliant	
B10.	The bird processing buildings must be designed and operated as to contain dust and odour, operating under negative pressure where possible.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	The Project has yet to be designed or constructed.	Not Triggered	
B11.	All bird handling and associated cleaning activities are to be carried out so as to contain dust and odour, and where possible contained indoors.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	The Project has yet to be designed or constructed.	Not Triggered	
Odour management plan					
B12	<p>Within 6 months of the date of this consent, the Applicant must prepare an updated Odour Management Plan for the existing development to the satisfaction of the Planning Secretary. The Odour Management Plan must form part of the OEMP required by condition C5. The Odour Management Plan must be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary and include:</p> <p>(a) objectives and targets;</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>Baiada, Oakburn – Odour Management Plan, Issue 5, 19/05/21 (2021 OMP)</li> <li>DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Odour Management Plan – Condition B12, 22/06/21</li> <li>2021 OEMP</li> </ul>	The OMP was reviewed and revised to the satisfaction of DPIE in 2021 within the required timeframe. The 2021 OEMP references the 2021 OMP (Section 3) and indicates in Section 10.6 that the OMP "needs to be reviewed in conjunction with this section of the Sites Operations Manual". Whilst the OMP is a stand-alone document, it is considered that it forms part of the OEMP in accordance with this condition. The 2021 OMP was prepared by SLR Consulting who had been endorsed by DPIE.	Non-compliant	NC6

	<p>(b) an odour risk assessment;</p> <p>(c) proactive and reactive mitigation measures of all significant and potentially significant emissions sources;</p> <p>(d) key performance indicators;</p> <p>(e) monitoring method(s);</p> <p>(f) location, frequency and duration of monitoring;</p> <p>(g) record keeping;</p> <p>(h) response mechanisms and contingency measures;</p> <p>(i) responsibilities; and</p> <p>(j) compliance reporting.</p>	<ul style="list-style-type: none"> <li>• DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Approval of Expert's Request for the Preparation of the Odour Management Plan – 24/03/21</li> <li>• 211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>○ Incident / Complaint Register</li> <li>○ Oakburn – Neighbour Call Register, 22/10/21</li> </ul> </li> </ul> <p>Further evidence provided by Baiada following issue of the draft Audit Tables for factual review:</p> <ul style="list-style-type: none"> <li>• DPIE letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Operational Environmental Management Plan (OEMP) – Stage 1, 23/12/21</li> </ul>	<p>The Auditors have reviewed the 2021 OMP and found that it generally meets the requirements of Condition B12 except for the following OFIs:</p> <ul style="list-style-type: none"> <li>• The listed objectives (Section 4) relate to the OMP (i.e. the document), as opposed to why it is necessary to manage odour emissions. More appropriate objectives and targets may be, for example, to: <ul style="list-style-type: none"> <li>○ ensure compliance with regulatory requirements → no odour related non-compliances;</li> <li>○ ensure the community is not impacted by offensive odour → no odour-related complaints;</li> <li>○ ensure plant and equipment are operated effectively → target related to training;</li> <li>○ ensure plant and equipment are maintained to prevent odours → targets related to monitoring and preventative maintenance, such as no. breakdowns, no. overdue Work Orders / PMs, etc);</li> <li>○ ensuring raw material intake is fresh → No. instances where product was rejected.</li> <li>○ minimise spills and time to clean up spills → No. spills</li> </ul> </li> </ul> <p>Objectives and targets should relate to the odour risk assessment and key mitigation measures.</p> <ul style="list-style-type: none"> <li>• Section 8 identifies sources of odour, which are not entirely consistent with the air quality issues identified in the 2021 OEMP that also present actual and potential odour issues (e.g. CAL Biogas Vent, refrigerant leaks depending on the refrigerant used (ammonia for the Project), LNG/LPG gas leaks and a leak of odour additive in</li> </ul>		
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			<p>concentrated form (mercaptan?)). The OEMP and OMP should be consistent.</p> <ul style="list-style-type: none"> <li>Wastewater treatment is identified as a source of odour, more specifically, the CAL. However, the rows in the odour risk assessment that address wastewater treatment do not provide a description of the odour hazards and does not address how the odour from the CAL will be managed. Clearly, there is more than one potential source of odour from wastewater treatment. All sources should be assessed and mitigation measures detailed, including for example, the WWTP Biofilter, which is an odour mitigation method, as well as a potential source of odour. The CAL Biogas Vent is a current source of odour that has not been addressed. The LNG odour additive could be a significant source of odour in the event of a leak.</li> <li>The odour risk assessment is qualitative and there is no risk matrix to identify how the Odour Risk Rating was determined. A methodology for the odour risk assessment has not been provided. All of the odour hazards except one were determined to be very low to low risk. Only the Biofilter was assessed as Medium risk. Based on the weekly site audits and odour monitoring, the CAL Biogas vent is a current uncontrolled source of odour (i.e. no mitigation) that would more likely be a moderate to high risk of odour.</li> <li>It is understood that Baiada proactively contact five residents and Tamworth Airport Management on a monthly basis to enquire about odour impacts. This proactive measure is not referred to in the OMP. Community</li> </ul>		
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			<p>liaison is a control measure and not just in relation to complaints.</p> <ul style="list-style-type: none"> <li>• Section 12 describes the management of the Biofilters, presumably because it is Medium risk (highest risk odour source). It indicates that air flow, air stream humidity and pressure readings are controls for the operation of the Biofilters. However, it is not clear how these controls are managed.</li> <li>• It is considered that the KPIs could be expanded in line with the discussion regarding objectives and targets (e.g. preventative maintenance). They should also be consistent with the odour risk assessment and identified critical controls (e.g. Biofilter maintenance, pressure limit?).</li> <li>• Section 13 refers to the Management of Liquid Waste and Contingency Plan for detail on the operation of the WWTP in relation to odour. However, that plan which is now incorporated into the 2021 OEMP, does not address sources of odour in the WWTP and how those sources are managed to mitigate odour. Therefore, it is considered that the OMP should detail the potential sources of odour in the WWTP and how they are mitigated.</li> <li>• Section 16 addresses monitoring but the only proposed monitoring is odour monitoring. Whilst odour monitoring is appropriate, it is considered that this section should include other types of monitoring, such as Biofilter inspections, Biofilter pressure monitoring, weekly inspections, etc, that should be consistent with the control measures identified in the odour risk assessment. Section 17.1 addresses Biofilter monitoring in the context of following up</li> </ul>		
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			<p>corrective actions but only in regard to when the Biofilters may be identified as a source of odour, not in regard to other controls (e.g. pressure, decomposition of biofilter media).</p> <ul style="list-style-type: none"> <li>The OMP does not include a section that addresses compliance reporting. A number of reporting requirements are referred to throughout the OMP including reporting: spills, incidents that cause odour, SBR sludge bin integrity issues, complaints, daily odour monitoring reports, abnormal odour, Biofilter odour test reports, reports on verification activities (weekly site audits, bi-monthly management reviews, six monthly audits. However, the Auditors consider that compliance reporting should detail what would need to be reported in the Compliance Report in accordance with Condition C18, such as the number of odour complaints, incidents and non-compliances, as defined under SSD-9394 and EPL 7566, and the method for how that is reported (e.g. reference to incident reporting procedure). The compliance reporting section could provide guidance/definition as to what is notifiable in the context of the OMP (e.g. a significant odour detected beyond the boundary, or a specified number of odour complaints in a specified period of time, or a significant breakdown event that has the potential to result in offensive odour being emitted beyond the boundary such as a leak of LNG odour additive).</li> </ul> <p>Management plans are also required to meet Condition C1 requirements. The Auditors consider that the OMP does not adequately address the following C1 requirements:</p>		
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			<ul style="list-style-type: none"> <li>• Inclusion of baseline data;</li> <li>• Relevant statutory requirements (Conditions B8 and B9, EPL Condition L3, Section 129 of the POEO Act 1997);</li> <li>• Relevant limits or performance measures and criteria;</li> <li>• Whilst KPIs are included, they could be expanded as discussed above;</li> <li>• The monitoring program does not assess the effectiveness of all of the management measures (e.g. freshness of raw material);</li> <li>• There is no contingency plan;</li> <li>• There is no program to investigate and implement ways to improve environmental performance in relation to odour over time; and</li> <li>• Whilst the OMP does have a protocol for managing and reporting complaints and “abnormal odour”, there is no protocol for managing and reporting non-compliances aside from consulting management. One of the difficulties is that the OMP does not clearly outline what the statutory requirements and relevant limits or performance measures and criteria are to assess performance against.</li> </ul> <p>The Auditors recommend that the OMP and OEMP be reviewed and revised as considered appropriate to address the identified gaps, in particular, improving the objectives and targets, ensuring consistency between the OMP and OEMP, ensuring all potential odour sources under normal and abnormal conditions are assessed and compliance reporting requirements are better defined. Also ensure that the OMP complies with Condition C1 requirements.</p>		
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B13	<p>Prior to commencement of operation of the project, the Applicant must update the Odour Management Plan as required by condition B12 to incorporate the project and its management to the satisfaction of the Planning Secretary. The updated plan must be prepared in accordance with the requirements of condition B12 and must incorporate the following:</p> <ul style="list-style-type: none"> <li>(a) details of emissions from all sources of the Development;</li> <li>(b) description of the air quality monitoring to measure the performance of the Development against this consent and the EPL; and</li> <li>(c) description of any additional measures that would be implemented to ensure the Development complies with this consent and the EPL.</li> </ul>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	The Project has not commenced.	Not Triggered	
B14	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence operation until the Odour Management Plan required by condition B12 is approved by the Planning Secretary; and</li> <li>(b) implement the most recent version of the Odour Management Plan approved by the Planning Secretary for the duration of the development.</li> </ul>	<ul style="list-style-type: none"> <li>• 2019 AEMR</li> <li>• 2020 AEMR</li> <li>• 2021 AEMR</li> <li>• 211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>○ Incident / Complaint Register</li> <li>○ Oakburn – Neighbour Call Register, 22/10/21</li> </ul> </li> <li>• Site visit and interview on 04/11/21</li> <li>• 2021 AEMR with the following attached as Appendix G: <ul style="list-style-type: none"> <li>• 2019 OMP</li> <li>• 2021 OMP2</li> </ul> </li> </ul>	<p>Operation of the Existing Development continued without interruption following the approval of SSD-9394. The requirement of B12 was met within the required timeframe. Therefore, Condition B14(a) is considered compliant.</p> <p>As found in relation to DA 53/97 Condition 25, there have been very few community complaints (4) during the Audit Period and offensive odour was not observed during the site inspection. The OMP mitigation measures were observed to be implemented during the site inspection although based on odour monitoring, the CAL Biogas Vent is a source of odour, including off-site at the Oakburn Raceway and the cemetery. Facility personnel advised that they are in the process of investigating thermal treatment of the CAL Biogas.</p> <p>Aside from the CAL Biogas Vent, there is no evidence that the most recent version of the</p>	Compliant	

		<ul style="list-style-type: none"> <li>• Oakburn Bio-Filter Checks, High Temp, 16/03/20</li> <li>• Oakburn Bio-Filter Checks, Low Temp, 02/11/20</li> <li>• Oakburn Bio-Filter Checks, Waste Water Treatment Plant, 15/11/20</li> <li>• Completed complaint form dated 19/07/18</li> <li>• Completed incident form for 2021 complaint</li> </ul>	OMP, which was the 2019 OMP up until 19/05/21 and then the 2021 OMP, were not being effectively implemented and therefore, this condition is considered compliant.		
Odour audit					
B15	<p>The Applicant must carry out an Odour Audit of the development no later than six months after the commencement of operation of the development. The audit must:</p> <ol style="list-style-type: none"> <li>be carried out by a suitably qualified, experienced and independent person(s);</li> <li>audit the development in full operation;</li> <li>include a summary of odour complaints and any actions that were carried out to address the complaints;</li> <li>assess the operation against odour impact predictions in the EIS;</li> <li>review design and management practices in the development against industry best practice for odour management; and</li> <li>include an action plan that identifies and prioritises any odour mitigation measures that may be necessary to reduce odour emissions.</li> </ol>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> <li>• Baiada letter to DPIE, re. Condition B58, 15/12/21</li> <li>• DPIE email to Baiada, Clarification of Condition B58 in SSD9394, 22/12/21</li> </ul>	<p>Facility personnel advised that they understood that this condition does not apply until commencement of operation of the Project. Baiada sent a letter to DPIE dated 15/12/21 seeking clarification on their interpretation of <i>"commencement of operation of the development"</i> in the context of Condition B58 and similarly worded conditions such as this one. DPIE replied on 22/12/21 agreeing <i>"that commencement of operations of the development" means commencement of the integrated processing facility along with the continued operations of the rendering plant"</i>. Therefore the Odour Audit is not required to address the Existing Development, and it is considered that this condition is Not Triggered.</p>	Not Triggered	
B16	<p>Within six months of commissioning of the Odour Audit required by condition B15, or as otherwise agreed by the Planning Secretary,</p>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	<p>This condition has not been triggered as an Odour Audit has not been conducted in accordance with Condition B15.</p>	Not Triggered	

	the Applicant must submit a copy of the Odour Audit report to the satisfaction of the Planning Secretary, together with the Applicant's response to any recommendations contained in the Odour Audit report.				
Dust Minimisation					
B17.	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	No visible dust emissions were observed during the site visit. Roads are sealed (except for road to WWTP, which is compacted gravel), and work areas concreted, creating minimal dust emission risk.	Compliant	
B18.	<p>During construction, the Applicant must ensure that:</p> <ul style="list-style-type: none"> <li>(a) exposed surfaces and stockpiles are suppressed by regular watering or alternate suppression methods;</li> <li>(b) all trucks entering or leaving the site with loads have their loads covered;</li> <li>(c) trucks associated with the development do not track dirt onto the public road network;</li> <li>(d) public roads used by these trucks are kept clean; and</li> <li>(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.</li> </ul>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred since approval of SSD-9394 and construction of the Project has not commenced.	Not Triggered	
Air Quality Discharges					
B19	The Applicant must install and operate equipment to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.	<ul style="list-style-type: none"> <li>EPL 7566</li> </ul>	EPL 7566 does not set load limits, air quality criteria/air emission limits or air quality monitoring requirements, except in relation to offensive odours and minimisation or prevention of dust emissions. There is no evidence of a non-compliance with this condition.	Compliant	
SOILS, WATER QUALITY AND HYDROLOGY					
Imported Soil					

