

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-9394 Baiada Integrated Poultry Processing Facility
Applicant	Baiada (Tamworth) Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director under delegation from the Minister for Planning and Public Spaces] has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent is available here.

A copy of the Department of Planning and Environment's Assessment Report is available here.

Date of decision

18 December 2020

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the Biodiversity Conservation Act 2016 (NSW);
- all information submitted to the Department during the assessment of the development application and any additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the development will provide a range of benefits for the region and State as a whole, including a capital investment of approximately \$208 million and the generation of 323 construction jobs and provide an additional 667 jobs, totalling, 1,176 operational jobs in the Tamworth Local Government Area
- the development is permissible with consent and is consistent with the NSW Government policies including the *New England North West Regional Plan 2036* which encourages the establishment of intensive agriculture and food processing whilst maintaining the development of strong, connected communities
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with the applicable NSW Government policies and standards. An Air
- An Air Quality Management Plan and Water Management Plan will be prepared to manage odour impacts, and the management of water usage associated with the development
- the issues raised by the community in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent
- weighing all relevant considerations, the project is in the public interest.

- **Attachment 1 – Consideration of Community Views**

The Department exhibited the Environmental Impact Statement for the project from Wednesday 24 July 2019 until Tuesday 20 August 2019 and received 15 submissions, including two objections from public submissions.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include odour, water supply, noise, waste water management and traffic impacts. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Odour</i></p> <ul style="list-style-type: none"> • odour generated by the development will be evident in the local area 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department considered the odour generated during the operation the development • The assessment conclude that the development would comply with the criteria set out by the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> at all receivers. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Prepare and implement an Odour Management Plan • Carry out and Odour Audit
<p><i>Water supply</i></p> <ul style="list-style-type: none"> • the developments demand on water supply 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department considered the developments demand on water supply and the proposed incorporation of a Wastewater Treatment Plant (WWTP) • The assessment concluded that the development can treat and recover 90% of the water for reuse on site, minimising the demand on the water supply. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Prepare and implement a Water Management Plan • Ensure compliance with the Water Management Act 2000 at all times
<p><i>Noise</i></p> <ul style="list-style-type: none"> • noise generated by the development has the potential to impact upon surrounding receivers 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department considered the noise generated during the construction and operational phases of the development. • The assessment concluded the development would comply with the Industrial Noise Policy 2000, Interim Construction Noise Guideline and Road Noise Policy. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Prepare and implement a Construction Noise Management Plan • Ensure the development complies with construction noise limits detailed in the <i>Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009)</i> • Ensure the development complies with the specified noise criteria during the operational phase of the development.
<p><i>Wastewater management</i></p> <ul style="list-style-type: none"> • the increase in volume of wastewater generated by the development 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department considered the wastewater generation of the development, assessing the proposed WWTP and Advanced Water Treatment Plant (AWTP) • The assessment concluded that through the implementation of the WWTP and AWTP wastewater will be appropriately managed, and minimise impacts on Council's existing infrastructure network. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Prepare and implement an Evaporation Pond Management Plan • Prepare and implement a Water Management Plan • Ensure the development is in compliance with the Trade Waste Agreement with Council
<p><i>Traffic impacts</i></p> <ul style="list-style-type: none"> • impacts from vehicle movements 24 hours a day, 7 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department considered the proposed access arrangements of the development as well as the increase in traffic generated at the construction

days a week	<p>and operational stages of the development.</p> <ul style="list-style-type: none">• The assessment concluded that the proposed site access off Workshop would be designed to ensure heavy vehicles associated with the development would not interfere with other road traffic. <p><i>Conditions</i></p> <ul style="list-style-type: none">• Prepare and implement a Construction Traffic Management Plan• Undertake the design and construction of the roadworks associated with Workshop Lane• Prepare and implement a Driver Code of Conduct
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