

# MODIFICATION REPORT

---

## SSD-9394 OAKBURN - MINOR DESIGN CHANGES





## DOCUMENT CONTROL

**Document:** Project Name: Oakburn – Minor Design Changes  
PSA Job Number: 1924  
Report Name: MODIFICATION REPORT

**This document has been prepared for:**




**Contact:** Baiada Poultry  
PO Box 21  
Pendle Hill NSW 2145

**This document has been prepared by:**



**Contact:** David Ireland  
PSA Consulting (Australia) Pty Ltd  
PO Box 10824, Adelaide Street, Brisbane QLD 4000  
Telephone: +61 7 3220 0288  
[david@psaconsult.com.au](mailto:david@psaconsult.com.au)  
[www.psaconsult.com.au](http://www.psaconsult.com.au)

## REVISION HISTORY

VERSION	DATE	DETAILS	AUTHOR	AUTHORISATION
V4	22 April 2025	FINAL	Brian McKeown	 David Ireland

## GENERAL DISCLAIMER

The information contained in this document produced by PSA Consulting (Australia) Pty Ltd is for the use of Baiada Poultry Pty Limited for the purpose for which it has been prepared, and PSA Consulting (Australia) Pty Ltd undertakes no duty of care to or accepts responsibility to any third party who may rely upon this document.

All rights reserved. No section or element of this document may be removed from this document, reproduced, electronically stored or transmitted in any form without the written permission of PSA Consulting (Australia) Pty Ltd.



## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>0</b>
<b>1. INTRODUCTION .....</b>	<b>1</b>
1.1 SITE OVERVIEW .....	1
1.2 THE APPLICANT .....	2
1.3 THE APPROVED PROJECT .....	2
1.4 PROPOSED MODIFICATION.....	4
1.4.1 Minor Design Changes .....	4
1.4.2 Administrative Changes.....	6
<b>2. STRATEGIC CONTEXT .....</b>	<b>7</b>
2.1 ORIGINAL CONTEXT AND CHANGES.....	7
2.2 AUSTRALIAN POULTRY INDUSTRY CONTEXT .....	7
2.3 REGIONAL CONTEXT.....	8
<b>3. DESCRIPTION OF THE MODIFICATIONS .....</b>	<b>9</b>
3.1 OVERVIEW.....	9
3.2 DETAILED MODIFICATION DESCRIPTION .....	10
3.2.1 Project Operations (No Change).....	10
3.2.2 Minor Design Changes.....	10
3.3 Administrative Changes.....	15
3.4 STAGING .....	16
3.5 EMPLOYMENT.....	16
3.6 MODIFICATION TYPE.....	17
3.6.1 Section 4.55(1A) Modification .....	17
3.6.2 Substantially the Same .....	17
<b>4. STATUTORY CONTEXT .....</b>	<b>18</b>
<b>5. ENGAGEMENT .....</b>	<b>21</b>
5.1 CONSULTATION .....	21
5.1.1 Government Consultation .....	21
5.1.2 Community Consultation.....	21
5.2 PUBLIC NOTIFICATION.....	21
<b>6. ASSESSMENT OF IMPACTS .....</b>	<b>22</b>
6.1 ENVIRONMENTAL PLANNING INSTRUMENTS .....	22
6.1.1 State Environmental Planning Policies.....	22
6.1.2 Local Environmental Plans.....	25
6.1.3 Principal Development Standards .....	26
6.1.4 Other Clauses.....	26
6.1.5 Tamworth Regional Blueprint 100 (Lsps 2020).....	28
6.2 OTHER LEGISLATIVE CONSIDERATIONS.....	29
6.2.1 Biodiversity Conservation Act 2016 .....	29
6.2.2 EPBC Act 1999 .....	29
6.2.3 Roads Act 1993 .....	29
6.3 HISTORIC AND CULTURAL HERITAGE .....	29
6.4 ECOLOGICAL IMPACT .....	29
6.5 AIR QUALITY .....	30



6.6	NOISE .....	30
6.7	STORMWATER .....	31
6.8	TRAFFIC .....	31
6.9	WASTE .....	32
6.10	DANGEROUS GOODS .....	32
<b>7.</b>	<b>MITIGATION AND MANAGEMENT MEASURES.....</b>	<b>33</b>
<b>8.</b>	<b>JUSTIFICATION OF MODIFICATION .....</b>	<b>37</b>
8.1	BIOPHYSICAL CONSIDERATIONS .....	37
8.2	ECONOMIC CONSIDERATIONS .....	37
8.3	SOCIAL CONSIDERATIONS.....	38
8.4	PRINCIPLES OF ECOLOGICALLY SUSTAINABLE DEVELOPMENT.....	38

## APPENDIX

<b>APPENDIX 1</b>	<b>EXISTING CONSENT</b>
<b>APPENDIX 2</b>	<b>MODIFIED DEVELOPMENT PLANS</b>
<b>APPENDIX 3</b>	<b>MODIFIED DEVELOPMENT PLANS WITH REVISIONS</b>

## FIGURES

<i>Figure 1: Site and Surrounds</i> .....	1
<i>Figure 2: Approved Site Plan</i> .....	3
<i>Figure 3: Approved Site Plan (SSD-9394-MOD-1)</i> .....	4
<i>Figure 4: Proposed Design Changes</i> .....	6
<i>Figure 5: Consumption of Poultry Meat in Australia (ACMF, 2023)</i> .....	7
<i>Figure 6: Chicken Meat Produced in Australia (ABARES, 2022)</i> .....	8

## TABLES

<b>Table 1: Modified Project Summary Table</b> .....	9
<b>Table 2: Detailed Description of Minor Modifications</b> .....	11
<b>Table 3: Request Amendments to Conditions from the Auditor</b> .....	15
<b>Table 4: Statutory Requirements</b> .....	18
<b>Table 5: Mandatory matters for Consideration</b> .....	19
<b>Table 6: SEPP Compliance Table</b> .....	22
<b>Table 7: Tamworth Region LEP 2010 Assessment Provisions</b> .....	26
<b>Table 8: Principles of Ecological Sustainability</b> .....	38



---

## EXECUTIVE SUMMARY

On 18 December 2020, the Minister for Planning and Public Spaces issued Development Consent (SSD-9394) for the construction and operation of the Baiada's 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.
- Connections to infrastructure.

On 23 May 2024, the Minister for Planning and Public Spaces approved a modification (SSD-9394-MOD-1) of the consent under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*, allowing for a range of physical changes to the facility resulting from the detailed design process including updates to the, processing building, administration building and staff parking areas, maintenance building, supporting plant and infrastructure and wastewater / advanced wastewater treatment process, water storage facilities and associated infrastructure.

Since approval of the modification, Baiada has proceeded with the construction phase and the detailed design of the project and equipment selections which has resulted in some minor alterations and additions to approved buildings currently being constructed on site. The proposed modifications respond to detailed design of the approved facility, confirmation of equipment selections, and liaison with various technical experts (including certifiers, fire engineers, architects, builders and process engineers) and do not result in any fundamental or significant changes to the approved buildings.

It is important to note that the design changes proposed will not alter the general poultry processing and rendering activities approved on the site which remain unchanged (i.e. Processing of 3 million birds / week and rendering up to 1,680 tonnes of finished product per week).