B20	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;</li> <li>(b) keep accurate records of the volume and type of fill to be used; and</li> <li>(c) make these records available to the Department upon request.</li> </ul>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> <li>• Interview on 01/12/21</li> </ul>	<p>No soil has been imported to site since the approval of SSD-9394.</p> <p>The Auditors observe that the 2021 OEMP does not address soil management or more specifically, prevention of soil contamination from imported soil.</p> <p>The Auditors recommend as an OFI that the OEMP or other plan or procedure be reviewed and revised to address this requirement and ensure that the required records are kept.</p>	Not Triggered	
Erosion and Sediment Control					
B21	<p>Prior to the commencement of any construction the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the <i>Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book</i> (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.</p>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	<p>Facility personnel advised no construction activities occurred since approval of SSD-9394 and construction of the Project has not commenced.</p>	Not Triggered	
Discharge Limits					
B22	<p>The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL</p>	<ul style="list-style-type: none"> <li>• EPL 7566</li> <li>• 2021 AEMR</li> <li>• Site visit and interview on 04/11/21</li> </ul>	<p>EPL 7566 does not set specific water discharge limits.</p> <p>No evidence of a non-compliance with this condition has been observed by the Auditors. No non-compliances were noted in their Annual Returns to the EPA.</p>	Compliant	
Stormwater Management System					
B23	<p>Prior to the commencement of operation of the project, the Applicant must design, install and operate a stormwater management system for the development. The system must:</p> <ul style="list-style-type: none"> <li>(a) be designed by a suitably qualified and experienced person(s);</li> <li>(b) be generally in accordance with the</li> </ul>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	<p>The Stormwater Management System for the Project has yet to be designed and was not reviewed as part of this IEA.</p> <p>The Stormwater Management Plan for the Existing Development was last updated on 03/06/19 "to support the Development Application for the proposed extension to the</p>	Not Triggered	

	<p>conceptual design in the EIS;</p> <p>(c) mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities;</p> <p>(d) be consistent with the Stormwater Management Plan for the catchment;</p> <p>(e) be in accordance with applicable Australian Standards;</p> <p>(f) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff</p>		<i>Oakburn Processing Plant</i> ". However, that Stormwater Management Plan does not meet the requirements of this condition.		
Evaporation Ponds					
B24	The evaporation ponds must have liners installed and maintained to achieve a hydraulic conductivity of 1x10-9metres per second or less via a constructed clay liner of at least 1000 mm thickness (or a geosynthetic liner providing equivalent or better protection) or otherwise agreed with the EPA or the Planning Secretary.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> </ul>	The Project has not been constructed. The Auditor was advised that the design of the evaporation ponds is in progress and not yet finalised.	Not Triggered	
B25	The evaporation ponds must be designed to include, and maintain, a freeboard level of at least 500mm to meet the 7-day rare design rainfall depth for a 1 in 2,000 year-event of 480 mm.	<ul style="list-style-type: none"> <li>Same as for B24</li> </ul>	Same as for B24	Not Triggered	
B26	<p>Prior to the commencement of operation of the project, the Applicant must prepare an Evaporation Pond Management Plan to the satisfaction of the Planning Secretary. The Evaporation Pond Management Plan must form part of the OEMP required by condition C5. The Evaporation Pond Management Plan must:</p> <p>(a) be prepared by a suitably qualified and experienced engineer;</p> <p>(b) provide an updated water balance and risk mitigation measures to demonstrate that the design</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> </ul>	The evaporation ponds have not been constructed.	Not Triggered	

	<p>freeboard capacity of the evaporation ponds is restored as soon as practical after significant rainfall events and there is no cumulative storage above the freeboard;</p> <p>(c) identify contingency measures to prevent managed overflows; and</p> <p>(d) describe operational measures to be implemented for salt removal, maintaining liner integrity and maintaining the leak detection system performance.</p>				
B27	<p>Prior to the commencement of operation of the project, the Applicant must submit an Evaporation Ponds Commissioning Report to the Department and EPA that:</p> <p>(a) demonstrates the evaporation ponds have been constructed in consultation with a suitably qualified and experienced engineer;</p> <p>(b) demonstrates the liner achieves the specified hydraulic conductivity described in condition B24;</p> <p>(c) addresses the increased risk to groundwater contamination due to high salinity wastewater potentially reacting with the liner; and</p> <p>(d) includes groundwater monitoring requirements to detect potential pond leakage.</p>	<ul style="list-style-type: none"> <li>Same as for B26</li> </ul>	Same as for B26	Not Triggered	
Water Management Plan					
B28	<p>Prior to the commencement of operation of the project, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The Water Management Plan must form part of the OEMP required by condition C5. The Water Management Plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s) whose appointment has</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> </ul>	The Project has not been constructed. The Water Management Plan has yet to be prepared for the Project.	Not Triggered	

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	<p>been endorsed by the Planning Secretary;</p> <p>(b) be prepared in consultation with DPI – Water;</p> <p>(c) detail water use, metering, disposal and management on-site;</p> <p>(d) detail the number and location of piezometers on-site;</p> <p>(e) detail the water licence requirements for the development;</p> <p>(f) detail the management of wastewater streams on-site;</p> <p>(g) include an incident response plan with triggers for the National Water Quality Management Strategy (NWQMS) guidelines (ANZECC/ARMCANZ latest issue) should the lagoons be found to be leaking;</p> <p>(h) contain a Groundwater Management Plan, including:</p> <ol style="list-style-type: none"> <li>the installation of groundwater monitoring bores around the evaporation basins and the existing rendering water treatment lagoon;</li> <li>baseline data on groundwater levels and quality;</li> <li>a program to monitor groundwater levels and quality;</li> <li>groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse</li> </ol>				
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	<p>groundwater impacts; and</p> <p>v. a protocol for the investigation and mitigation of impacts where the groundwater impact assessment criteria has been exceeded.</p>				
B29	<p>The Applicant must:</p> <p>(a) not commence operation of the project until the Water Management Plan required by condition B28 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development.</p>	<ul style="list-style-type: none"> <li>Same as for B28</li> </ul>	Same as for B28	Not Triggered	
Water Management					
B30.	<p>A Compliance Certificate under Section 306 of the <i>Water Management Act 2000</i> 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 Construction Certificate. Council requires the following to be undertaken prior to the issue of a Compliance Certificate.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>The Project has not been constructed. Facility personnel advise this condition has yet to be triggered. An Occupation Certificate has not been issued.</p>	Not Triggered	
B31.	<p>Any additional demand for water over the daily limit of 1.6 ML to the site will be subject to an agreement with Council.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>The Project has not been constructed. Facility personnel advise this condition has yet to be triggered.</p>	Not Triggered	
B32.	<p>Unless otherwise agreed with the Local Water Supply Authority, a single water service with appropriate metering and backflow prevention device shall be provided</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>The Project has not been constructed. Facility personnel advise this condition has yet to be triggered.</p>	Not Triggered	

	to service the development. The existing water service off Gunnedah Road may be utilised if it is adequate.				
B33.	The Applicant must engage a hydraulic engineer to determine the fire fighting and other demands and determine an appropriate water service size for the development.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	The Project has not been constructed. Facility personnel advise this condition has yet to be triggered.	Not Triggered	
B34.	Works required for water servicing must be undertaken in accordance with Council's Engineering Design Minimum Standards for Subdivisions & Developments.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	The Project has not been constructed. Facility personnel advise this condition has yet to be triggered.	Not Triggered	
B35.	Work on live water mains is to be undertaken by Council at full cost to the Applicant.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	The Project has not been constructed. Facility personnel advise this condition has yet to be triggered.	Not Triggered	
WASTE MANAGEMENT					
Sewage					
B36.	The existing point of discharge to Council's sewerage system on Gunnedah Road is to be utilised for the discharge of sewage.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	The Project has not been constructed. Facility personnel advise this condition has yet to be triggered.	Not Triggered	
B37.	Sewage streams must remain separate from the WWTP/AWTP system at all times.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	The Project has not been constructed. Facility personnel advise this condition has yet to be triggered.	Not Triggered	
B38.	Works shall be undertaken in accordance with Council's Engineering Design Minimum Standards for Subdivisions & Developments.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	The Project has not been constructed. Facility personnel advise this condition has yet to be triggered.	Not Triggered	
B39.	Work on live sewer mains is to be undertaken by Council at full cost to the Applicant.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	The Project has not been constructed. Facility personnel advise this condition has yet to be triggered.	Not Triggered	
Liquid Trade Waste					
B40	<p>Should any details of trade waste treatment or discharge to Council's sewer differ from the existing Trade Waste Application or Agreement, a Trade Waste Application is to be submitted to Council.</p> <p><i>Note: A Trade Waste Agreement is in place for the existing development on the site</i></p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>TRC, Liquid Trade Waste Services Agreement, 07/11/19 to 07/11/21 (2019 LTWSA)</li> </ul>	The Liquid Trade Waste Services Agreement for the Existing Development expired on 07/11/21. It was renewed and executed on 15/11/21 for a five year period (i.e. expires 14/11/26). Facility personnel advise this condition has yet to be triggered as the Project has not been constructed.	Not Triggered	

		<ul style="list-style-type: none"> <li>TRC, Liquid Trade Waste Services Agreement, 15/11/21 to 14/11/26 (2021 LTWSA)</li> </ul>			
B41	The reverse osmosis concentrate is not to be discharged to Council's sewerage system (directly or indirectly).	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advise this condition has yet to be triggered as the Project has not been constructed.	Not Triggered	
Pests, Vermin and Priority Weed Management					
B42	<p>The Applicant must:</p> <p>(a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and</p> <p>(b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.</p> <p><i>Note: For the purposes of this condition, priority weeds are those species subject to an order declared under the Biosecurity Act 1915.</i></p>	<ul style="list-style-type: none"> <li>2021 OEMP</li> <li>Baiada Oakburn Protein Pest Sighting Register (Folder)</li> <li>Noxious Weed Identification Inspection, 17/11/20</li> <li>Use of Pesticide Log</li> <li>Oakburn - Pest Sighting Register</li> <li>Oakburn – Weekly Inspection (External) forms for 29/10/20, 29/01/21, 27/10/21</li> <li>Oakburn Bio-Filter Checks, High Temp, 16/03/20</li> <li>Oakburn Bio-Filter Checks, Low Temp, 02/11/20</li> <li>Oakburn Bio-Filter Checks, Waste Water Treatment Plant, 15/11/20</li> </ul>	<p>The 2021 OEMP addresses the application of pesticides as a risk to waterways and describes the control in place to manage that risk (e.g. Pesticide Log Form, Use of Pesticides Log Task Instruction, training requirements). The OEMP also indicates that noxious weed inspections are carried out by the grounds keeper. Weekly inspections of the grounds are also conducted the Site Manager or operators and weed issues are identified and reported as required. The presence of weeds is included as an item to check on the Oakburn – Weekly Inspection (External) form and the Biofilter check forms.</p> <p>The site has a Baiada Oakburn Protein Pest Sighting Register (Folder) in which is kept a Reference Chart with photographs for Noxious Weeds Identification – Tamworth Region. A Noxious Weed Identification Inspection record and an Oakburn - Pest Sighting Register were sighted.</p> <p>The Auditors observe that snakes and birds were recorded on the Pest Sighting Register. Snakes are not pests and are protected under the <i>Biodiversity Conservation Act 2016</i> [NSW]. Similarly, native birds, particularly water birds</p>	Compliant	

			<p>such as those that may be attracted to evaporation ponds, are protected. The Auditors understand that snakes and birds present a risk to personnel and airplanes, respectively, and therefore, they need to be managed appropriately but the distinction between pests and protected animals needs to be understood and not confused.</p> <p>The 2021 OEMP does not in the Auditors' opinion, adequately describe how pests are managed. Conversely, it does not describe how protected species, such as snakes or native vegetation required to be conserved, are managed.</p> <p>The Auditors recommend as an OFI that the OEMP and associated procedures be reviewed and revised to differentiate between pests and protected species and describe how protected species are managed.</p>		
Statutory Requirements					
B43.	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> <li>EMS Hub, Oakburn, Waste Landfill and Recycling register</li> <li>EMS Hub, Oakburn, Waste Classification Register</li> <li>211104 Information for Ramboll.docx</li> </ul>	Refer to the findings and recommendation for DA 53/97, Condition 21.	Compliant	
B44.	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014) and dispose	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> <li>EMS Hub, Oakburn, Waste Landfill and Recycling register</li> </ul>	Refer to the findings and recommendation for DA 53/97, Condition 21.	Compliant	

	of all wastes to a facility that may lawfully accept the waste.	<ul style="list-style-type: none"> <li>EMS Hub, Oakburn, Waste Classification Register</li> <li>211104 Information for Ramboll.docx</li> </ul>			
B45.	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> <li>EMS Hub, Oakburn, Waste Landfill and Recycling register</li> <li>EMS Hub, Oakburn, Waste Classification Register</li> <li>211104 Information for Ramboll.docx</li> </ul>	<p>The Auditors understand that the site does not receive waste generated outside the site. The Auditors observe that this requirement is not explicitly stated in the 2021 OEMP.</p> <p>The Auditors recommend as an OFI that the 2021 OEMP include this requirement.</p>	Compliant	
B46.	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> <li>EMS Hub, Oakburn, Waste Landfill and Recycling register</li> <li>EMS Hub, Oakburn, Waste Classification Register</li> <li>211104 Information for Ramboll.docx</li> </ul>	<p>Waste classification data is retained in the Waste Classification Register. The Auditors observe that this requirement is not explicitly stated in the 2021 OEMP.</p> <p>The Auditors recommend as an OFI that the 2021 OEMP include this requirement.</p>	Compliant	
TRAFFIC AND ACCESS					
Construction Traffic Management Plan					
B47	<p>Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p> <p>(b) be prepared in consultation with TfNSW;</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>Facility personnel advised no construction activities occurred since approval of SSD-9394 and construction of the Project has yet to commence. Facility personnel understand that this condition applies to the construction of the Project.</p>	Not Triggered	

	<p>(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;</p> <p>(d) detail heavy vehicle routes, access and parking arrangements;</p> <p>(e) include a Driver Code of Conduct to:</p> <ol style="list-style-type: none"> <li>minimise the impacts of earthworks and construction on the local and regional road network;</li> <li>minimise conflicts with other road users;</li> <li>minimise road traffic noise; and</li> <li>ensure truck drivers use specified routes;</li> </ol> <p>(f) include a program to monitor the effectiveness of these measures; and</p> <p>(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.</p>				
B48	<p>The Applicant must:</p> <p>(a) not commence construction until the Construction Traffic Management Plan required by condition B47 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Facility personnel advised no construction activities occurred since approval of SSD-9394 and construction of the Project has yet to commence. Facility personnel understand that this condition applies to the construction of the Project.	Not Triggered	
Roadworks and Access					
B49.	Prior to the commencement of operation of project, the Applicant must complete the construction of Workshop Lane to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	
B50.	Prior to the commencement of operation of project, the Applicant must submit design plans to the satisfaction of the relevant roads	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	

	authority which demonstrate that the accesses to the site are designed to accommodate the turning path of a 26 m B-Double vehicle.				
Parking					
B51	The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Parking for the Existing Development is considered sufficient in accordance with this condition. Construction of the Project has yet to commence.	Compliant	
Operating Conditions					
B52.	<p>The Applicant must ensure:</p> <p>(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002);</p> <p>(b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;</p> <p>(c) the development does not result in any vehicles queuing on the public road network;</p> <p>(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> </ul>	<p>The 2021 OEMP addresses various aspects of vehicle movements including parking near stormwater drains, checking trucks for leaks from raw material trucks before they leave the site or prior to arrival (i.e. in transit), noise, diesel fumes. However, the OEMP does not explicitly address all of the requirements of this condition (e.g. covering of loads, keeping turning areas clear) although some of them most likely relate to the future Project development. The Auditors are not suggesting that all of these requirements should be addressed in the OEMP but keys aspects of traffic management could be addressed more holistically (e.g. not impacting public roads / local roads / footpaths, covering loads).</p> <p>The Auditors recommend as an OFI that the OEMP be reviewed and revised as considered appropriate to address the traffic and access requirements as they relate to ongoing operations of the Existing Development.</p>	Compliant	

	<p>(e) all vehicles are wholly contained on site before being required to stop;</p> <p>(f) all loading and unloading of materials is to be carried out on-site;</p> <p>(g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and</p> <p>(h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.</p>				
HAZARDS AND RISK					
B53.	<p>The Applicant must implement all control and safeguards from the Preliminary Hazard Analysis, comprising of the following documents, in a timely and appropriate manner:</p> <p>(a) SEPP 33 Preliminary Risk Screening &amp; Hazard Analysis, Proposed Baiada Oakburn Poultry Processing Facility, 1154 Gunnedah Road, Westdale NSW 2340, SSD-9394 (document number 6.10.19171-R02, version -v1.2, dated 18 September 2020, prepared by SLR Consulting); and</p> <p>(b) Risk Assessment, 1154 Gunnedah Road, Westdale, NSW 2340 (document number 370593-LoteRA-BaiadaPoultryPlant-RevB, revision B, dated 17 September 2020, prepared by Lote Consulting).</p>	<ul style="list-style-type: none"> <li>PSA Consulting Pty Ltd Letter to DPIE, Re: Baiada Integrated Poultry Processing Facility (SSD 9394) – DPIE Hazards, 21/09/20, with attached: <ul style="list-style-type: none"> <li>SLR Consulting Australia Pty Ltd, SEPP 33 Preliminary Risk Screening &amp; Hazard Analysis, Proposed Baiada Oakburn Poultry Processing Facility, 1154 Gunnedah Road, Westdale NSW 2340, SSD-9394, 18/09/20</li> <li>Lote Consulting Pty Ltd, Risk Assessment, 1154 Gunnedah Road, Westdale, NSW 2340, 17/09/20</li> </ul> </li> <li>Baiada letter to DPIE, re. Condition B58, 15/12/21</li> <li>DPIE email to Baiada, Clarification of Condition</li> </ul>	<p>Facility personnel advised that they understood that this condition does not apply until commencement of operation of the Project. The Auditors note that Condition B55 states that <i>"Prior to commissioning, the Applicant must develop and implement the plans and systems set in B53 (a) and (b). The Applicant must submit to the Planning Secretary documentation describing the plans and systems no later than two months prior to the commencement of commissioning of the project"</i>. Therefore, this infers that the plans and systems to be implemented under Condition B53 relate to the Project and not the Existing Development, which is consistent with Baiada's understanding.</p> <p>On this basis, the Auditors consider that the controls and safeguards from the Preliminary Hazard Analysis are not required to be implemented until Condition B55 has been implemented, and therefore, this condition has not been triggered.</p> <p>This is consistent with the advice that Baida received from the Department in an email dated 22/12/21, agreeing <i>"that "commencement of operations of the development" means</i></p>	Not Triggered	

		B58 in SSD9394, 22/12/21	<i>commencement of the integrated processing facility along with the continued operations of the rendering plant".</i>		
Pre-construction					
B54.	The Applicant must prepare a Fire Safety Study for the project construction, other than of preliminary works that are outside the scope of hazard studies and must not commence construction until study recommendations have been considered and, where appropriate, acted upon. The Applicant must submit the study to the Planning Secretary no later than one month prior to commencement of construction of the project, other than preliminary works, or within such further period as the Planning Secretary may agree. The study must cover the relevant aspects of the Department's <i>Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines'</i> and the New South Wales Government's <i>Best Practice Guidelines for Contaminated Water Retention and Treatment Systems</i> , and be prepared in consultation with Fire and Rescue NSW.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	
Pre-commissioning					
B55	Prior to commissioning, the Applicant must develop and implement the plans and systems set in B53 (a) and (b). The Applicant must submit to the Planning Secretary documentation describing the plans and systems no later than two months prior to the commencement of commissioning of the project, or within such further period as the Secretary may agree.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	
Emergency Plan					
B56	Prior to commissioning, a comprehensive Emergency Plan and detailed emergency	<ul style="list-style-type: none"> <li>Refer to DA 53/97, Condition 40</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	

	procedures for the development. The Emergency Plan must include consideration of the safety of all people outside of the development who may be at risk from the development. The plan must be prepared in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'</i> .		Refer to DA 53/97, Condition 40 in relation to a finding on the Emergency Plan, more specifically the Safety Management System Emergency Dangerous Goods Manifest, for the Existing Development.		
<b>Safety Management System</b>					
B57	Prior to commissioning, a document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials. The document must clearly specify all safety related procedures, responsibilities and policies along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by Planning Secretary upon request. The Safety Management System must be developed in accordance with the Department's <i>Hazardous</i>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	
<b>Hazard Audit</b>					
B58	Twelve months after the commencement of operations of the development and every five years thereafter or at such intervals as the Planning Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of the development and within one month of each audit submit a report to the satisfaction of the Planning Secretary. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development and approved by the Planning Secretary prior to commencement of the audit. Hazard Audits must be carried out in accordance with the	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>Baiada letter to DPIE, re. Condition B58, 15/12/21</li> <li>DPIE email to Baiada, Clarification of Condition B58 in SSD9394, 22/12/21</li> </ul>	<p>Facility personnel advised that this condition does not apply until commencement of operation of the Project.</p> <p>Baiada sent a letter to DPIE dated 15/12/21 seeking clarification on their interpretation of this condition.</p> <p>The Department replied with an email on 22/12/21 agreeing "that <i>'commencement of operations of the development'</i> means <i>'commencement of the integrated processing facility along with the continued operations of the rendering plant'</i>".</p> <p>Therefore, this condition is Not Triggered.</p>	Not Triggered	

	Department's <i>Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit'</i> . The audit must include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.																																																
Further Requirements																																																	
B59	The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B53 to B58 inclusive, within such time as the Planning Secretary may agree	<ul style="list-style-type: none"><li>Site visit and interview on 04/11/21</li></ul>	No reports have been submitted to DPIE in relation to Conditions B53 to B58.	Not Triggered																																													
Dangerous Goods																																																	
B60	<p>The storage of dangerous goods within the development must not exceed the maximum storage quantities listed in Table 3.</p> <p>Table 3: Maximum storage quantities of dangerous goods and combustible materials</p> <table><tr><th>Descriptions<sup>a</sup></th><th>Dangerous Goods Class<sup>a</sup></th><th>Packing Group<sup>a</sup></th><th>Maximum Storage Quantity<sup>a</sup></th></tr><tr><td>Liquefied natural gas (LNG)<sup>a</sup></td><td>2.1<sup>a</sup></td><td>n/a<sup>a</sup></td><td>240,000 L<sup>a</sup></td></tr><tr><td>Liquefied petroleum gas (LPG)<sup>a</sup></td><td>2.1<sup>a</sup></td><td>n/a<sup>a</sup></td><td>480 kg<sup>a</sup></td></tr><tr><td>Nitrogen<sup>a</sup></td><td>2.2<sup>a</sup></td><td>n/a<sup>a</sup></td><td>10,000 L<sup>a</sup></td></tr><tr><td>Liquefied oxygen gas (LOX)<sup>a</sup></td><td>2.2 (5.1)<sup>a</sup></td><td>n/a<sup>a</sup></td><td>10,000 L<sup>a</sup></td></tr><tr><td>Carbon dioxide<sup>a</sup></td><td>2.2<sup>a</sup></td><td>n/a<sup>a</sup></td><td>10,000 L<sup>a</sup></td></tr><tr><td>Anhydrous ammonia refrigerant<sup>a</sup></td><td>2.3<sup>a</sup></td><td>n/a<sup>a</sup></td><td>7 tonnes<sup>a</sup></td></tr><tr><td>Ferric sulphate<sup>a</sup></td><td>8<sup>a</sup></td><td>III<sup>a</sup></td><td>15,000 L<sup>a</sup></td></tr><tr><td>Hypochlorite solution<sup>a</sup></td><td>8<sup>a</sup></td><td>III<sup>a</sup></td><td>13,800 L<sup>a</sup></td></tr><tr><td>Sodium hydroxide solution<sup>a</sup></td><td>8<sup>a</sup></td><td>III<sup>a</sup></td><td>5,400 L<sup>a</sup></td></tr><tr><td>Sulfuric acid (35%)<sup>a</sup></td><td>8<sup>a</sup></td><td>II<sup>a</sup></td><td>4,000 L<sup>a</sup></td></tr></table>	Descriptions <sup>a</sup>	Dangerous Goods Class <sup>a</sup>	Packing Group <sup>a</sup>	Maximum Storage Quantity <sup>a</sup>	Liquefied natural gas (LNG) <sup>a</sup>	2.1 <sup>a</sup>	n/a <sup>a</sup>	240,000 L <sup>a</sup>	Liquefied petroleum gas (LPG) <sup>a</sup>	2.1 <sup>a</sup>	n/a <sup>a</sup>	480 kg <sup>a</sup>	Nitrogen <sup>a</sup>	2.2 <sup>a</sup>	n/a <sup>a</sup>	10,000 L <sup>a</sup>	Liquefied oxygen gas (LOX) <sup>a</sup>	2.2 (5.1) <sup>a</sup>	n/a <sup>a</sup>	10,000 L <sup>a</sup>	Carbon dioxide <sup>a</sup>	2.2 <sup>a</sup>	n/a <sup>a</sup>	10,000 L <sup>a</sup>	Anhydrous ammonia refrigerant <sup>a</sup>	2.3 <sup>a</sup>	n/a <sup>a</sup>	7 tonnes <sup>a</sup>	Ferric sulphate <sup>a</sup>	8 <sup>a</sup>	III <sup>a</sup>	15,000 L <sup>a</sup>	Hypochlorite solution <sup>a</sup>	8 <sup>a</sup>	III <sup>a</sup>	13,800 L <sup>a</sup>	Sodium hydroxide solution <sup>a</sup>	8 <sup>a</sup>	III <sup>a</sup>	5,400 L <sup>a</sup>	Sulfuric acid (35%) <sup>a</sup>	8 <sup>a</sup>	II <sup>a</sup>	4,000 L <sup>a</sup>	<ul style="list-style-type: none"><li>211104 B Information for Ramboll.docx, with screenshots of:<ul style="list-style-type: none"><li>The cover page of the latest Emergency Procedure Manual, Oakburn, 13/05/21</li><li>Baiada Safety Management System, Emergency Dangerous Goods Manifest, Issue Date 30/04/21</li></ul></li><li>SafeWork NSW, Acknowledgement of Notification of Hazardous Chemicals on Premises, 27/06/21</li></ul>	<p>The Emergency Dangerous Goods Manifest dated 2010 indicates that the site stores up to 7,000 L Sodium Hydroxide solution 50%, Class 8, PG II, UN 1824. It also stores up to 4,000 L of Sodium hydroxide based cleaners, also Class 8, PG II. The SafeWork NSW Acknowledgement also indicates that the typical quantity of Sodium Hydroxide Solution stored is 7,000 L. It also shows that the stored Sodium Hydroxide Solution is a higher risk hazardous chemical being Class 8, Packing Group II, not Packing Group III as shown in Table 3. Therefore, this condition is considered non-compliant.</p> <p>The other dangerous goods and combustible materials limits in Table 3 have not been exceeded. Although the concentration of Sulfuric</p>	Non-compliant	NC7
Descriptions <sup>a</sup>	Dangerous Goods Class <sup>a</sup>	Packing Group <sup>a</sup>	Maximum Storage Quantity <sup>a</sup>																																														
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			<p>acid is inconsistent with the SafeWork NSW Acknowledgement.</p> <p>The Auditors recommend that the chemical storage quantities be reviewed and Baiada reduce the quantity of Sodium Hydroxide stored onsite to comply with Table 3 limits and/or seek a modification of this condition to increase the limit for Sodium Hydroxide stored onsite and correct any factual inaccuracies in Table 3.</p>		
B61	<p>The Applicant must store and handle all chemicals, fuels and oils in accordance with:</p> <p>(a) the requirements of all relevant Australian Standards, including and not limited to Australian Standards 1894 The storage and handling of non-flammable cryogenic and refrigerated liquids; and</p> <p>(b) the NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Handbook</i> if the chemicals are liquids.</p> <p>In the event of an inconsistency between the requirements in (a) and (b), the most stringent requirement shall prevail to the extent of the inconsistency.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>Also refer to DA 53/97, Condition 16</li> </ul>	<p>As discussed in Table A-1 findings for DA 53/97, Condition 16, the Auditors considered that bunding practices observed during the site visit were generally consistent with Australian Standards and the EPA's <i>Storing and Handling Liquids: Environmental Protection – Participants Manual</i>. The Auditors consider this Condition to be compliant.</p> <p>In addition, future storage of Anhydrous ammonia refrigerant on-site for the Project will need to comply with the appropriate Australian Standard.</p>	Compliant	
AIRPORT					
B62	<p>The external materials and finishes of the buildings must be non-reflective to the satisfaction of the Planning Secretary, to avoid distraction to air crews.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>2021 OEMP</li> </ul>	<p>This condition was assessed in the previous IEA and found to be compliant.</p> <p>No significant changes have occurred during the Audit Period in relation to lighting.</p> <p>The 2021 OEMP addresses this requirement.</p> <p>Superseded by SSD-9394 Condition B62.</p>	Compliant	
B63	<p>Within six months of the date of determination of this development consent, the Applicant must establish a site wide bird life monitoring program, in consultation with</p>	<ul style="list-style-type: none"> <li>BLMP</li> <li>DPIE Email to Baiada, Baiada Integrated Poultry Processing Facility – Post</li> </ul>	<p>The BLMP was prepared in consultation with Tamworth Regional Airport. Cumberland Ecology endeavoured to consult CASA but were advised that CASA do not consult on management plan</p>	Compliant	