To facilitate these changes, a modification of the current approval under Section 4.55 (1A) of the *Environmental Planning and Assessment Act 1973* is requested. As demonstrated in this Modification report, the proposed development remains substantially the same as that which was approved, maintains compliance with the relevant statutory planning instruments and will not result in new or unacceptable adverse environmental impacts on the receiving environment.

The proposed modification improved the design and function of the facility, its activities and amenity and will supports the ongoing expansion of the broader poultry industry and economic development in the region. Where potential impacts have been identified, suitable mitigation and management measures have been implemented, Accordingly, approval of the proposed modification is recommended.



# 1. INTRODUCTION

## 1.1 SITE OVERVIEW

<b>Address</b>	1154 Gunnedah Road, Westdale, NSW
<b>Property</b>	Lot 100 on DP1097471 (Processing facility, Rendering Plant and Ancillary Infrastructure) Lot 101 on DP1097471 (Access Road) Lot 102 on DP1097471 (Access Road)
<b>Landowner</b>	Baiada (Tamworth) Pty Limited (Lot 100) Tamworth Regional Council (Lot 101 & 102)
<b>Applicant</b>	Baiada (Tamworth) Pty Limited
<b>Consent Authority</b>	Tamworth Regional Council
<b>Zoning</b>	RU1 – Primary Production (Tamworth Regional Local Environmental Plan 2010)
<b>Total Site Area</b>	57.6 Ha (Lot 100)

A copy of a current Certificate of Title for each of the properties the subject to this Development Application is included in **Appendix 1**.



**Figure 1: Site and Surrounds**

The subject site is located at 1154 Gunnedah Road, Westdale and described as Lot 100 on DP1097471. The site is located to the north of Tamworth Regional Airport, and approximately 7.5km northwest of the Tamworth Central Business District. The key components of the development (Poultry Processing facility, Rendering Plant, Wastewater Treatment Plant and Administration Building) are to be located within Lot 100 on DP1097471 which has an area of



57.6Ha. As the proposed development also includes the construction of a new access road connecting the site to Workshop Lane, the southeast adjoining lots (Lots 101 & 102 on DP1097471) are also included as part of this Development Application.

## **1.2 THE APPLICANT**

Baiada (Tamworth) Pty Limited is part of the Baiada Group of Companies (Baiada) which includes the Steggles business. Baiada is a privately owned Australian company providing premium quality poultry products throughout Australia and has an employee base of more than 7,000 people. The Baiada business is a fully integrated poultry operation encompassing broiler and breeder farms, hatcheries, processing facilities, feed milling and protein recovery. Baiada's products include the sale of live poultry (including breeding stock) poultry feed, fertile eggs, day old chickens, primary processed chicken (raw), processed chicken products and pet food.

## **1.3 THE APPROVED PROJECT**

On 18 December 2020, the Minister for Planning and Public Spaces issued Development Consent (SSD-9394) for the construction and operation of the Baiada's 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.
- Connections to infrastructure.



**Figure 2: Approved Site Plan.**

On 23 May 2024, the Minister for Planning and Public Spaces approved a modification (SSD-9394-MOD-1) of the consent under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*, allowing for a range of physical changes to the facility resulting from the detailed design process including updates to the, processing building, administration building and staff parking areas, maintenance building, supporting plant and infrastructure and wastewater / advanced wastewater treatment process, water storage facilities and associated infrastructure.

It is important to note that the design changes proposed will not alter the general poultry processing and rendering activities approved on the site which remain unchanged (i.e. Processing of 3 million birds / week rendering up to 1,680 tonnes of finished product per week). A Copy of the development consent as modified is included as **Appendix 2**. The Modified Site Plan is shown in **Figure 2**.

Construction of the project commenced in 2023 with early works, earthworks, and the access way to Workshop Lane completed to date.

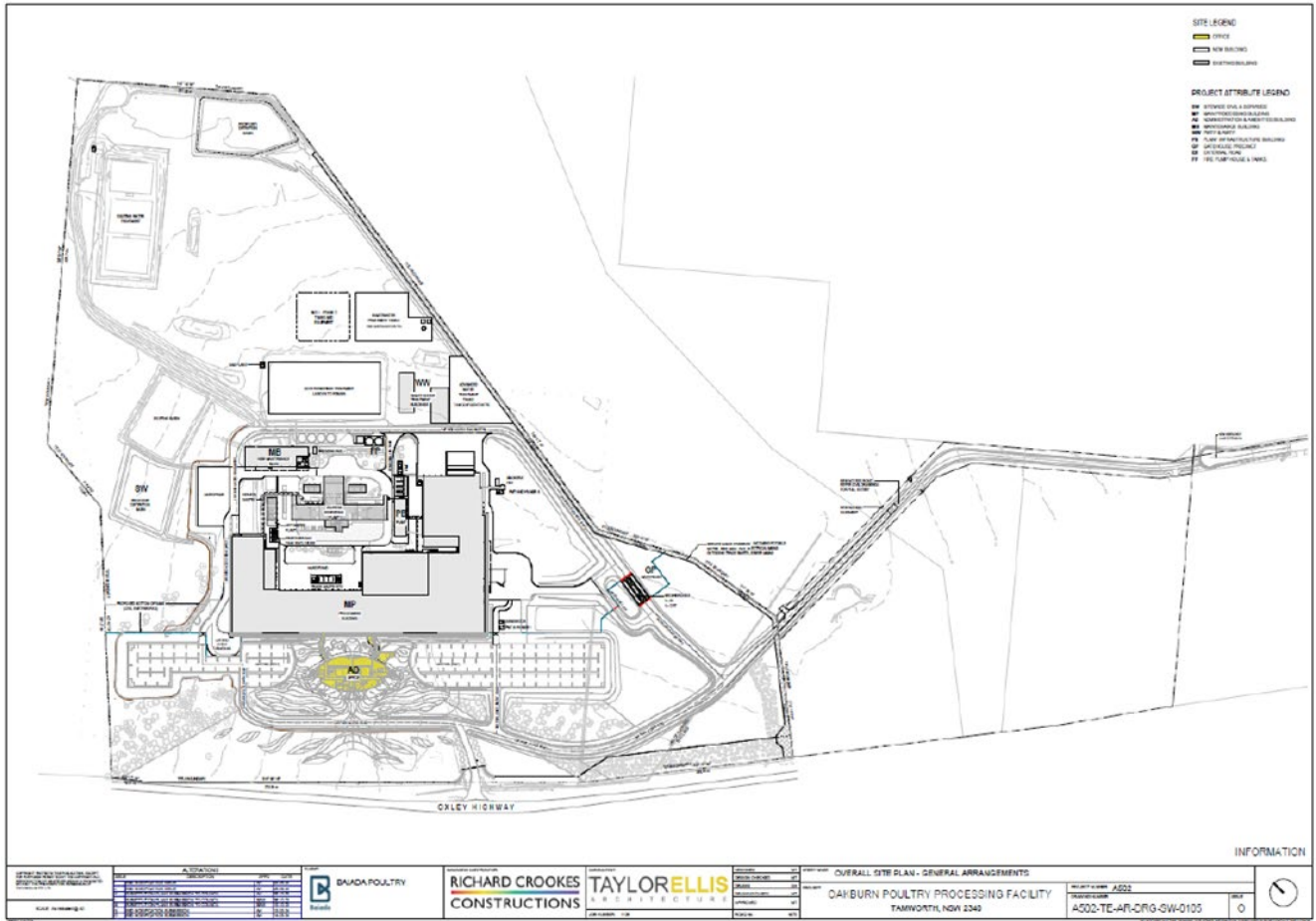


Figure 3: Approved Site Plan (SSD-9394-MOD-1)