	<p>Civil Aviation Safety Authority (CASA). The monitoring program is to include: details of bird life that may trigger the need for mitigation measures to manage potential interactions with Tamworth Regional Airport. These triggers and measures should be established in consultation with CASA and the Tamworth Regional Airport:</p> <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified consultant;</li> <li>(b) identify areas of potential bird attraction;</li> <li>(c) details of mitigation measures such as bird netting and other deterrents; and</li> <li>(d) procedures for the implementation of any mitigation measures.</li> </ul> <p>A copy of the monitoring program is to be provided to the Planning Secretary.</p>	<p>Approval Document Received – (SSD-9394-PA-4), 09/06/21</p> <ul style="list-style-type: none"> <li>• Cumberland Ecology Email to Baiada, cc DPIE, Re: Bird life monitoring plan – SSD-9394, 16/06/21</li> <li>• DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Bird Life Monitoring Plan – Condition B63, 22/06/21</li> </ul>	<p>unless it is in relation to part of the aerodrome. Instead “document prepared by CASA relevant to bird strikes at airports and managing the risk of bird strike were reviewed and incorporated into [the BLMP] as required”.</p> <p>The BLMP was submitted to DPIE on 09/06/21 and approved by DPIE on 22/06/21, which was within the required timeframe.</p> <p>The BLMP was prepared by suitably qualified consultant and the Auditors consider that it meets the requirements of this condition. Whilst limited procedures for implementing mitigation measures are provided, it is understood that the procedures will be further developed as the program is implemented and survey data becomes available.</p> <p>The Auditors note that the BLMP indicates that laser lights are a common visual deterrent. However, they could only be used in compliance with Condition B74 and presumably any requirements of Tamworth Regional Airport.</p> <p>The Auditors recommend as an OFI that in the event it is proposed to use lasers as a mitigation method, that the method complies with Condition B74 and approval is sought from Tamworth Regional Airport.</p>		
<b>ANIMAL WELFARE AND BIOSECURITY</b>					
<b>Animal Welfare</b>					
B64.	<p>The Applicant must ensure the development complies with the relevant requirements for the welfare of livestock, particularly health, housing, watering, feeding, handling and transport, including but not limited to those contained within the latest version of:</p> <ul style="list-style-type: none"> <li>(a) National Animal Welfare Standards for Livestock</li> </ul>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	<p>Construction of the Project has yet to commence. Livestock will not be brought to site until the Project has commenced operation.</p>	Not Triggered	

	<p>Processing Establishments 2nd edition (Meat and Livestock Australia, 2009);</p> <p>(b) <i>Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock (Animal Health Australia, 2012);</i></p> <p>(c) <i>National Animal Welfare Standards for the Chicken Meat Industry (Barnett et al. 2008)</i></p> <p>(d) <i>NSW DPI Best Practice Management for Meat Chicken Production in NSW – Manual 2 (2012);</i></p> <p>(e) <i>NSW DPI Best Practice Management for Meat Chicken Production in NSW – Manual 2 (2012);</i></p> <p>(f) <i>Model Code of Practice for the Welfare of Animals – Domestic Poultry, 4th Edition (PISC, 2002);</i></p> <p>(g) <i>any other relevant document that supersedes the above; and</i></p> <p>(h) <i>Management and Mitigation Measures described in Appendix 4 of this consent.</i></p>				
Emergency Disposal and Biosecurity					
B65	<p>Prior to the commencement of operation of the project, the Applicant must prepare an Emergency Disposal and Bio-security Protocol, detailing the procedures for a biosecurity emergency including a mass mortality event, to the satisfaction of the Planning Secretary. The protocol must form</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	

	<p>part of the OEMP required by condition C5 and must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with Council, EPA and the Department;</li> <li>(b) be consistent with the relevant AUSTVETPLAN manuals and supporting documents;</li> <li>(c) describe the notification procedures;</li> <li>(d) include a Hazard Analysis and Critical Control Points Plan;</li> <li>(e) detail all transport routes to be used in a mass mortality event;</li> <li>(f) detail any requirements to stage the mass disposal of dead livestock;</li> <li>(g) detail the burial location(s) for the disposal of dead livestock, including plans and drawings;</li> <li>(h) detail the measures to maintain quarantine control;</li> <li>(i) detail measures to prevent ground water contamination; and</li> <li>(j) detail the mass mortality disposal procedures and options.</li> </ul>				
B66	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence operation of the project until the Emergency Disposal and Biosecurity Protocol required by condition B65 is approved by the Planning Secretary; and</li> <li>(b) implement the most recent version of the Emergency Disposal and Biosecurity Protocol approved by the Planning Secretary for the duration of the development.</li> </ul>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	
<b>ABORIGINAL HERITAGE</b>					
<b>Unexpected Finds Protocol</b>					
B67.	<p>If any item or object of Aboriginal heritage significance is identified on site:</p> <ul style="list-style-type: none"> <li>(a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease</li> </ul>	<ul style="list-style-type: none"> <li>• 2021 OEMP</li> </ul>	<p>No items or objects of Aboriginal Heritage have reportedly been found.</p> <p>The 2021 OEMP does not include reference to Aboriginal Heritage and an Unexpected Finds</p>	Not Triggered	

	<p>immediately;</p> <p>(b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and</p> <p>(c) Heritage NSW must be contacted immediately.</p>		<p>Protocol (UFP). Whilst a UFP usually applies during construction activities, this condition does not relate only to construction work. Therefore, this may represent a gap in the OEMP.</p> <p>The Auditors recommend that Baiada consider addressing Aboriginal Heritage and Unexpected Finds Protocol (UFP) in the OEMP.</p>		
B68.	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i> .	<ul style="list-style-type: none"> <li>Refer to Condition B67.</li> </ul>	Refer to the finding and recommendation for Condition B67.	Not Triggered	
<b>BIODIVERSITY</b>					
B69.	Prior to any clearing or Construction works the Applicant must purchase and retire 5 ecosystem credits of PCT 599 to offset the removal of native vegetation at the site. The ecosystem credits must be retired in accordance with the requirements of the EES Group's Biodiversity Offsets Scheme and the Biodiversity Conservation Act 2016.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>Construction of the Project has yet to commence.</p> <p>Facility personnel advised that Baiada is in the process of addressing this requirement.</p>	Not Triggered	
B70.	The requirement to retire ecosystem credits (see condition B69) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of 5 ecosystem credits, as calculated by the EES Group's Biodiversity Offsets Payment Calculator.	<ul style="list-style-type: none"> <li>Refer to Condition B69</li> </ul>	Refer to the finding and recommendation for Condition B69.	Not Triggered	
B71.	<p>The Applicant must provide the Planning Secretary with evidence that:</p> <p>(a) the retirement of ecosystem credits has been completed (see condition B69); or</p> <p>(b) a payment has been made to the Biodiversity Conservation Fund (see condition B70),</p> <p>prior to undertaking any clearing of native vegetation, or activities that have the</p>	<ul style="list-style-type: none"> <li>Refer to Condition B69</li> </ul>	Refer to the finding and recommendation for Condition B69.	Not Triggered	

	potential to impact upon this native vegetation.				
VISUAL AMENITY					
Landscaping					
B72	<p>Prior to the commencement of operation of the project, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP in accordance with conditions C5. The plan must:</p> <ul style="list-style-type: none"> <li>(a) detail the species to be planted on-site;</li> <li>(b) incorporate plant species that form part of PCT 599 and be stock germinated from within the same IBRA region;</li> <li>(c) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and</li> <li>(d) be consistent with the Applicant's Management and Mitigation Measures at Appendix 3.</li> </ul>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	
B73	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence operation of the project until the Landscape Management Plan is approved by the Planning Secretary.</li> <li>(b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and</li> <li>(c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B72 for the life of the development.</li> </ul>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	

Lighting					
B74	<p>The Applicant must ensure the lighting associated with the development:</p> <p>(a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and</p> <p>(b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>This condition was assessed in the previous IEA and found to be compliant.</p> <p>No significant changes have occurred since the approval of SSD-9394 in relation to lighting.</p>	Compliant	
Signage and Fencing					
B75	<p>The Applicant must not install any signage, advertising or fencing, except for signage and advertising that is exempt development, without the written approval of the Planning Secretary. In seeking this approval, the Applicant must:</p> <p>(a) submit detailed plans of the proposed signage, advertising or fencing, which have been prepared in consultation with Council; and</p> <p>(b) demonstrate that the proposed signage, advertising or fencing is consistent with the relevant requirements in the DCP.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>No new signage has been installed during the Audit Period.</p> <p>The last signage installed was the signs at the entrance under DA2017/0278, Issued 23/01/2017, and for which a Building Certificate was issued by TRC on 20/04/17.</p>	Not Triggered	
COMMUNITY ENGAGEMENT					
B76	<p>The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified on Figure 2: Appendix 2, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> <li>211104 Information for Ramboll.docx, including screenshot of the:                             <ul style="list-style-type: none"> <li>Incident / Complaint Register</li> <li>Oakburn – Neighbour Call Register, 22/10/21</li> </ul> </li> </ul>	<p>Facility personnel advised that no additional community consultation has occurred during the Audit Period other than the usual monthly call around of neighbours to ascertain if they had any issues.</p> <p>The Auditors observe that the Neighbour Call Register is not consistent with Figure 2. The call register does not include the TRC or Registered Aboriginal Parties.</p> <p>Facility personnel advised that they assumed this condition applies during construction of the Project.</p>	Compliant	

			<p>However, given that Baiada do have a monthly call to neighbours, the Auditors consider this condition to be compliant.</p> <p>The Auditors note as an OFI that Baiada:</p> <ul style="list-style-type: none"> <li>Review and revise the Oakburn – Neighbour Call Register so that the Figure 2 sensitive receivers (i.e. R1 to R4) are identified.</li> <li>Identify the relevant interested stakeholders that are required to be consulted in accordance with this condition.</li> <li>Obtain in writing if stakeholders have particular consultation requirements (e.g. only during specific stages of the development or only at a requested frequency).</li> </ul>		
PART C					
ENVIRONMENTAL MANAGEMENT					
Management Plan Requirements					
C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) details of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures and criteria; and</p> <p>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</p>	<ul style="list-style-type: none"> <li>Refer to Conditions B12 and C5</li> </ul>	<p>The following management plans are required under this consent, some are not prepared as they are not yet triggered:</p> <ul style="list-style-type: none"> <li>B4 – Construction Noise Management Plan (CNMP) – Not Triggered</li> <li>B12 – Odour Management Plan (OMP) for Existing Development</li> <li>B13 – OMP updated for the Project – Not Triggered</li> <li>B26 – Evaporation Pond Management Plan (EPMP) – Not Triggered</li> <li>B28 – Water Management Plan (WMP) – Not Triggered</li> <li>B28 – Groundwater Management Plan (GMP), included in the WMP – Not Triggered</li> <li>B47 – Construction Traffic Management Plan (CTMP) – Not Triggered</li> </ul>	Refer to Conditions B12 and C5	Refer to Conditions B12 and C5

	<p>(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> <li>(i) impacts and environmental performance of the development;</li> <li>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;</li> </ul> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> <li>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</li> <li>(ii) complaint;</li> <li>(iii) failure to comply with statutory requirements; and</li> </ul> <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i></p>		<ul style="list-style-type: none"> <li>• B63 – Bird Life Monitoring Program (BLMP)</li> <li>• B72 – Landscape Management Plan (LMP) – Not Triggered</li> <li>• C2 – Construction Environmental Management Plan (CEMP) – Not Triggered</li> <li>• C3 – Erosion and Sediment Control Plan, included in the CEMP – Not Triggered</li> <li>• C5 – Operational Environmental Management Plan (OEMP)</li> <li>• C6 – Emergency Disposal and Biosecurity Protocol, included in the OEMP – Not Triggered</li> <li>• C8 – OEMP updated for the Project – Not Triggered</li> <li>• Stormwater Management Plan for the Project (Appendix 4), prepared in 2020 but the Project has yet to be constructed. The Stormwater Management System required under Condition B23 has yet to be triggered.</li> <li>• Site Based Waste Management Plan (Appendix 4)</li> </ul> <p>Only the OMP and OEMP have been triggered during the Audit Period under SSD-9394. The OEMP incorporates operational Solid and Liquid Waste Management Plans.</p> <p>OMP and OEMP compliance with Condition C1 requirements are discussed in Conditions B12 and C5, respectively.</p>		
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CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Baiada understands that the CEMP is required for construction of the Project. The CEMP has yet to be prepared. Construction of the Project has yet to commence.	Not Triggered	
C3.	As part of the CEMP required under condition C2 of this consent, the Applicant must include the following: (a) Erosion and Sediment Control Plan; (b) Construction Noise Management Plan (see condition B4); (c) Construction Traffic Management Plan (see condition B47); and (d) Community Consultation and Complaints Handling.	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Refer to the finding for Condition C2. Construction of the Project has yet to commence.	Not Triggered	
C4.	The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	Refer to the finding for Condition C2. Construction of the Project has yet to commence.	Not Triggered	
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN					
C5	Within 9 months of the date of this consent, the Applicant must prepare an Operational Environmental Management Plan (OEMP) for the existing development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	<ul style="list-style-type: none"> <li>Baiada, Oakburn – Environmental Operations Plan, V06, Amend Date: October 2021, Issue No. 3, Issue Date: 02/11/21 (2021 OEMP)</li> <li>DPIE Email to Baiada, FW: Baiada Integrated Poultry Processing Facility – Post Approval Document Received –</li> </ul>	<p>The 2021 OEMP was submitted to DPIE on 02/11/21, which was within nine months of the date of SSD-9394.</p> <p>DPIE issued a letter dated 23/12/2021 that it approved the OEMP for Stage 1 of the development (existing operations), referenced as “<i>Operational Environmental Management Plan (OEMP) – Stage 1 Rendering Plant, Issue No. 5, dated 10 December 2021</i>”. The Auditors have not sighted or reviewed the referenced document, which appears to be a later version of the 2021 OEMP reviewed by the Auditors.</p>	Non-compliant	NC8

		<p>(SSD-9393-PA-7), 03/11/21</p> <ul style="list-style-type: none"> <li>• DPIE, Post Approval, SSD-9394-PA-9, not dated, with attached: <ul style="list-style-type: none"> <li>◦ 211201 SIGNED Letter Seeking staged OEMP.pdf</li> </ul> </li> <li>• DPIE, Post Approval, SSD-9394-PA-8, not dated, with attached: <ul style="list-style-type: none"> <li>◦ OAKBURN - Envrionmental Operations Plan.pdf</li> <li>◦ OAKBURN - Envrionmental Operations Plan Markup.pdf</li> </ul> </li> </ul> <p>Further evidence provided by Baiada following issue of the draft Audit Tables for factual review:</p> <ul style="list-style-type: none"> <li>• DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Operational Environmental Management Plan (OEMP) – Stage 1, 23/12/21</li> </ul>	<p>The OEMP and management plans in general are required to meet Condition C1 requirements. Although DPIE approved the OEMP and was “<i>satisfied that it addresses the requirements of Condition C5</i>”, the Auditors consider that the 2021 OEMP does not adequately address the following C1 requirements:</p> <ul style="list-style-type: none"> <li>• Detailed baseline data – Section 6 indicates that detailed baseline data is available from 2015 but does not specify what baseline data is available or where it is stored;</li> <li>• Relevant statutory requirements (e.g. SSD-9394 Limits of Consent, Hours of Work, Operational Noise Limits under SSD-9394 , EPL 7566 Conditions L1, L2 and L3, LTWSA liimits and requirements, waste classification and disposal in accordance with POEO (Waste) Regulation 2014 [NSW] and Conditions B43 to B46);</li> <li>• Relevant limits or performance measures and criteria (e.g. targets for water and energy efficiency, Biofilter pressure monitoring);</li> <li>• Specific performance indicators (e.g. Waste Landfill target);</li> <li>• Monitoring is considered for some but not all environmental aspects and impacts to assess the effectiveness of all of the management measures (e.g. freshness of raw material);</li> <li>• A contingency plan is only provided for wastewater management and not more broadly for other environmental aspects that have unpredicted impacts;</li> <li>• A program to improve environmental performance over time is only considered for water and energy efficiency and not other environmental aspects; and</li> </ul>		
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			<ul style="list-style-type: none"> <li>• There is no program to investigate and implement ways to improve environmental performance over time.</li> <li>• The protocol for managing and reporting incidents and complaints does not address “any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria)”. The only non-compliances referred to in the OEMP are those related to behaviour of personnel, which is not the intent of this requirement.</li> </ul> <p>The Auditors consider that the 2021 OEMP has attempted to meet C1 requirements, and acknowledges that DPIE issued its approval of the OEMP on 23/12/21. However, the Auditors find that the OEMP does not adequately meet all of the requirements of Conditions C1 and C6, particularly the relevant statutory requirements, limits, performance measures and specific performance indicators.</p> <p>The Auditors recommend that Baiada review and revise the OEMP to more completely and consistently meet Condition C1 requirements for all of the environmental aspects and impacts, which should be consistent with the site’s environmental aspects and impacts register / risk assessment, as well as the requirements of SSD-9394.</p> <p>There should be clear links between identified environmental hazards, the control measures, required performance indicators and monitoring and reporting requirements with a particular focus on any regulatory limits and requirements. The OEMP should also describe the procedure(s) to respond to “any non-compliance (specifically including any exceedance of the impact</p>		
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			<i>assessment criteria and performance criteria)", which may or may not be an incident.</i>		
C6	<p>As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:</p> <p>describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(a) describe the procedures that would be implemented to:</p> <p>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;</p> <p>(ii) receive, handle, respond to, and record complaints;</p> <p>(iii) resolve any disputes that may arise;</p> <p>(iv) respond to any non-compliance;</p> <p>(v) respond to emergencies; and</p> <p>(b) include the following environmental management plans:</p> <p>(i) Evaporation Pond Management Plan (see condition B26);</p> <p>(ii) Water Management Plan (see condition B28);</p> <p>(iii) Emergency disposal and Biosecurity protocol (see condition B65); and</p> <p>(iv) Landscape Management Plan (see condition B72).</p>	<ul style="list-style-type: none"> <li>2021 OEMP</li> </ul>	<p>The 2021 OEMP generally meets Condition C6 requirements except that it does not include a procedure to respond to any non-compliance, which may or may not be an incident (as defined under SSD-9394). The Auditors note that Condition C1 requires a protocol for "<i>managing and reporting any: incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); complaint; failure to comply with statutory requirements</i>". The Auditors consider that an OEMP should clearly define and differentiate incidents and non-compliances and notification requirements under SSD-9394 and other approvals (e.g. EPL 7566 ,the LTWSA). However, given that the majority of Condition C6 requirements are met and the issue of including procedures to respond to non-compliances is already addressed under the non-compliance finding for Condition C5 and in the interest of avoiding duplication, the Auditors consider this condition is non-compliant but have not counted this condition as a new non-compliance and instead refer to NC7. Please refer to the recommendation for Condition C5.</p>	Non-compliant	Refer to NC8
C7	<p>The Applicant must operate the existing development in accordance with the OEMP approved by the Planning Secretary, unless otherwise agreed by the Planning Secretary.</p>	<ul style="list-style-type: none"> <li>2021 OEMP</li> <li>Site visit and interview on 04/11/21</li> </ul>	<p>Based on observations during the site visit, Baiada are operating the Existing Development in accordance with the 2021 OEMP which was submitted to DPIE on 02/11/21. DPIE issued a letter dated 23/12/21 that it approved the OEMP for Stage 1 of the development. .</p>	Compliant	
C8	<p>Prior to commencement of operation of the project, the Applicant must update the</p>	<ul style="list-style-type: none"> <li>Site visit and interview on 04/11/21</li> </ul>	<p>Construction of the Project has yet to commence.</p>	Not Triggered	

	<p>OEMP required under condition C5 to incorporate the project and its management to the satisfaction of the Planning Secretary. The updated plan must be prepared in accordance with the requirements of condition C5, and must incorporate the following:</p> <ul style="list-style-type: none"> <li>(a) procedures, roles and responsibilities of key personnel involved in the environmental management of the Development;</li> <li>(b) community consultation requirements for the Development; and</li> <li>(c) updates to the environmental management sub-plans listed under condition C6.</li> </ul>				
C9	The Applicant must not commence operation of the project until the updated OEMP as required by condition C6 is approved by the Secretary.	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	Construction of the Project has yet to commence.	Not Triggered	
C10.	The Applicant must implement the most recent version of the OEMP approved by the Planning Secretary for the duration of the Development's operation.	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> </ul>	Condition C10 appears to be a duplication of Condition C7. The Auditors consider it likely that it was intended to apply to the operation of development following commencement of operation of the Project. Construction of the Project has yet to commence. Therefore, it is considered that this condition is Not Triggered. However, same as for Condition C7, based on observations during the site visit, Baiada are operating the Existing Development in accordance with the 2021 OEMP, which was submitted to DPIE on 02/11/21. DPIE issued a letter dated 23/12/21 that it approved the OEMP for Stage 1 of the development. .	Not Triggered	
REVISION OF STRATEGIES, PLANS AND PROGRAMS					
C11	<p>Within three months of:</p> <ul style="list-style-type: none"> <li>(a) the submission of an incident report under condition C14;</li> </ul>	<ul style="list-style-type: none"> <li>• 2019 AEMR</li> <li>• 2020 AEMR</li> <li>• 2021 AEMR</li> </ul>	There have been no notifiable incidents reported under Condition C14, IEAs submitted,	Not Triggered	

	<p>(b) the submission of an Independent Environmental Audit under condition C12;</p> <p>(c) the approval of any modification of the conditions of this consent; or</p> <p>(d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,</p>	<ul style="list-style-type: none"> <li>211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>Incident / Complaint Register</li> </ul> </li> <li>Site visit and interview on 04/11/21</li> </ul>	modifications approved or written directions since the approval of SSD-9394.		
C12	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.	<ul style="list-style-type: none"> <li>Same as for Condition C11</li> </ul>	Same as for Condition C11	Not Triggered	
C13	<p>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 Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.</p> <p><i>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.</i></p>	<ul style="list-style-type: none"> <li>Same as for Condition C11</li> </ul>	Same as for Condition C11	Not Triggered	
<b>REPORTING AND AUDITING</b>					
<b>Incident Notification, Reporting and Response</b>					
C14.	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and	<ul style="list-style-type: none"> <li>2019 AEMR</li> <li>2020 AEMR</li> <li>2021 AEMR</li> <li>211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>Incident / Complaint Register</li> </ul> </li> </ul>	<p>No incidents were notified since SSD-9394 was approved.</p> <p>The Auditors have found no evidence of an incident or potential incident occurring that required reporting.</p> <p>The Auditors observe that an incident occurred on 30/01/21 involving a 3,000 L spill into a pit</p>	Compliance	

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	<p>set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 5.</p>	<ul style="list-style-type: none"> <li>• Site visit and interview on 04/11/21</li> <li>• 20190904 OAK BOC Truck Hyd Oil Leak.doc, Environmental Incident and Complaint Record Sheet, 09/04/19</li> <li>• 20191109 OAK Incident - Offal Spill MWP.doc, Environmental Incident and Complaint Record, 09/11/19</li> <li>• 20210201 OAK Incident - Gasket blown on Cal discharge line to SBR.doc, Environmental Incident and Complaint Record, 30/01/21</li> <li>• 20210824 OAK Incident - WWTP Leak Balance tank.doc, Environmental Incident and Complaint Record, 24/08/21</li> </ul>	<p>from the CAL outlet to the SBR due to a blown gasket. The effluent escaped the pit through a PVC pipe in the pit wall and soaked into the ground. The area was subsequently cleaned up and other preventative actions taken to address the root cause, in this instance a compressor issue. The incident was not reported on the basis that the clean-up cost was considered to be &lt;\$10,000. The Auditors observe that the incident report was of a high standard but in this instance, it did not address the issue of the pipe through the pit. Facility personnel advised however, that the pipe was subsequently blocked off to prevent a re-occurrence. The Auditors note an OFI that incident reports address all of the contributing factors / root causes to an incident.</p>		
<b>Non-Compliance Notification</b>					
C15.	<p>The Planning Secretary must be notified in writing to the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.</p>	<ul style="list-style-type: none"> <li>• 2019 AEMR</li> <li>• 2020 AEMR</li> <li>• 2021 AEMR</li> <li>• 211104 Information for Ramboll.docx, including screenshot of the: <ul style="list-style-type: none"> <li>◦ Incident / Complaint Register</li> </ul> </li> <li>• Site visit and interview on 04/11/21</li> <li>• DPIE Letter to Baiada, Baiada Oakburn (DA53/97), Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</li> </ul>	<p>No non-compliances were notified since the approval of SSD-9394. However, DPIE made Baiada aware on 10/08/21 that they were not complying with Condition C23, Access to Information. Baiada did not submit a non-compliance notification in accordance with this condition, which is non-compliant.</p> <p>It is also observed that during the process of this Audit, Baiada made a late notification to the Department in relation to making the 2021 AEMR publicly available. The same notification indicated that the outstanding documentation required to be made publicly available had been uploaded in August 2021. The notification was made two days after the Auditors requested</p>	Non-compliant	NC9

		<ul style="list-style-type: none"> <li>Ramboll Email to Baiada, RE: Oakburn IEA Emails, 29/11/21, with attached: <ul style="list-style-type: none"> <li>Post-visit Document Request_2021 IEA_2021_11_24.docx</li> </ul> </li> <li>Baiada Letter to Whom it may concern, re. 2021-2021 AEMR, 01/12/21</li> <li>DPIE Post Approval, Baiada Integrated Poultry Processing Facility - SSD-9394-PA-10, Notification of publication, 01/12/21</li> <li>Baiada Email to Ramboll, Re: IEA EMAILS from Queries 24.11.21 - (9) - Screenshot of Portal and website lodgements / Post Visit Doc Request, 01/12/21, with attached: <ul style="list-style-type: none"> <li>Register of Portal &amp; Website Uploads, Baiada Email_Register Portal and Website Uploads_01-12-21.pdf</li> </ul> </li> </ul>	<p>evidence of the notification, which is assumed to be when Baiada became aware of the non-compliance. Therefore, the Auditors consider that Baiada notified the Department of this non-compliance within the required seven day timeframe. The notification did not indicate that the 60 day timeframe for making the 2021 AEMR publicly available had also been exceeded.</p> <p>The Auditors recommend that Baiada submit a non-compliance notification to DPIE regarding:</p> <ul style="list-style-type: none"> <li>the non-compliance with Condition A23 (the subject of DPIE's letter dated 10/08/21) in accordance Conditions C15 and C16; and</li> <li>the non-compliance with Condition C19 (failure to upload 2021 AEMR and notify DPIE within required timeframes) in accordance with Condition C16.</li> </ul> <p>This is in order to ensure that the reason(s) for the non-compliances are investigated and appropriate actions undertaken to address the non-compliances and prevent a reoccurrence. It is suggested that non-compliances are managed in a similar manner to incidents (within the meaning of SSD-9394, i.e. notifiable incidents) and recorded on the Incident/Complaint Register. Also refer to the findings and recommendations for Conditions C5 and C6 and procedures for responding to any non-compliance, which is considered to be one action for preventing a reoccurrence (i.e. provision of clear instructions).</p>		
C16.	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for thenon-	<ul style="list-style-type: none"> <li>DPIE Letter to Baiada, Baiada Oakburn (DA53/97), Annual Environmental Management Report &amp;</li> </ul>	Baiada did not submit a non-compliance notification for Condition C23, Access to Information, in accordance with Conditions C15 and C16. This is considered to be a separate non-compliance to the Condition C15 non-compliance because there is no evidence that	Non-compliant	NC10

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	compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	<p>Compliance Report 2020/2021, 10/08/21</p> <ul style="list-style-type: none"> <li>Baiada Letter to Whom it may concern, re. 2021-2021 AEMR, 01/12/21</li> </ul>	<p>the non-compliance had been investigated and what actions have been undertaken to address the non-compliance and prevent a reoccurrence. The Condition C23 non-compliance was not recorded on the incident register when the Department advised Baiada of the non-compliance, for example.</p> <p>Baiada notified the Department that they failed to notify the Department within the required timeframe of when they were going to make the 2021 AEMR publicly available. Although the notification did not indicate that the 60 day timeframe for making the 2021 AEMR publicly available had also been exceeded. Whilst the notification refers to the Condition that was non-compliant and the way in which it was non-compliant, it did not identify the development, the application number for it, the reason for the non-compliance and what actions would be taken to address the non-compliance, other than the error would be corrected. Hence, this non-compliance notification did not meet the requirements of Condition C16.</p> <p>Refer to the recommendation for NC8, which also addresses NC9.</p>		
C17.	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance	<ul style="list-style-type: none"> <li>DPIE Letter to Baiada, Baiada Oakburn (DA53/97), Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</li> <li>Site visit and interview on 04/11/21</li> </ul>	No non-compliances which had been notified as incidents occurred since the approval of SSD-9394.	Not Triggered	
Compliance Reporting					
C18.	Within twelve months of the date of this consent, and in the same month each	<ul style="list-style-type: none"> <li>DPIE Letter to Baiada, Baiada Oakburn Poultry</li> </ul>	Refer to DA 53/97 Condition 50 for findings regarding the 2019 and 2020 AEMRs submitted	Non-compliant	NC11