## 1.4 PROPOSED MODIFICATION

### 1.4.1 Minor Design Changes

Since the original approval and the approval of the previous Modification application (SSD9394-MOD-1), Baiada has proceeded with detailed design of the facility and equipment selections which has resulted in some changes to the built form and layout. Overall, the changes proposed relate to the following built components of the facility:

#### Processing Building:

- Item 1 – Stairs 5 to be removed from the Processing building.
- Item 2 – Feature façade removed.
- Item 5 – A mid station pump platform to be added at the Processing building.
- Item 6 – References to a future SRT and MRT have removed from the Processing building plans as these are no longer required.
- Item 14 – Truck wash walls to be modified, with two roller shutters removed and 1 x PA Door removed.
- Item 16 – Padmount transformer layouts to be reconfigured.
- Item 18 – Cold store comms room to be added.
- Item 19 – Hardstand to be extended for forklift access to charging and switch room.
- Item 20 – Weigh label stairs to be amended to suit mezzanine in the Processing building.



- Item 21 – Extension to stairs for additional roof access.
- Item 26 – Access ladder to be added for above ceiling data rack to the Processing building.
- Item 28 – Openings for egress doors in the feature facade or the main processing building have been modified.

#### **Administration Building:**

- Item 23 – Administration building internal layout to be amended, two mezzanine plant decks shown, external plant room extended, and layout updated. Hydraulic plant room to be reconfigured, FIP and hydrant relocated in the main entry of administration building, commercial kitchen adjustments, external fire extinguisher CPBD added and electrical CPBD added at the loading dock to the administration building.
- Item 24 – Administration building roof updates to include skylights, geometry amendments, gas vents and access hatch to be added.

#### **Maintenance Building:**

- Item 9 – Building awnings to be adjusted.
- Item 17 – Mezzanines to be added to the building.

#### **Existing Rendering Plant:**

- Item 11 – Hot water tanks added and gantry 3 alignment to the Rendering Plant.
- Item 13 – Two new mezzanine platforms in existing Rendering building.
- Item 22 – Gantry 1 alignment to be updated to the rear of the Rendering building.

#### **Plant Building:**

- Item 12 – Southern plant area updated, and external chilled water tanks added.
- Item 15 – Plant deck to be elevated.
- Item 27 – Plant building layout to be updated to extend to the switch room and add a roof access ladder.

#### **Weighbridges:**

- Item 10 – Weighbridges to be extended and the approach/loop hardstands reconfigured and widened.

#### **Ancillary Buildings and Structures:**

- Item 3 – Shelter added and hardstand for the backup generator extended.
- Item 4 – The hot water plant to be removed and the gas tank enclosure hardstand to be amended.
- Item 16 – Various padmount transformer layouts to be reconfigured or added.
- Item 25 – Smokers' huts for the Maintenance building to be adjusted.

#### **Carpark and Manoeuvring Areas:**

- Item 7 – Minor updates to the car park configuration to be updated.
- Item 8 – Live bird entry turnaround road to be widened to improve access.

It is important to note that the design changes proposed will not alter the poultry processing and rendering activities approved on site which remain unchanged (i.e. Processing of 3 million birds/week rendering up to 1,680 tonnes of finished products per week).

The changes to the overall site plan are shown in **Figure 4** below and the plans included as **Appendix 2.1**. As shown, the minor changes are internal modification, or minor additions to the approved buildings and as such will have negligible impacts on the overall layout and approach to the facility remains substantially the same.

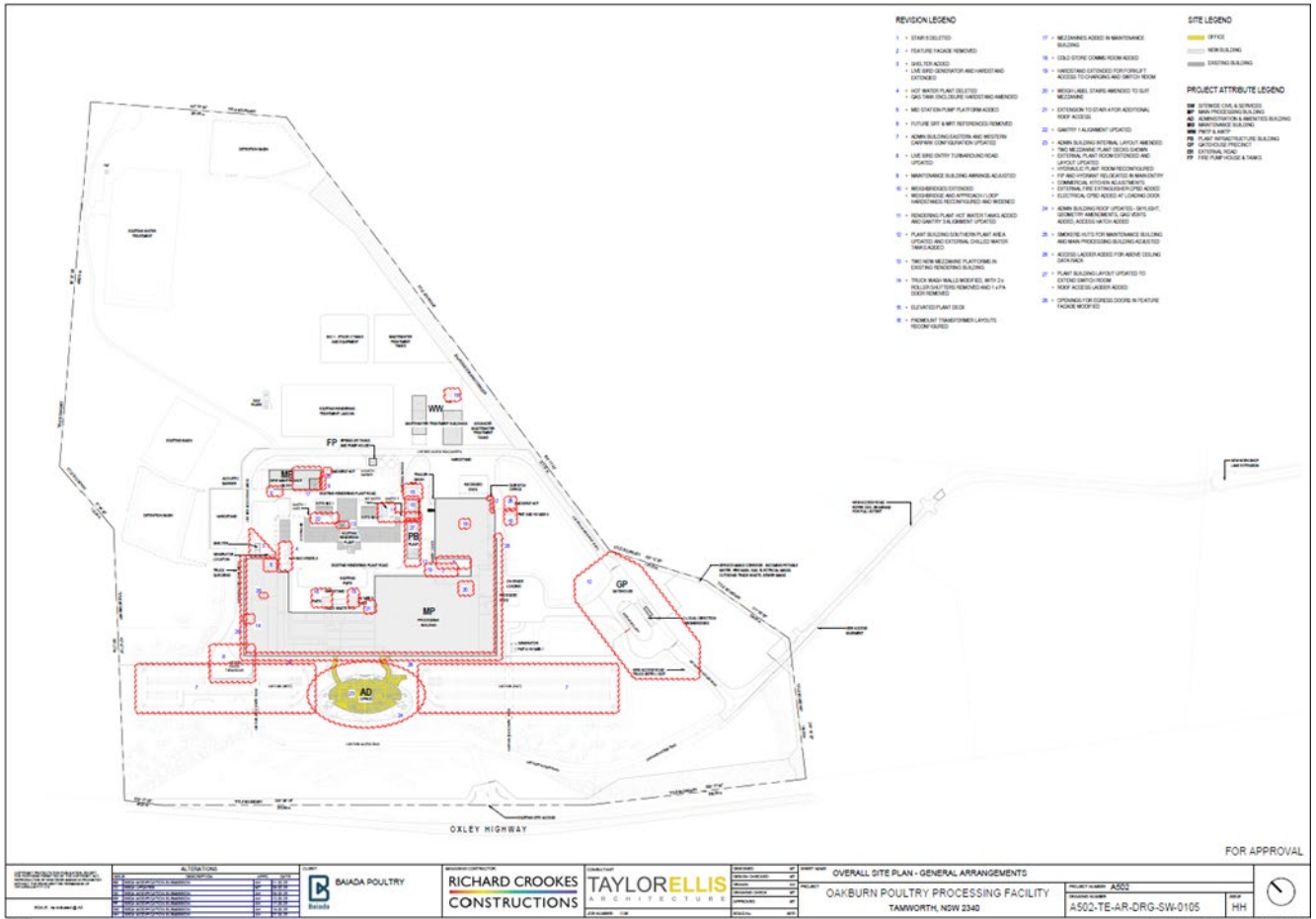


Figure 4: Proposed Design Changes

### 1.4.2 Administrative Changes

In addition to the minor design changes and following completion of the independent audit undertaken of the project, the Auditor has noted some minor issues with the condition wording and has requested some minor amendments be undertaken to improve clarity and functionality of the consent.