	<p>subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:</p> <p>(a) identify any trends in the monitoring data over the life of the development;</p> <p>(b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(c) describe what measures will be implemented over the next year to improve the environmental performance of the development</p>	<p>Processing Complex (DA 53/97), Annual Environmental Monitoring Report 2019/2020, 27/05/20</p> <ul style="list-style-type: none"> <li>• 2021 AEMR</li> <li>• Baiada Letter to DPIE, Baiada Oakburn Poultry Processing Facility, Annual Review / Compliance Report 2020-21, Endorsement of Suitability Qualified Expert, 29/01/21</li> <li>• DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), Approval of Experts Requested – AR 2020-21, 03/02/21 (Appendix A, 2021 AEMR)</li> <li>• Baiada Email to EPA, TRC and WaterNSW, Annual Environmental Monitoring Report – Baiada Oakburn, 07/05/19</li> <li>• DPIE Email to Baiada, Baiada Poultry – Post Approval Document Received – (DA53/97-PA-1), 07/05/21</li> <li>• Baiada Email to TRC, EPA and WaterNSW, Annual Environmental Monitoring Report – Baiada Oakburn, 07/05/21</li> <li>• DPIE Letter to Baiada, Baiada Oakburn (DA53/97), Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</li> </ul>	<p>under that condition and prior to the approval of SSD-9394.</p> <p>Baiada combined the Compliance Report with the AEMR for the 2020-2021 reporting period and the EPL 7566 Annual Return, herein referred to as the 2021 AEMR. Hence, the 2021 AEMR was submitted to DPIE well before the twelve month due date.</p> <p>DPIE requested in response to the 2020 AEMR that Baiada provide production data that can be compared directly with the Limit of Approval of 180 tonnes/day of finished product. Please refer to the findings and recommendations for DA 53/97 Condition 50.</p> <p>The Auditors compared the 2021 AEMR with the requirements of this condition, including the Compliance Reporting Post Approval Requirements (Department 2020) (CRPAR 2020) and found it did not meet the following requirements:</p> <p><u>CRPAR 2020:</u></p> <ol style="list-style-type: none"> <li>1. Section 3.1.1(2) – Development activities (in the context of SSD-9394) carried out during the reporting period are not summarised in one section although the status of construction was provided in Section 4.4;</li> <li>2. Section 3.1.1(3) – Current figures are not provided showing operational disturbance areas. The figure provided is not current as it does not show the new WWTP. It also doesn't indicate all relevant land uses (e.g. Boltions Creek, Tamworth City Speedway);</li> <li>3. Section 3.1.2 – The Action Status Table provided in Table 11 meets most of the requirements except it does not include a</li> </ol>		
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			<p>proposed action, proposed completion date and status (e.g. date completed, if relevant).</p> <p>4. Section 3.1.3 – A compliance status or statement of compliance is provided but it does not report the number of non-compliances and does not provide the other details required.</p> <p>5. Section 3.1.5 – A list or table of complaints with the required fields/entries was not provided although it is recognised that no complaints were received during the reporting period.</p> <p>6. Section 3.1.6 – A Compliance Table was not provided as an appendix.</p> <p>7. Section 3.2 – A Compliance Report Declaration Form completed in the required manner was not appended to the report.</p> <p><u>C18:</u></p> <p>8. C18(a) – Graphs are provided for water, gas and electricity consumption but the way they are presented (a line for each of the current and past two reporting periods overlaid instead of in series), one cannot readily discern if there is a trend (i.e. increase or decrease over time). Trends are required to be over the 'life of the development', not just a reporting period. The graphs do not include a target. Tables comparing data from the past, current and future (estimated) reporting periods are provided for production data, wastewater data, incidents data and complaints data. Again, they do not show the data over the life of the development and trends are not readily discernible. Furthermore, the comparison data for the wastewater data is presented as averages which is deceptive and too broad-brush relative to a graph that shows the</p>		
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			<p>fluctuations of the data. Limits should be shown on graphs that clearly show exceedances or conversely improved performance.</p> <p>On the basis of the identified gaps, the Auditors consider the 2021 AEMR to be non-compliant with this condition.</p> <p>DPIE reviewed the 2021 AEMR and considered it to generally satisfy the reporting requirements of the consents. DPIE required Baiada to ensure that the future Compliance Report layout complied with CRPAR 2020.</p> <p>DPIE did not endorse the compliance status of the 2021 AEMR and noted the continuing non-compliances with the LTWSA, for which TRC were the regulatory authority. DPIE also observed that the Baiada website was not up to date with required documentation and was therefore, non-compliant. DPIE had assessed the non-compliances in accordance with DPIE's Compliance Policy and determined to record the breach with no further action proposed at that time.</p> <p>The Auditors recommend in line with DPIE's requirement that future Compliance Reports comply with CRPAR 2020 requirements and include graphs of data to facilitate easy identification of trends and performance against limits and other targets.</p>		
C19.	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.	<ul style="list-style-type: none"> <li>2021 AEMR</li> <li>Baiada Email to Ramboll, Re: IEA EMAILS from Queries 24.11.21 - (9) - Screenshot of Portal and website lodgements / Post</li> </ul>	<p>Baiada uploaded the 2021 AEMR to the Oakburn SSD-9394 website on 16/08/21, which was more than 60 days after the report was submitted to DPIE on 07/05/21.</p> <p>DPIE was not notified of the upload to the public website until 01/12/21, which was not 7 days</p>	Non-compliant	NC12

		<p>Visit Doc Request, 01/12/21, with attached:</p> <ul style="list-style-type: none"> <li>Register of Portal &amp; Website Uploads, Baiada Email_Register Portal and Website Uploads_01-12-21.pdf</li> <li><a href="https://www.baiada.com.au/our-commitment/oakburn-ssd-9394">https://www.baiada.com.au/our-commitment/oakburn-ssd-9394</a></li> <li>Baiada Letter to Whom it may concern, re. 2021-2021 AEMR, 01/12/21</li> <li>DPIE Post Approval, Baiada Integrated Poultry Processing Facility - SSD-9394-PA-10, Notification of publication, 01/12/21</li> </ul>	<p>prior to uploading the 2021 AEMR to the website.</p> <p>Therefore, this condition is non-compliant. The Register of Portal &amp; Website Uploads does not include fields for when a report must be uploaded by, such as a Compliance Report, which must be at least 7 days before the document is uploaded.</p> <p>The Auditors recommend that the Register of Portal &amp; Website Uploads be reviewed and revised to include additional fields to prompt due dates for when reports must be uploaded, where applicable, and when DPIE must be notified.</p>		
Independent Audit					
C20.	<p>Within twelve months of the date of this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:</p> <p>(a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)</p> <p>(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and</p> <p>(c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).</p>	<ul style="list-style-type: none"> <li>Baiada Purchase Order 811111, 05/10/21</li> <li>DPIE Letter to Baiada, Baiada Integrated Poultry Processing Facility (SSD-9394), 2021 Independent Audit – auditor endorsement request, 27/08/21</li> </ul>	<p>This Audit was commissioned on 05/10/21 within twelve months of the date of SSD-9394, as evidenced by Baiada's Purchase Order. The IEA has been conducted in accordance with the Independent Audit Post Approval Requirements (Department 2020) (IAPAR 2020). The Audit Team is led and conducted by a suitably qualified, experienced and independent team of experts endorsed by DPIE. The Auditors consider this condition to be compliant based on the available information.</p>	Compliant	

C21.	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:</p> <ul style="list-style-type: none"> <li>(a) review and respond to each Independent Audit Report prepared under condition C20 of this consent;</li> <li>(b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;</li> <li>(c) implement the recommendations to the satisfaction of the Planning Secretary; and</li> <li>(d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.</li> </ul>			Not Triggered	
Monitoring and Environmental Audits					
C22	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&amp;A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&amp;A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular</i></p>		Noted	Noted	

	<i>documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i>				
ACCESS TO INFORMATION					
C23.	<p>Within six months of the date of this consent and for the life of the development, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</p> <p>(v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</p> <p>(vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vii) a summary of the current stage and progress of the development;</p> <p>(viii) contact details to enquire about</p>	<ul style="list-style-type: none"> <li><a href="https://www.baiada.com.au/our-commitment/oakburn-ssd-9394">https://www.baiada.com.au/our-commitment/oakburn-ssd-9394</a></li> <li>DPIE Letter to Baiada, Baiada Oakburn (DA53/97), Annual Environmental Management Report &amp; Compliance Report 2020/2021, 10/08/21</li> </ul>	<p>The Auditors reviewed the Baiada website, including the 'Oakburn SSD-9394' webpage. The following documentation was missing and therefore, not accessible to the public:</p> <ul style="list-style-type: none"> <li>Current statutory approvals including but not limited to DA 53/97 and EPL 7566;</li> <li>Proposed staging plans for the development, if applicable;</li> <li>Regular reporting on the environmental performance of the development;</li> <li>The 2021 OEMP (which was approved by the Department in a letter dated 23/12/21);</li> <li>A comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>A summary of the current stage and progress of the development;</li> <li>Contact details to enquire about the development or to make a complaint;</li> <li>A complaints register, updated monthly;</li> </ul> <p>The information provided on the website appears to be current.</p> <p>Based on the identified missing information, this condition is considered to be non-compliant.</p> <p>The Auditors recommend that the website be reviewed and the missing information be uploaded as soon as practicable. Establish a process to ensure the required information is uploaded on a regular basis and within any required timeframes.</p>	Non-compliant	NC13

	<p>the development or to make a complaint;</p> <p>(ix) a complaints register, updated monthly;</p> <p>(x) the Compliance Report of the development;</p> <p>(xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(xii) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>				
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#### APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Job No.	Drawing No.	Rev.	Date	Title
19106	SK10	H	16/10/2020	Site Plan
19106	SK16	B	16/10/2020	Staging Plan
19106	SK11	D	16/10/2020	Ground Floor Plan Processing a Facility
19106	SK12		23/06/2020	Mezzanine Plan Processing Facility
19106	SK14	B	16/06/2020	Sections
19106	SK15	B	15/06/2020	Elevations

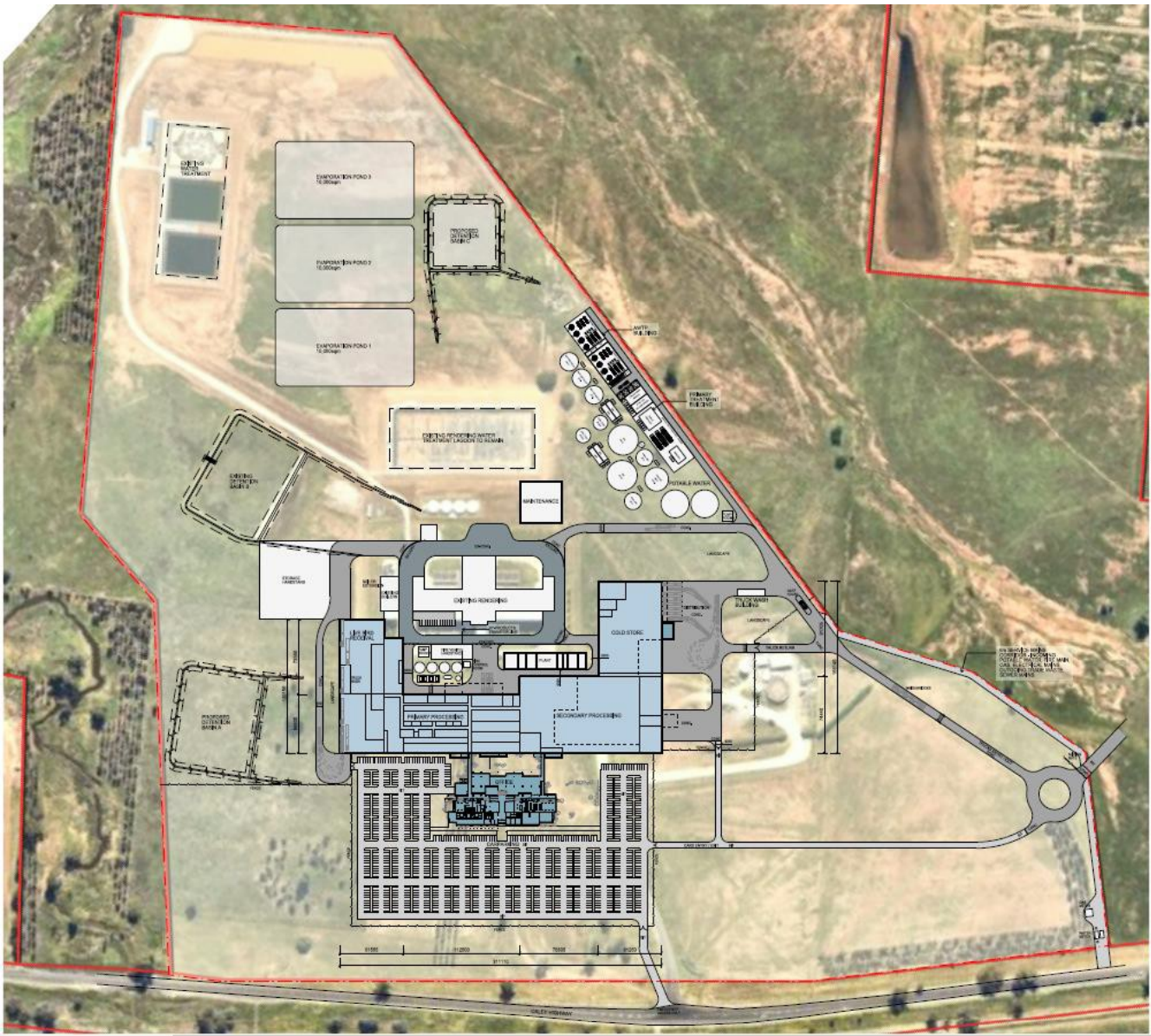
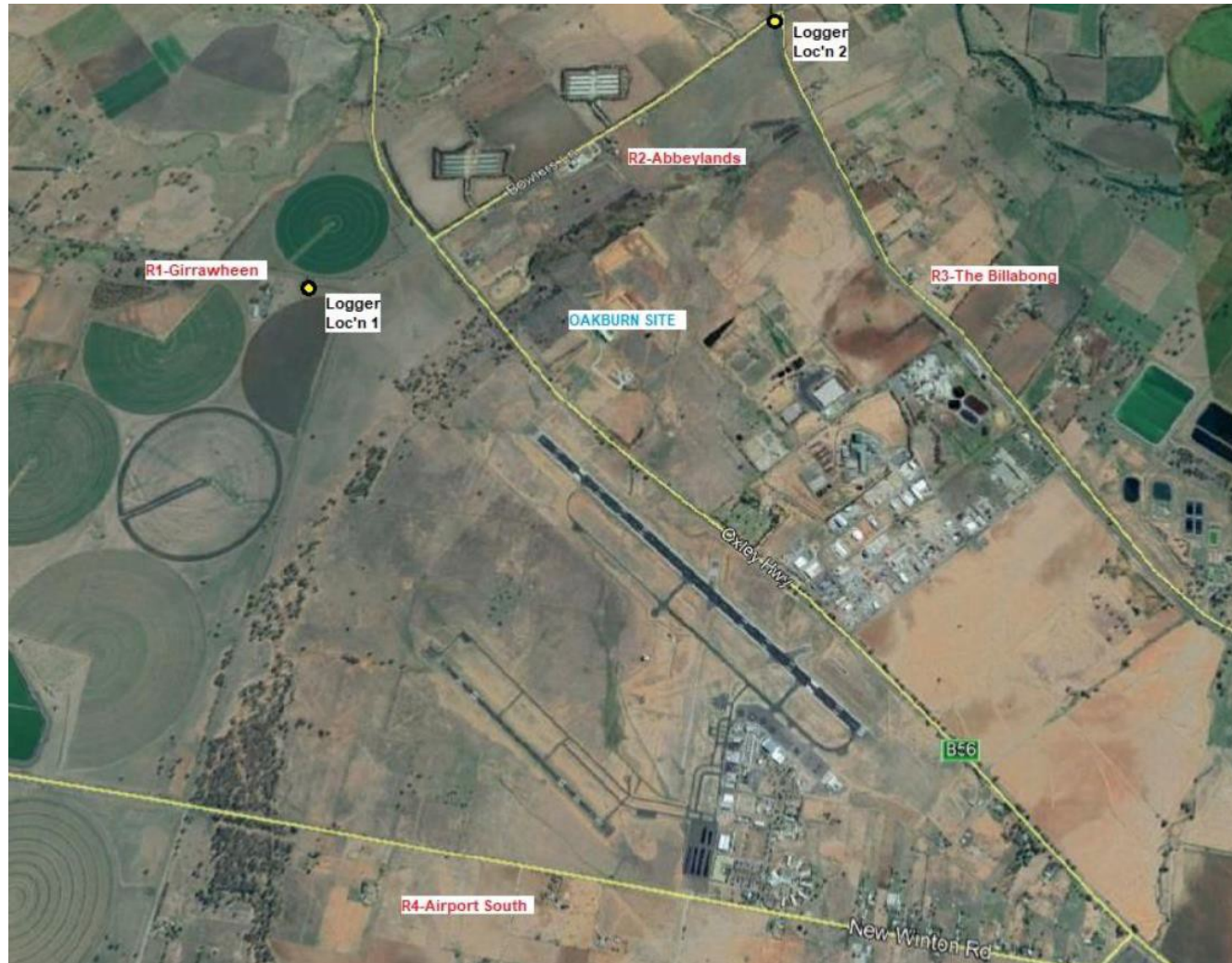