## 2. STRATEGIC CONTEXT

### 2.1 ORIGINAL CONTEXT AND CHANGES

As noted in the original EIS and Subsequent Modification Application, the poultry industry in Australia is experiencing ongoing growth and public demand for poultry products has resulted in the need for significant expansion of poultry production and processing activities across Australia, including Tamworth.

Since approval of the modified project in May 2023, Baiada has proceeded with detailed design of the facility, commenced construction, confirmed equipment selections, and liaised with various technical experts (including certifiers, fire engineers, architects, builders and process engineers) which has resulted in some minor changes to the built form and layout.

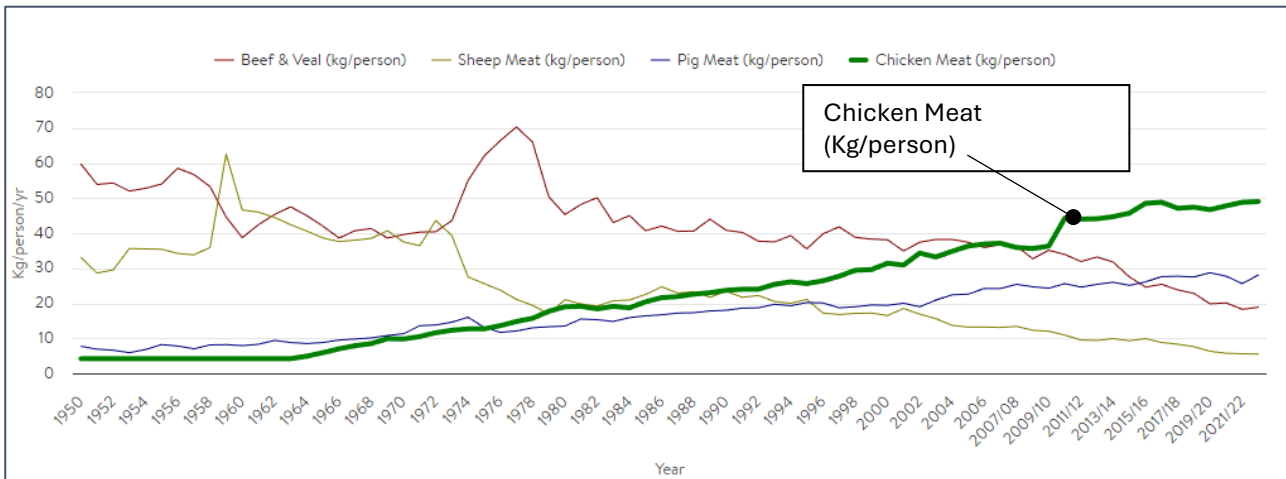
While minor changes to the facility are minor and do not change the context, operation or function of the project, an update to the broader national and regional context which support the proposed development is provided below.

### 2.2 AUSTRALIAN POULTRY INDUSTRY CONTEXT

Research undertaken by the Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) indicates that total chicken meat consumption in Australia has increased by an average of 5% per annum over the 10 years to 2022-23, representing 45% of the total meat consumption.

The ABARES commodities report shows that chicken continues to be the most consumed meat in Australia. As shown in **Figure 5**, consumption of chicken meat per person has increased by over 65% between 2000 (~30kg per person) and 2018 (~50kg per person), driven by the product’s versatility, convenience and a lower price point compared to beef, lamb and pork. Per capita poultry consumption is expected to continue growing to reach around 51.5kg by 2022-23. As shown in **Figure 6**, chicken meat production in Australia has grown steadily with growth forecast to continue.

As a result of the ongoing and predicted growth in demand for poultry meat products in Australia, significant expansion of the industry is required.



**Figure 5: Consumption of Poultry Meat in Australia (ACMF, 2023)**

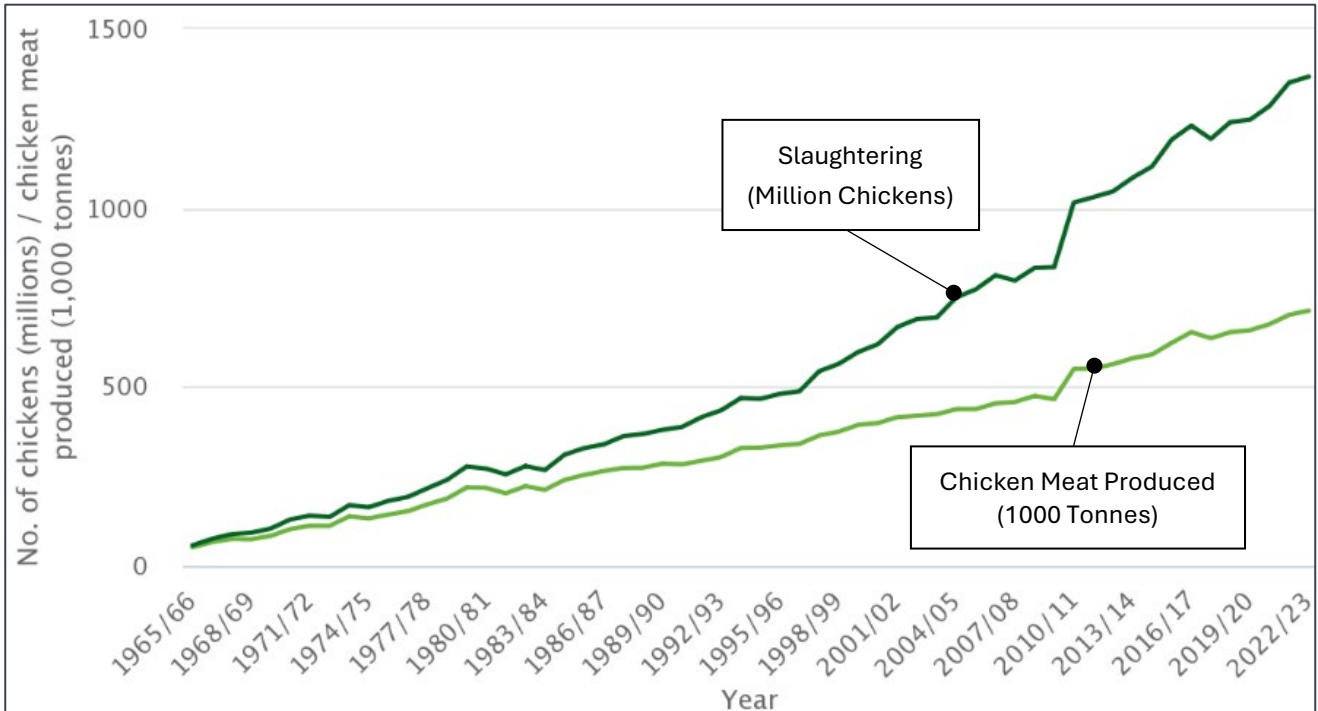


Figure 6: Chicken Meat Produced in Australia (ABARES, 2022)

## 2.3 REGIONAL CONTEXT

In response to the projected demand for poultry products in the Australian marketplace, there is need to increase production, bird numbers and processing capacity. Without Baiada’s contribution to capacity which will be generated by this development, it is highly likely that there will be significant shortfall in supply of poultry products in the Australian market in the coming years.

Baiada sees the Tamworth region as being an ideal location for expansion and the increase in production capacity, to continue to supply poultry products to the Australian market. This is due to the existing accumulation of high value poultry assets and geographic, infrastructure and commercial attributes in the region which have created a poultry meat cluster. Examples of the attributes of this cluster include the following:

- Access to large quantities of locally grown grain including wheat and canola (typically sourced from Tamworth, Moree, Narrabri, Walgett and Gunnedah).
- Proximity to key NSW markets (including Sydney) and Southeast QLD and direct access to the State Road network;
- Ideal land types and topography for the construction of suitable shedding for poultry production.
- An ideal climate in terms of temperature and humidity for poultry production.
- Access to high quality water sources including bore water, dams, rivers and reticulated networks.
- Suitable sites for the location of poultry farms away from sensitive receptors and population centres; and
- Support from existing major investment in infrastructure covering all facets of the integrated business.

This combination of factors is only present in a handful of areas across NSW and Australia which results in the long-term protection of the poultry industry in Tamworth being vitally important and the focus for infrastructure associated with the necessary expansion.

Existing operations within the New England Region processing of a maximum of 840,000 birds per week at the existing Out Street Processing facility. The current approval (SSD-9394-MOD-1) will facilitate the increase in poultry production to a maximum of 3 million birds per week.



## 3. DESCRIPTION OF THE MODIFICATIONS

### 3.1 OVERVIEW

A comparison of the approved development and the proposed modification is provided in **Table 1**.

**Table 1: Modified Project Summary Table**

ISSUE	APPROVED DEVELOPMENT (SSD-9394-MOD-1)	PROPOSED MODIFICATION
<b>Operations</b>	<p>Integrated Poultry Processing Facility including:</p> <ul style="list-style-type: none"> <li>Poultry processing facility, with capacity to process up to 3 million birds a week.</li> <li>Protein Recovery Plant, with capacity to render up to 1,680 tonnes of finished product per week.</li> <li>Wastewater treatment plant.</li> <li>Advanced water treatment plant.</li> <li>Road connection to Workshop Lane.</li> <li>Earthworks.</li> <li>Connections to infrastructure.</li> </ul>	<p>Integrated Poultry Processing Facility including:</p> <ul style="list-style-type: none"> <li>Poultry processing facility, with capacity to process up to 3 million birds a week.</li> <li>Protein Recovery Plant, with capacity to render up to 1,680 tonnes of finished product per week.</li> <li>Wastewater treatment plant.</li> <li>Advanced water treatment plant.</li> <li>Road connection to Workshop Lane.</li> <li>Earthworks.</li> <li>Connections to infrastructure.</li> </ul> <p style="text-align: center;"><b>(No Change)</b></p>
<b>Proposed GFA (Excluding Existing Buildings)</b>	<p>Poultry Processing facility: 35,085m<sup>2</sup></p> <p>Administration and Amenities: 3,845m<sup>2</sup></p> <p>Ancillary and WWTP buildings: 5,918m<sup>2</sup></p> <p><b>Total Approved GFA: 44,848m<sup>2</sup></b></p>	<p>Poultry Processing facility: 41,270m<sup>2</sup> (+6,185m<sup>2</sup>)</p> <p>Administration and Amenities: 4,175m<sup>2</sup> (+330m<sup>2</sup>)</p> <p>Ancillary and WWTP buildings: 5,596m<sup>2</sup> (-322m<sup>2</sup>)</p> <p><b>Total Modified GFA: 51,041m<sup>2</sup></b> <b>(Increase of 6,193m<sup>2</sup>)</b></p>
<b>Maximum Building Height</b>	25.35m – High Bay Cold Storage Building	25.35m – High Bay Cold Storage Building <b>(No Change)</b>
<b>Water Use</b>	<p>Consumption of 51ML of potable water per week.</p> <p>Sources:</p> <ul style="list-style-type: none"> <li>Re-Use: 42 ML/Wk.</li> <li>Tamworth Water: 9 ML/Wk.</li> </ul>	<p>Consumption of 51ML of potable water per week.</p> <p>Sources:</p> <ul style="list-style-type: none"> <li>Re-Use: 42 ML/Wk.</li> <li>Tamworth Water: 9 ML/Wk. <b>(No Change)</b></li> </ul>
<b>Traffic</b>	408 trips per day	408 trips per day <b>(No Change)</b>



ISSUE	APPROVED DEVELOPMENT (SSD-9394-MOD-1)	PROPOSED MODIFICATION
<b>Parking</b>	820 Parking Spaces	840 Parking Spaces (Increase of 20 Spaces)
<b>Access</b>	Extension to Workshop Lane	Extension to Workshop Lane (No Change)
<b>Staff Numbers</b>	1,176	1,176 (No Change)

## 3.2 DETAILED MODIFICATION DESCRIPTION

### 3.2.1 Project Operations (No Change)

Consistent with the original and modified approval, the proposed Poultry Processing Facility will be housed within a new, large, modern industrial building situated immediately in front of the existing Rendering Plant, facing the Oxley Highway. The operation of the processing facility involves the delivery of live birds to the site which are then slaughtered, dressed and processed to produce the range of fresh and value-added poultry products available in the Australian supermarkets, restaurants and other food outlets. Following the completion of processing, the finished poultry products are packaged and moved into refrigerated storage areas and made ready for distribution by road transport. At full operation, the plant will have the capacity to process up to 3 million birds per week.

By-products generated in the production include of offal, blood and feathers. These valuable by-products are pumped or transported from the processing facility to the existing rendering plant which renders the materials to produce a range of protein-based products including various meals and tallow (up to 240 tonnes of finished products per day). As per the original / modified approval, no physical changes to the existing rendering plant building required beyond the provision of infrastructure (e.g. pipelines) to automatically deliver by-products from the proposed processing facility to the rendering facility.

In order to accommodate the estimated 1,176 full time staff at site, a large administration and staff amenities building is to be constructed at the front of the processing facility will function as the main entrance for all staff and visitors to the site. Staff car parking will be accommodated via the construction of a car parking area located in front of the processing facility providing a minimum of 820 spaces.

The proposed modifications requested as part of this application are in response to detailed design of the approved facility, confirmation of equipment selections, and liaison with various technical experts (including certifiers, fire engineers, architects, builders and process engineers) which has resulted in some minor changes to the built form and layout. These minor alterations and additions to the approved project will not change the approved operations or the facility or introduce any additional operational impacts that have not been previously considered as part of the current approvals.