Figure 1: Site Plan

## APPENDIX 2 SENSITIVE RECEIVERS



**Figure 2: Sensitive receivers**

### APPENDIX 3 EXISTING CONSENTS TO BE SURRENDERED

Reference	Date of determination	Details of approval
DA53/97	9 February 1998	Poultry Processing Complex to be developed in four stages (as modified)
DA0775/2008	10 September 2009	Wastewater treatment plant and extensions to existing industrial shed.
DA0080/2010	4 July 2009	Construction of new equipment/storage shed
DA0571/2010	12 August 2010	Additions to Rendering Plant (Storage tanks, maintenance shed and boiler room)
DA2016/0551	29 July 2016	Alterations and additions to the existing Oakburn Wastewater Treatment Plant
DA2017/0278	23 January 2017	Entrance Signage
DA2017/0282	13 February 2017	Replacement of biofilter and additional air ducting system to existing wastewater treatment plant
DA2018/0443	20 July 2018	Wastewater Treatment Plant

## APPENDIX 4 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES										
<b>TRAFFIC</b>	<ul style="list-style-type: none"> <li>Staff and processing plant traffic are to be directed to use the proposed driveway connecting to Workshop Lane.</li> <li>Direct access to the Oxley Highway is to be maintained for visitors to the site and emergency access only.</li> <li>820 car parking spaces are to be provided on site with a minimum of 8 spaces be designated for people with a disability.</li> <li>Car park design and line-marking is to be undertaken in accordance the Australian Standard 2890.1 (2004).</li> <li>Due to the length of aisles, speed humps be provided in in accordance with AS2890.1 to provide positive speed control.</li> <li>Detailed design of the car park to incorporate minor amendments to the kerb line near the northern end of the staff car park to ensure fire truck access is available through the car park if required.</li> <li>The Internal T-intersection between the staff car park access road and the weighbridge access road be designed as a standard priority T-intersection to reflect the dominant traffic flow.</li> </ul>										
<b>AIR QUALITY</b>	<ul style="list-style-type: none"> <li>Filling of the SBR is to be programmed to take place outside of daylight hours where practical.</li> <li>Implement the Odour Management Plan for the site to prevent or minimise the potential for odour generation through a hierarchy of controls, in the form of, but not limited to, engineered, administration and/or management practices.</li> </ul>										
<b>NOISE</b>	<p><b>Noise Mound/Barrier Adjacent to Live Bird Area</b></p> <ul style="list-style-type: none"> <li>An acoustic mound or barrier are to be erected at the following locations:</li> </ul> <table border="1"> <thead> <tr> <th>Location</th><th>Height above FGL (mm)</th></tr> </thead> <tbody> <tr> <td>West side Live Bird Area and Hardstand</td><td>3000</td></tr> <tr> <td>North side Rendering Building loop road</td><td>2100</td></tr> <tr> <td>North side Cooling towers &amp; associated plant</td><td>2100</td></tr> <tr> <td>North side Cold Store distribution dock</td><td>2400 (above truck FGL)</td></tr> </tbody> </table> <p><b>General Noise Control Recommendations</b></p> <ul style="list-style-type: none"> <li>All access roads should be kept in good condition, i.e. no potholes, etc.</li> <li>Trucks and other machines should not be left idling for extended periods unnecessarily. Machines found to produce excessive noise compared to industry best practice should be removed from the site or stood down until repairs or modifications can be made.</li> <li>A regular maintenance schedule should be adopted for all mobile and fixed plant items. Items found producing high noise should be stood down until repairs are completed.</li> <li>A noise monitoring program, during commissioning, or in the early life of the site is recommended. This program will verify our predictions and in the unlikely event that complaints may arise, enable noise control strategies to be implemented, where required.</li> </ul>	Location	Height above FGL (mm)	West side Live Bird Area and Hardstand	3000	North side Rendering Building loop road	2100	North side Cooling towers & associated plant	2100	North side Cold Store distribution dock	2400 (above truck FGL)
Location	Height above FGL (mm)										
West side Live Bird Area and Hardstand	3000										
North side Rendering Building loop road	2100										
North side Cooling towers & associated plant	2100										
North side Cold Store distribution dock	2400 (above truck FGL)										

IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES
	<p><b>Noise Monitoring Program</b></p> <ul style="list-style-type: none"> <li>Noise monitoring should be carried out at the commencement of each process/activity that has the potential to produce excessive noise.</li> </ul> <p><b>Acoustic Barriers/Screening</b></p> <ul style="list-style-type: none"> <li>Place acoustic enclosures or screens directly adjacent to stationary noise sources that are likely to result in unacceptable off-site noise impacts (such as compressors, generators, drill rigs, etc).</li> </ul> <p><b>Consultation/Complaints Handling Procedures</b></p> <ul style="list-style-type: none"> <li>The construction contractor should analyse proposed noise control strategies in consultation with the Acoustic Consultant as part of project pre-planning.</li> </ul> <p><b>Equipment Selection</b></p> <ul style="list-style-type: none"> <li>All combustion engine plant, such as generators, compressors and welders, should be carefully checked to ensure they produce minimal noise, with particular attention to residential grade exhaust silencers and shielding around motors, where necessary.</li> </ul> <p><b>Risk Assessment</b></p> <ul style="list-style-type: none"> <li>A risk assessment should be undertaken for all noisy activities and at the change of each process.</li> </ul>
<p><b>ECOLOGICAL</b></p>	<p>Should any works need to be conducted within the Peel River Tributary, in order to minimise any impact to amphibians, works are to be:</p> <ul style="list-style-type: none"> <li>Undertaken during the winter months when movement of amphibian species is not occurring; or</li> <li>Undertaken during periods of no ephemeral pooling of water in the tributary; or</li> <li>Undertaken after a pre-clearance inspection by a qualified ecologist determines no amphibian presence at that time.</li> </ul> <p><b>Preclearance Surveys:</b> In order to avoid impacts to fauna species during construction, pre-clearance surveys will be conducted in all areas that are required to be cleared.</p> <ul style="list-style-type: none"> <li>Pre-clearing surveys will be undertaken ahead of clearing, to limit fauna injury and mortality and to identify habitat features to be relocated. Pre-clearance surveys will be conducted by suitably qualified ecologists and all fauna found during these surveys will be encouraged to move on or relocated by the ecologists in areas of similar habitat nearby that will not be impacted.</li> </ul> <p><b>Delineation of Clearing Areas:</b></p> <ul style="list-style-type: none"> <li>Areas that require clearance will be flagged and clearly delineated by temporary fencing to ensure that no areas intended for conservation will be inadvertently cleared during the construction process.</li> </ul> <p><b>Weed Management:</b></p> <ul style="list-style-type: none"> <li>Undertake, appropriate weed control activities in accordance with all state, regional and local weed management plans.</li> </ul> <p><b>Pre-clearance Surveys (Structures):</b></p> <ul style="list-style-type: none"> <li>In order to mitigate or avoid impacts to fauna species, (In particular the Eastern Bentwing-bat) during demolition of structures, pre-clearance checks will be conducted of all human made structures proposed to be demolished prior to construction.</li> <li>Pre-clearance surveys will be conducted by suitably qualified ecologists and all fauna found during these surveys will be encouraged to move on</li> </ul>

IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES
	<p>or relocated by the ecologists in areas of similar habitat nearby that will not be impacted.</p> <p><b>Native vegetation:</b></p> <ul style="list-style-type: none"> <li>• Provide an offset of a total of 5 ecosystem credits for PCT 599.</li> </ul>
<b>CULTURAL HERITAGE</b>	<p><b>Aboriginal Objects Find Procedure:</b> If suspected Aboriginal material has been uncovered as a result of development activities within the Project Area:</p> <ul style="list-style-type: none"> <li>• work in the surrounding area is to stop immediately;</li> <li>• a temporary fence is to be erected around the site, with a buffer zone of at least 10 meters around the known edge of the site;</li> <li>• an appropriately qualified archaeological consultant is to be engaged to identify the material; and</li> <li>• If the material is found to be of Aboriginal origin, the Aboriginal community is to be consulted in a manner as outlined in the OEH guidelines: <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010)</i>.</li> </ul> <p><b>Aboriginal Human Remains:</b> In the unlikely event that Remains are found, all works should halt. Once the site is cordoned off the nearest police station should be contacted in conjunction with the Tamworth LALC and the Heritage NSW – Aboriginal Cultural Heritage Office. If no investigation is sought and the remains are of Aboriginal origin then the Aboriginal community and Heritage NSW – Aboriginal Cultural Heritage Office should be consulted as to how the remains are to be dealt with. Work may resume once all parties are in agreement.</p> <p><b>Notifying the Heritage NSW – Aboriginal Cultural Heritage:</b> If Aboriginal cultural materials are uncovered as a result of development activities within the Project Area, they are to be registered as Sites on the AHIMS, managed by the Heritage NSW – Aboriginal Cultural Heritage.</p>
<b>STORMWATER</b>	<ul style="list-style-type: none"> <li>• Provide all stormwater management treatment actions in accordance with the project Stormwater Management Plan prepared by MPN Consulting Engineers (dated 18 June 2020).</li> <li>• During prior to commencement of construction, prepare and implement a detailed Erosion and Sediment Control Plan to ensure compliance with the <i>Protection of the Environment Operations Act 1997</i>.</li> </ul>
<b>WASTE</b>	<ul style="list-style-type: none"> <li>• Commercial arrangements are to be made with an appropriately licenced facility for the disposal of each of the different types of waste produced at the site prior to the issue of an Occupation Certificate.</li> <li>• Prepare and implement a Site Based Waste Management Plan consistent with Baiada's Australian Packaging Covenant Action Plan.</li> </ul>
<b>CHEMICAL USE</b>	<ul style="list-style-type: none"> <li>• Chemical handling and storage procedures will be undertaken in accordance with the Applicable Material Safety Data Sheets (MSDS) and all relevant Australian Standards.</li> </ul> <p><b>LNG Storage:</b></p> <ul style="list-style-type: none"> <li>• The hoses for the transfer of LNG shall be inspected monthly and pressure tested annually in accordance with the Australian Dangerous Goods Code.</li> <li>• All equipment shall be inspected and tested in accordance with the Australian Goods Code.</li> <li>• The over pressurisation shut off for the supply will be set at not more than 200 kPa.</li> </ul>

IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES
<b>CONSTRUCTION MANAGEMENT</b>	<p>The Construction Management Plan could address potential social impacts, including reducing stress and inconvenience to neighbouring businesses and residents, by</p> <ul style="list-style-type: none"> <li>• Identifying construction vehicle traffic routes that minimise impacts to neighbours, as far as possible;</li> <li>• Providing arrangements for parking of worker and construction vehicles on-site;</li> <li>• Storing all equipment on site;</li> <li>• Identifying management practices to minimise and manage interruptions to traffic flows;</li> <li>• Establishing practices to maintain traffic and pedestrian safety to local residents;</li> <li>• Minimising disruption proposed road closures, temporary traffic routes, loss of pedestrian or cyclist access or reversing manoeuvres;</li> <li>• Providing queueing space onsite for the standing of vehicles;</li> <li>• Providing clear signage to direct construction vehicles; and</li> <li>• Provide signage on site that provides a contact number for residents to direct enquiries and report incidents (e.g. theft or break and enter to the site while unattended), should they occur</li> </ul>
<b>ENVIRONMENTAL MANAGEMENT</b>	<ul style="list-style-type: none"> <li>• Prepare an implemented a detailed Environmental Management System for the Oakburn Processing Plant for certification in accordance with the AS/NZS/ISO 14001: 2015 Standard.</li> </ul>

## APPENDIX 5 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition [C14](#) or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - a. identify the development and application number;
  - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - c. identify how the incident was detected;
  - d. identify when the applicant became aware of the incident;
  - e. identify any actual or potential non-compliance with conditions of consent;
  - f. describe what immediate steps were taken in relation to the incident;
  - g. identify further action(s) that will be taken in relation to the incident; and
  - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - a. a summary of the incident;
  - b. outcomes of an incident investigation, including identification of the cause of the incident;
  - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - d. details of any communication with other stakeholders regarding the incident.

## **APPENDIX B**

### **AUDIT TEAM AND DEPARTMENT AUDITOR ENDORSEMENT**

Name	Audit Role	Qualifications
Victoria Sedwick	Lead Auditor	M Eng Sc; B App Sc (Chem)  Exemplar Global Certification, Lead Auditor, Environmental Management Systems Auditor
Shaun Taylor	Auditor	B App Sc (Env Ass't and Mgt) (Hons)  CEnvP (Impact Assessment)
Emily Rowe	Auditor	B Engineering (Chemical); Graduate Certificate of Sustainability  Exemplar Global Certification, Lead Auditor, Environmental Management Systems Auditor
Greer Lang	Odour and Air Quality Specialist	MSc (Research, Env Sc); B Sc (Env Sc and Bio)

Grant White  
National Environment and Sustainability Manager  
Baiada

By email only: [Grant.White@baiada.com.au](mailto:Grant.White@baiada.com.au)

27/08/2021

Dear Mr White

**Baiada Integrated Poultry Processing Facility (SSD-9394)  
2021 Independent Audit – auditor endorsement request**

Reference is made to your post approval matter, SSD-9394-PA-5, for the Planning Secretary's approval of suitably qualified persons to conduct the 2021 Independent Audit of the Baiada Integrated Poultry Processing Facility, submitted as required by Schedule 2, Part C, Condition C20 and Schedule 2, Condition 51 of SSD-9394 as modified and DA53/97 as modified (respectively) (the consents), to the Department of Planning, Industry and Environment (the Department) on 25 August 2021.