### 3.2.2 Minor Design Changes

As noted above, the proposed modifications requested as part of this application are in response to detailed design of the approved facility, confirmation of equipment selections, and liaison with various technical experts (including certifiers, fire engineers, architects, builders and process engineers). The minor changes to the built form and layout of the various aspects of the facility are documented in **Table 2** below and are shown in the modified plans included as **Appendix 2**. Marked up versions of these plan highlighting the changes are included as **Appendix 3**.



**Table 2: Detailed Description of Minor Modifications**

COMPONENT	PROPOSED CHANGES	JUSTIFICATION	RELEVANT PLANS
<p><b>MAIN PROCESS BUILDING</b></p>	<ul style="list-style-type: none"> <li>• Item 1 – Stairs 5 to be removed from the Processing building.</li> <li>• Item 2 – Feature façade removed.</li> <li>• .</li> <li>• Item 5 – A mid station pump platform to be added at the Processing building.</li> <li>• Item 6 – References to future SRT and MRT references are removed from the processing building area on approved plans as these future works are no longer required.</li> <li>• Item 14 – Truck wash walls to be modified, with two roller shutters removed and 1 x PA Door removed.</li> <li>• Item 16 – Padmount transformer layout reconfigured.</li> <li>• Item 18 – Cold store comms room to be added.</li> <li>• Item 19 – Hardstand to be extended for forklift access to charging and switch room.</li> <li>• Item 20 – Weigh label stairs to be amended to suit mezzanine in the Processing building.</li> <li>• Item 21 – Extension to stairs for additional roof access.</li> <li>• Item 26 – Access ladder to be added for above ceiling data rack to the Processing building.</li> <li>• Item 28 – Openings for egress doors in the feature facade or</li> </ul>	<p>The proposed design changes include a series of minor alterations and additions to the approved building in response to detailed design considerations including:</p> <ul style="list-style-type: none"> <li>• Confirmation of the placement of supporting infrastructure such as fire panels, communications infrastructure and electrical infrastructure.</li> <li>• Identification of additional access points, stairs, ladders and awning to comply with detailed BCA and fire engineering requirements, and to improve protection of staff and equipment.</li> <li>• In SSD-9394-MOD-1, there were references shown on the approved plans indicating a future SRT and MRT. These areas are now removed from the plans as it has been confirmed that these works are no longer required.</li> </ul>	<p><b>Appendix 2.1</b>  <b>Appendix 2.2</b></p> <p><b>Appendix 3.1</b>  <b>Appendix 3.2</b>  <b>(with revisions)</b></p>



COMPONENT	PROPOSED CHANGES	JUSTIFICATION	RELEVANT PLANS
	<p>the main processing building have been modified.</p>		
<p><b>ADMINISTRATION BUILDING</b></p>	<ul style="list-style-type: none"> <li>Item 23 – Administration building internal layout to be amended, two mezzanine plant decks shown, external plant room extended, and layout updated. Hydraulic plant room to be reconfigured, FIP and hydrant relocated in the main entry of administration building, commercial kitchen adjustments, external fire extinguisher CPBD added and electrical CPBD added at the loading dock to the administration building.</li> <li>Item 24 – Administration building roof updates to include skylights, geometry amendments, gas vents and access hatch to be added.</li> </ul>	<p>The proposed design changes include a series of minor alterations and additions to the approved building in response to detailed design considerations including:</p> <ul style="list-style-type: none"> <li>Confirmation of the placement of supporting infrastructure such as fire panels, communications infrastructure and electrical infrastructure.</li> <li>Identification of additional access points, stairs, ladders and awning to comply with detailed BCA and fire engineering requirements, and to improve protection of staff and equipment.</li> <li>Minor adjustments to the kitchen area to improve functionality</li> <li>Inclusion of skylights in the roof to improve access to natural light within the cafeteria, lunchroom and staff seating areas.</li> <li>Inclusion of roof top platforms to enable safe roof access for maintenance.</li> </ul>	<p><b>Appendix 2.1</b> <b>Appendix 2.3</b></p> <p><b>Appendix 3.1</b> <b>Appendix 3.3</b> <b>(with revisions)</b></p>
<p><b>MAINTENANCE BUILDING</b></p>	<ul style="list-style-type: none"> <li>Item 9 – Building awnings to be adjusted.</li> <li>Item 17 – Mezzanines to be added to the building.</li> </ul>	<p>The proposed design changes include a series of minor alterations and additions to the approved building in response to detailed design considerations including:</p> <ul style="list-style-type: none"> <li>Additional awnings have been added to the shed to provide additional</li> </ul>	<p><b>Appendix 2.4</b></p> <p><b>Appendix 3.4</b> <b>(with revisions)</b></p>



COMPONENT	PROPOSED CHANGES	JUSTIFICATION	RELEVANT PLANS
		<p>coverage during inclement weather.</p> <ul style="list-style-type: none"> <li>• Mezzanines added to the Maintenance shed to provide additional storage space for spare parts and equipment.</li> </ul>	
<p><b>EXISTING RENDERING PLANT</b></p>	<ul style="list-style-type: none"> <li>• Item 11 – Hot water tanks added and gantry 3 alignment to the Rendering Plant.</li> <li>• Item 13 – Two new mezzanine platforms in existing Rendering building.</li> <li>• Item 22 – Gantry 1 alignment to be updated to the rear of the Rendering building.</li> </ul>	<p>The proposed design changes include a series of minor alterations and additions to the approved building in response to detailed design considerations including:</p> <ul style="list-style-type: none"> <li>• Additional gantry, pipe connections and internal platforms added to the existing rendering plant facilitate the transfer of raw materials from the processing plant directly to the rendering plant.</li> </ul>	<p><b>Appendix 2.1</b> <b>Appendix 2.5</b></p> <p><b>Appendix 3.1</b> <b>Appendix 3.5</b> <b>(with revisions)</b></p>
<p><b>PLANT BUILDING</b></p>	<ul style="list-style-type: none"> <li>• Item 12 – Southern plant area updated, and external chilled water tanks added.</li> <li>• Item 15 – Plant deck to be elevated.</li> <li>• Item 27 – Plant building layout to be updated to extend to the switch room and add a roof access ladder.</li> </ul>	<p>The proposed design changes include a series of minor alterations and additions to the approved building in response to detailed design considerations including:</p> <ul style="list-style-type: none"> <li>• Confirmation of the placement of supporting infrastructure such as fire panels, communications infrastructure and electrical infrastructure.</li> <li>• Identification of additional access points, stairs, ladders and awning to comply with detailed BCA and fire engineering requirements, and to improve protection of staff and equipment.</li> </ul>	<p><b>Appendix 2.1</b> <b>Appendix 2.6</b></p> <p><b>Appendix 3.1</b> <b>Appendix 3.6</b> <b>(with revisions)</b></p>
<p><b>WEIGHBRIDGE</b></p>	<ul style="list-style-type: none"> <li>• Item 10 – Weighbridges to be extended and the</li> </ul>	<p>The gatehouse and weigh bridge areas design has been</p>	<p><b>Appendix 2.1</b> <b>Appendix 2.7</b></p>



COMPONENT	PROPOSED CHANGES	JUSTIFICATION	RELEVANT PLANS
	<p>approach/loop hardstands reconfigured and widened.</p> <ul style="list-style-type: none"> <li>•</li> </ul>	<p>amended to improve functionality and allow a loop road for trucks and vehicles to turn to access alternate parts of the site if required.</p> <ul style="list-style-type: none"> <li>•</li> </ul>	<p><b>Appendix 3.1</b> <b>Appendix 3.7</b> <b>(with revisions)</b></p>
<p><b>ANCILLARY BUILDINGS AND STRUCTURES</b></p>	<ul style="list-style-type: none"> <li>• Item 3 – A shelter to be added and hardstand for the backup generator extended.</li> <li>• Item 4 – The hot water plant to be removed and the gas tank enclosure hardstand to be amended.</li> <li>• Item 16 – Various padmount transformer layouts to be reconfigured or added.</li> <li>• Item 25 – Smokers’ huts for the Maintenance building to be adjusted.</li> </ul>	<p>The proposed design changes include a series of minor alterations and additions to the approved building in response to detailed design considerations including:</p> <ul style="list-style-type: none"> <li>• Confirmation of the placement of supporting infrastructure such as fire panels, communications infrastructure, external equipment, electrical infrastructure and smoker huts.</li> </ul>	<p><b>Appendix 2.1</b> <b>Appendix 2.8</b></p> <p><b>Appendix 3.1</b> <b>(with revisions)</b></p>
<p><b>CARPARK AND MANOEUVRING AREAS</b></p>	<ul style="list-style-type: none"> <li>• Item 7 – Minor updates to the car park configuration to be updated.</li> <li>• Item 8 – Live bird entry turnaround road to be widened to improved access.</li> </ul>	<ul style="list-style-type: none"> <li>• Detailed design of the entire car parking, including line marking plans, show that up to 840 parking spaces can now be accommodated within the approved parking areas.</li> <li>• The live bird turn around area which provides access to the live bird shed has been widening to allow additional space for heavy vehicles to more easily entre the drop off area.</li> <li>• In response to the changes to the live bird turn around area, the car parking areas has been modified.</li> </ul>	<p><b>Appendix 2.1</b></p> <p><b>Appendix 3.1</b> <b>(with revisions)</b></p>



### 3.3 ADMINISTRATIVE CHANGES

In addition, the minor design changes and following completion of the independent audit undertaken of the project, some the Auditor has noted some minor issues with the condition wording and has requested some minor amendments be undertaken to improve clarity and functionality of the consent.

**Table 3: Request Amendments to Conditions from the Auditor**

CONDITION	REQUIRED AMENDMENTS	JUSTIFICATION
A2(f)	<i>(f) In accordance with the management and mitigation measures in <b>Appendix 3 Appendix 4</b>.</i>	Condition A2(f) incorrectly refers incorrectly to Appendix 3 instead of Appendix 4 and requires updating.
B3	<i>The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guidelines (DECC, 2009) (as may be updated or replaces from time to time). All feasible and reasonable noise mitigation measures must be identified and managed in accordance with the management and mitigation measures in the <b>Appendix 3 Appendix 4</b>.</i>	Condition B3 incorrectly refers incorrectly to Appendix 3 instead of Appendix 4 and requires updating.
B72 (d)	<i>(d) Be consistent with the Applicant’s Management and Mitigation Measures in <b>Appendix 3 Appendix 4</b>.</i>	Condition B72 incorrectly refers incorrectly to Appendix 3 instead of Appendix 4 and requires updating.
B6 Note	<b>Note:</b> <i>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 <b>Appendix 3 Appendix 2</b> for the location of residential sensitive receptors.</i>	The note to Condition B6 incorrectly refers incorrectly to Appendix 3 instead of Appendix 2 and requires updating.
C10	<del><b>C10- The applicant must implement the most recent version of the OEMP as required by Condition 6 is approved by the Secretary.</b></del>	Condition C10 is a duplicate of C7 and should be deleted.
C23	<i>Within six months of the date of this consent and for the life of the development, the Applicant must:</i> <i>(a) Make the following information and documents (as they are obtained or approved) publicly available on this website:</i> <i>i. The documents referred to in condition A2 of this consent.</i> <i>ii. All current statutory approvals for the development.</i> <i>iii. All approved strategies, plans and programs required under the conditions of this consent.</i> <i>iv. The proposed staging plans for the development if the construction, operation</i>	The auditor has recommended defining the period for which project activity records should be made publicly available. The applicant proposes a period of 2 years following issue of the final Occupation Certificate.



CONDITION	REQUIRED AMENDMENTS	JUSTIFICATION
	<p><i>or decommissioning of the development is to be staged.</i></p> <ul style="list-style-type: none"> <li>v. <i>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.</i></li> <li>vi. <i>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.</i></li> <li>vii. <i>A summary of the current stage and progress of the development.</i></li> <li>viii. <i>Contact details to enquire about the development or to make a complaint.</i></li> <li>ix. <i>A complaint register, updated monthly.</i></li> <li>x. <i>The Compliance Report of the development.</i></li> <li>xi. <i>Audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report.</i></li> <li>xii. <i>Any other matter required by the Planning Secretary; and</i></li> </ul> <p><i>(b) Keep such information up to date, to the satisfaction of the Planning Secretary, for a period of 2 years following the issue of the final Occupation Certificate.</i></p>	

### 3.4 STAGING

There is no change to the approved staging plan proposed or required as part of this modification application.

### 3.5 EMPLOYMENT

As per the original approval, at full operation the facility is expected to provide employment for large workforce of up to 1,176 people with the various areas of the processing facility. There are currently 497 staff employed at the existing Out Street Processing facility which will be re-located to the new site. As a result, there will be an estimated increase of 679 associated with the processing and rendering operations at full operations. Baiada currently have a training and skills program for the benefit of staff. These programs will be expanded to recruit, train and accredit staff for the additional roles and positions at the facility.

There is no change to the forecast employment and staffing arrangements, proposed or required as part of this modification application.



## 3.6 MODIFICATION TYPE

### 3.6.1 Section 4.55(1A) Modification

This modification application is to be submitted in accordance with Section 4.55(1A) of the EP&A Act which indicates that a consent authority may modify the consent if-

- (a) *It is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) *It is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and –*
- (c) *It has notified the application in accordance with –*
  - i. *The regulations, if the regulations so require, or*
  - ii. *A development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *It has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

### 3.6.2 Substantially the Same

The proposed development has been assessed against the relevant matters for consideration pursuant to Section 4.55(1A) of the EP&A Act. In particular, a consent authority may modify a Development Consent if it is satisfied that that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted. In this regard, the proposed modification is substantially the same as the approval as:

- The proposed modifications respond to detailed design of the approved facility, confirmation of equipment selections, and liaison with various technical experts (including certifiers, fire engineers, architects, builders and process engineers) and do not result in any fundamental or significant changes to the approved buildings.
- The changes will support the functionality or the approved use, improve approved operations, and ensure compliance with the applicable building code requirements.
- The minor changes are internal or involve small additions to the approved development and will have negligible impact on the bulk, scale, built form or appearance of the building.
- The modification proposed are in response to detailed design considerations and the 'essence' of the development as approved under the Consent has not changed and remains in that the operation remains an integrated poultry processing facility.
- There is no change to approved processing volume of 3 million birds per week.
- There is no change to approved rendering volume of 1,680 tonnes of finished product per week.
- There is no change to the approved processing and rendering activities to be undertaken on the site.
- There is no change to staff numbers required to operate the facility.
- Vehicle access to the facility is still provided by the approved connection to Workshop Lane.
- There is no change to traffic volumes, reduction in car parking provision, or change to heavy vehicle movements associated with the development.