The Department has reviewed the nominations and information provided and is satisfied that these experts are suitably qualified, experienced and independent. In accordance with Schedule 2, Part C, Condition C20 and Schedule 2, Condition 51 of the consents and the Departments *Independent Audit Post Approval Requirements* (2020), the Planning Secretary has agreed to the following audit team:

- Victoria Sedwick (Lead Auditor)
- Shaun Taylor (Auditor)
- Emily Rowe (Auditor)
- Greer Laing (Odour expert)

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the Independent Audit Post Approval Requirements. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

Should you wish to discuss the matter further, please contact Joel Curran, Senior Compliance Officer on (02) 4904 2702 or [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely



Heidi Watters  
Team Leader Northern  
Compliance

As nominee of the Planning Secretary

## **APPENDIX C**

### **INDEPENDENT AUDIT DECLARATION FORM**

## INDEPENDENT AUDIT DECLARATION FORM

Project Name: Baiada Integrated Poultry Processing Facility

Consent Number: DA 53/97 & SSD-9394

Description of Project: SSD-9394: Construction and operation of Baiada Integrated Poultry Processing Facility, including: Poultry processing facility, with capacity to process up to 3 million birds a week; Protein Recovery Plant, with capacity to render up to 1,680 tonnes of finished product per week; Wastewater treatment plant; Advanced water treatment plant; Road connection to Workshop Lane; Earthworks; and Connection to infrastructure.

Project Address: 1154 Gunnedah Road, Westdale, NSW, comprising Lots 100 to 102, DP 1097471

Proponent: DA 53/97: Baiada Poultry Pty Ltd  
SSD-9394: Baiada (Tamworth) Pty Ltd

Title of Audit: Independent Environmental Audit of Baiada Integrated Poultry Processing Facility, DA 53/97 & SSD-9394

Date: 02 February 2022

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the Audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2020)*;
- the findings of the Audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the Audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the Audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this Audit except as otherwise declared to the Department prior to the Audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes :

- a) Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both).

Name of Lead Auditor: Victoria Sedwick

Signature:



Qualification: Exemplar Global Lead Auditor Certificate No. 13180

Company: Ramboll Australia Pty Ltd

Company Address: PO Box 560, North Sydney NSW 2060

## **APPENDIX D PHOTOGRAPHS**



Photo 1: Northwest corner of the main plant showing the LNG storage tanks



Photo 2: View looking northwest towards the wastewater treatment plant



Photo 3: View looking southeast over wastewater pond towards the main plant



Photo 4: View across one of the wastewater ponds with bird netting



Photo 5: Solid by-products within the wastewater treatment plant



Photo 6: View looking east across some of the covered anaerobic lagoons (CAL)

## **APPENDIX E CONSULTATION**

Baiada Poultry Pty Ltd  
Gunnedah Road  
Tamworth NSW 2340  
Attention: Sherilee Stewart  
Email: [Sherilee\\_Stewart@baiada.com.au](mailto:Sherilee_Stewart@baiada.com.au)

Dear Sherilee,

Date 18/10/2021

**Request for Consultation with the Department: SSD-9394  
Independent Environmental Audit - Baiada Integrated Poultry  
Processing Facility**

Ramboll Australia Pty Ltd (Ramboll) is engaged by Baiada Poultry Pty Ltd (Baiada) to conduct an Independent Environmental Audit of the Baiada Integrated Poultry Processing Facility at Westdale as required under development consent SSD-9394. The Audit Team is required to consult with the Department of Planning, Industry and Environment (the Department) to obtain its input onto the scope of the audit in accordance with *Independent Audit Post Approval Requirements* (2020).

Ramboll requests that Baiada submit this request via the Planning Portal for the Department to contact Shaun Taylor ([staylor@ramboll.com](mailto:staylor@ramboll.com) or 0408 386 663) for the purpose of this consultation.

Please contact me if you have any queries.

Yours sincerely



**Shaun Taylor**

Senior Managing Consultant

D +61249625444  
M +61408386663  
[staylor@ramboll.com](mailto:staylor@ramboll.com)

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50 Glebe Road  
PO Box 435  
The Junction  
NSW 2291  
Australia

T +61 2 4962 5444  
<https://ramboll.com>

Ref 3180001313

16 November 2021

To whom it may concern  
Tamworth Regional Council

[trc@tamworth.nsw.gov.au](mailto:trc@tamworth.nsw.gov.au)

Dear Sir/Madam,

**RE: Request for Consultation with Tamworth Regional Council  
DA 53/97 Baiada Poultry Processing Facility  
SSD 9394 Baiada Integrated Poultry Processing Facility**

Ramboll Australia Pty Ltd (Ramboll) has been engaged to conduct an Independent Environmental Audit of the Baiada Integrated Poultry Processing Facility at Westdale as required under development consent SSD-9394 and DA 53/97. Condition 51, DA 53/97 requires that we undertake the IEA in consultation with Council.

We would appreciate it if you could advise if you have any key concerns in relation to the development consents at your earliest opportunity for the purpose of this consultation, either by calling Shaun Taylor on 0408 386 663 or emailing to [staylor@ramboll.com](mailto:staylor@ramboll.com).

Yours faithfully,  
**Ramboll Australia Pty Ltd**



**Shaun Taylor**  
Senior Managing Consultant

D +61249625444  
M +61408386663  
[staylor@ramboll.com](mailto:staylor@ramboll.com)

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<https://ramboll.com>

Ref 3180001313

16 November 2021

Ms Ingrid Carruthers  
NSW Environment Protection Authority  
85 Faulkner Street  
Armidale NSW 2350

[ingrid.carruthers@epa.nsw.gov.au](mailto:ingrid.carruthers@epa.nsw.gov.au)

Dear Ingrid,

**RE: Request for Consultation with NSW EPA  
DA 53/97 Baiada Poultry Processing Facility  
SSD 9394 Baiada Integrated Poultry Processing Facility**

Ramboll Australia Pty Ltd (Ramboll) has been engaged to conduct an Independent Environmental Audit of the Baiada Integrated Poultry Processing Facility at Westdale as required under development consent SSD-9394 and DA 53/97. Condition 51, DA 53/97 requires that we undertake the IEA in consultation with the NSW EPA.

We note that the site has an Environment Protection Licence 7566 but it is not currently included in our scope, except as referenced within the consent conditions.

We would appreciate it if you could advise if the NSW EPA has any key concerns in relation to the development consents at your earliest opportunity for the purpose of this consultation, either by calling Shaun Taylor on 0408 386 663 or emailing to [staylor@ramboll.com](mailto:staylor@ramboll.com).

Yours faithfully,

**Ramboll Australia Pty Ltd**



**Shaun Taylor**  
Senior Managing Consultant

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[staylor@ramboll.com](mailto:staylor@ramboll.com)

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<https://ramboll.com>

Ref 3180001313

16 November 2021

To whom it may concern  
NSW Office of Water

[water.enquiries@dpie.nsw.gov.au](mailto:water.enquiries@dpie.nsw.gov.au)

Dear Sir/Madam,

**RE: Request for Consultation with NSW Office of Water  
DA 53/97 Baiada Poultry Processing Facility  
SSD 9394 Baiada Integrated Poultry Processing Facility**

Ramboll Australia Pty Ltd (Ramboll) has been engaged to conduct an Independent Environmental Audit of the Baiada Integrated Poultry Processing Facility at 1154 Gunnedah Road, Westdale, NSW, as required under development consent SSD-9394 and DA 53/97. Condition 51, DA 53/97 requires that we undertake the IEA in consultation with "NOW", which we understand is the NSW Office of Water. We also understand that NOW has since been broken up into a number of other departments and may be part of the Department of Planning, Industry and Environment.

We would appreciate it if you could advise if you have any key concerns in relation to the development consents at your earliest opportunity for the purpose of this consultation, either by calling Shaun Taylor on 0408 386 663 or emailing to [staylor@ramboll.com](mailto:staylor@ramboll.com).

Yours faithfully,  
**Ramboll Australia Pty Ltd**



**Shaun Taylor**  
Senior Managing Consultant

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Ref 3180001313

16 November 2021

To whom it may concern  
WaterNSW

[Customer.Helpdesk@waternsw.com.au](mailto:Customer.Helpdesk@waternsw.com.au)

Dear Sir/Madam,

**RE: Request for Consultation with WaterNSW  
DA 53/97 Baiada Poultry Processing Facility  
SSD 9394 Baiada Integrated Poultry Processing Facility**

Ramboll Australia Pty Ltd (Ramboll) has been engaged to conduct an Independent Environmental Audit (IEA) of the Baiada Integrated Poultry Processing Facility at 1154 Gunnedah Road, Westdale, NSW, as required under development consent SSD-9394 and DA 53/97. Condition 51, DA 53/97 requires that we undertake the IEA in consultation with "NOW", which we understand is the NSW Office of Water. We also understand that NOW has since been broken up into a number of other departments and may include WaterNSW.

We would appreciate it if you could advise if you have any key concerns in relation to the development consents at your earliest opportunity for the purpose of this consultation, either by calling Shaun Taylor on 0408 386 663 or emailing to [staylor@ramboll.com](mailto:staylor@ramboll.com).

Yours faithfully,  
**Ramboll Australia Pty Ltd**



**Shaun Taylor**  
Senior Managing Consultant

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[staylor@ramboll.com](mailto:staylor@ramboll.com)

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<https://ramboll.com>

Ref 3180001313

**From:** [Joel Curran](#)  
**To:** [Shaun Taylor](#)  
**Subject:** Baiada Integrated Poultry Processing Facility - IEA  
**Date:** Tuesday, 26 October 2021 2:10:58 PM  
**Attachments:** [image001.jpg](#)

---

Afternoon Shaun

Thank you for your request for the Department's input into the 2021 IEA for the Baiada Integrated Poultry Processing Facility.

The IEA must be carried out as per the requirements of Schedule 2, Part C, Condition C20 of SSD-9394 and Schedule 2, Condition 51 of DA 53/97 and the Department's Independent Audit Post Approval Requirements (2020).

The Department requests additional focus on Odour, Water/Wastewater management, and compliance with any conditions of consent where a requirement was to be met prior to construction commencing.

Should you have any questions regarding the above, please let me know.

Please append this consultation to the IEA report.

Regards

**Joel Curran**  
**A/ Team Leader Northern Compliance**

Planning & Assessment | Department of Planning, Industry and Environment

**T** 02 4904 2702 | **M** 0412 323 331 | **E** [joel.curran@planning.nsw.gov.au](mailto:joel.curran@planning.nsw.gov.au)

PO Box 1226 | Newcastle NSW 2300

Please direct all email correspondence to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



*The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

***If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au).***

***The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).***

**From:** [Briggs, Ross](#)  
**To:** [Shaun Taylor](#)  
**Cc:** [Rennie, Lisa](#)  
**Subject:** FW: Baiada Poultry Processing Facility Independent Environmental Audit; Request for Comment  
**Date:** Tuesday, 14 December 2021 2:21:48 PM  
**Attachments:** [image001.jpg](#)  
[image003.jpg](#)  
[Ramboll Request for Consultation with Tamworth Regional Council SSD 9394 DA 53-97 Baiada Poultry Processing Facility 16 Nov 2021.pdf](#)

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Good afternoon Shaun,

Thankyou for meeting with us the other day. I apologise for the delay in sending a written response. As discussed during the brief meeting we consider the following to be the issues to focus on for the Audit:

- Odour management
- Wastewater management
- Waste Management
- Emergency management
- Complaints handling

Thanks again for consulting with us.

**Ross Briggs**

Manager, Compliance

P 02 6767 5825 | E [r.briggs@tamworth.nsw.gov.au](mailto:r.briggs@tamworth.nsw.gov.au)

437 Peel Street  
PO Box 555 Tamworth NSW 2340  
[www.tamworth.nsw.gov.au](http://www.tamworth.nsw.gov.au)



---

**From:** Shaun Taylor <staylor@ramboll.com>  
**Sent:** Monday, 22 November 2021 10:37 AM  
**To:** trc@tamworth.nsw.gov.au  
**Cc:** r.briggs@tamworth.nsw.gov.au  
**Subject:** Baiada Poultry Processing Facility Independent Environmental Audit; Request for Comment

Good morning,

Please find attached an invitation for Tamworth Regional Council to provide comment for Ramboll to consider in our preparation of the Independent Environmental Audit for the Baiada Integrated Poultry Processing Facility at Westdale.

Kind regards  
**Shaun Taylor**

Senior Managing Consultant

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[staylor@ramboll.com](mailto:staylor@ramboll.com)

---

Connect with us ☐

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Ramboll Australia Pty Ltd.  
ACN 095 437 442  
ABN 49 095 437 442

**From:** [Ingrid Carruthers](#)  
**To:** [Shaun Taylor](#)  
**Cc:** [Rebecca Scrivener](#); [Jasmine Walden](#)  
**Subject:** RE: Baiada Poultry Processing Facility Independent Environmental Audit: Request for Comment  
**Date:** Tuesday, 23 November 2021 8:48:32 AM  
**Attachments:** [image001.png](#)  
[image002.jpg](#)

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Good Morning Shaun,

Thank you for your email and for the opportunity to provide comment on the Independent Environmental Audit (IEA) for Baiada's Oakburn Poultry Processing Facility.

The EPA does not have any specific requirements for inclusion in the IEA. However, please note that it is a requirement for activities at the premises to remain consistent with relevant approvals, Environment Protection Licence No. 7566 and the *Protection of the Environment Operations Act 1997*.

If you have any questions, or wish to discuss this matter further, please feel free to contact me on the details listed below.

Thank you and kind regards,

**Ingrid Carruthers**  
Operations Officer  
Regulatory Operations  
NSW Environment Protection Authority  
D 02 6773 7011 | M 0427 028 791

epa-logo



[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) @NSW\_EPA

*The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.*

Report pollution and environmental incidents 131 555 or +61 2 9995 5555

---

**From:** Shaun Taylor <staylor@ramboll.com>  
**Sent:** Monday, 22 November 2021 10:37 AM  
**To:** Ingrid Carruthers <Ingrid.Carruthers@epa.nsw.gov.au>  
**Cc:** EPA West Operations Regional Mailbox <EPA.Westopsregional@epa.nsw.gov.au>  
**Subject:** Baiada Poultry Processing Facility Independent Environmental Audit: Request for Comment

Good morning Ingrid,

Please find attached an invitation for the Environment Protection Authority to provide comment for Ramboll to consider in our preparation of the Independent Environmental Audit for the Baiada Integrated Poultry Processing Facility at Westdale.

Kind regards  
**Shaun Taylor**

Senior Managing Consultant

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[staylor@ramboll.com](mailto:staylor@ramboll.com)

---

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ABN 49 095 437 442

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