## 4. STATUTORY CONTEXT

A brief overview of the key statutory requirements for the project are presented in Table 4 below.

**Table 4: Statutory Requirements**

MATTER	GUIDANCE
<b>Power to Grant Consent</b>	<p>In accordance with section 2.6 and Schedule 1 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i>, development is declared to be State Significant Development if it is listed in Schedule 1 of the SEPP. With respect to intensive Agricultural produce industries and food and beverage processing, this use is listed as SSD if it has an Estimated Development Cost (Formerly CIV) of more than \$30 million.</p> <p>Under clause 4.5 of the <i>EPA Act 1979</i>, the Consent Authority for the SSD (including any modifications) is the Minister or the Independent Planning Commission.</p>
<b>Permissibility</b>	<p>Under the <i>Tamworth Regional Local Environmental Plan 2010</i>, the subject site is located in the RU1 Primary Production Zone. The existing and proposed development falls under Tamworth LEP definition of <b>Livestock Processing Industry</b> which means “a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally from surrounding districts, and includes abattoirs, knackeries, tanneries, woolscours and rendering plants.”</p> <p>In accordance with clause 3 of the Tamworth LEP development of a Livestock Processing Industry located in the Primary Production Zone (RU1) is identified as development that is <b>Permitted with Consent</b>.</p> <p>The ancillary access road (via Workshop Lane) also traverses land included in the Special Activities (SP1) and Environmental Management (C3) zones (former E3 Zone). While a Livestock Processing Industry is identified as prohibited development within the SP1 zone, Section 4.38 (3) of the <i>Environmental Planning and Assessment Act 1979</i> allowed for development consent to be granted for State Significant Development, despite the development being partly prohibited by an Environmental Planning Instrument (EPI). There is no change to the approved access road proposed as part of this Modification.</p>
<b>Other Approvals</b>	<p><b>Protection of the Environment Operations Act 1997:</b> The modified development involves a Premise Based Activity identified in Section 43 (b) of the <i>Protection of Environmental Operations Act 1997</i>, namely <i>Schedule 1 Item 23 Livestock processing activities</i>. The applicant is required to seek a variation to the current Environmental Protection License (EPL 1566) prior to an increase in rendering and commencement of poultry processing associated with this Development Application.</p> <p><b>Roads Act 1993:</b> In accordance with Clause 2.122 of the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>, the Development Application must be referred to the RMS for comment as it involves development listed under Schedule 3 Traffic Generating Development.</p>
<b>Mandatory matters for consideration</b>	<ul style="list-style-type: none"> <li>• Section 1.3 of the EP&amp;A Act 1979</li> <li>• Section 4.55 (1A) of the EP&amp;A Act 1979</li> </ul>



MATTER	GUIDANCE
(See Table 5 below).	<ul style="list-style-type: none"> <li>Section 4.15 of the EP&amp;A Act 1979</li> <li><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 3 Part 3.2</i></li> <li><i>State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 3 Part 3 s3.12</i></li> <li><i>State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 s4.6</i></li> <li><i>State Environmental Planning Policy (Transport and Infrastructure) 2021 Chapter 2 Part 2.3 Division 17</i></li> </ul>

**Table 5: Mandatory matters for Consideration**

STATUTORY REFERENCE	MANDATORY CONSIDERATION	SECTION
<b>Consideration under the Act and Regulation</b>		
<b>Section 1.3</b>	<p>Relevant objectives of the Act</p> <ul style="list-style-type: none"> <li>to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</li> <li>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</li> <li>to promote the orderly and economic use and development of land,</li> <li>to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</li> <li>to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</li> </ul>	All
<b>Section 4.15</b>	<p><b>Relevant environmental planning instruments:</b></p> <ul style="list-style-type: none"> <li><i>State Environmental Planning Policy (Planning Systems) 2021 – Chapter 2 s2.6</i></li> <li><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 3</i></li> <li><i>State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 3 Part 3 s3.12</i></li> <li><i>State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 s4.6</i></li> <li><i>State Environmental Planning Policy (Transport and Infrastructure) 2021 Chapter 2 Part 2.3 Division 17</i></li> <li>Tamworth LEP 2010</li> </ul>	6.1.1



STATUTORY REFERENCE	MANDATORY CONSIDERATION	SECTION
	<p><b>The likely impacts of that development:</b></p> <ul style="list-style-type: none"> <li>• including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</li> <li>• the suitability of the site for the development</li> <li>• the public interest</li> </ul>	<p>6. 8.</p>
<b>Mandatory Relevant Considerations under EPI</b>		
<p><b>State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 3 Part 3 s3.12</b></p>	<p>Consideration of the potential changes to the Preliminary Hazard Analysis associated with the Modified Development.</p>	<p>6.1.1 6.10</p>
<p><b>State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 s4.6</b></p>	<p>Consideration of the whether the land is contaminated, and (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.</p>	<p>6.1.1</p>
<b>Consideration under other Legislation</b>		
<p><b>Biodiversity Conservation Act 2016</b></p>	<p>The requirement for any modification to the approved BDAR.</p>	<p>6.2.1 6.4</p>
<p><b>EPBC Act 1999</b></p>	<p>The potential for significant impacts on Matters of National Environmental Significance (MNES).</p>	<p>6.2.2</p>



---

## 5. ENGAGEMENT

This section outlines the consultation activities undertaken to inform the scope of this modification application.

### 5.1 CONSULTATION

#### 5.1.1 Government Consultation

##### 5.1.1.1 Tamworth Regional Council

No further consultation following the determination of SSD-9394-Mod-1, as proposed modifications are substantially consistent with previous approval.

##### 5.1.1.2 Environmental Protection Agency

No further consultation following determination of SSD-9394-Mod-1, as proposed modifications are substantially consistent with previous approval and there are no changes to the approved operations proposed or required as part of this application.

##### 5.1.1.3 Other Agencies

Due to the relatively minor nature of the proposed modification and consistency of this proposed modification application with the existing approval, extensive consultation with government departments not been pursued. It is deemed that the evaluation and referral can be undertaken seamlessly within the modification assessment process.

#### 5.1.2 Community Consultation

The original SSD only received 3 public submissions (2 Local Companies supporting the project, and 1 objection from PETA) and there were no submissions received in response to notification of Mod-1. Given the proposed modification relates only to minor design changes within the site, the broader community consultation with the surrounding community has not been undertaken as part of this Modification Application. As demonstrated, the proposed changes to the approved development modification will not result in any increase to forecast impacts of the development on sensitive receptors or intensification of approved activities on the site. As such, it is considered that the legislative notification of the modification will be sufficient to provide any additional feedback concerning the modified development.

### 5.2 PUBLIC NOTIFICATION

The Department is required to exhibit an application seeking to modify an SSD development consent under either Section 4.55(1A) or Section 4.56(1) of the EPA&A Act, for at least 14 days prior to completing its assessment of the application. This is to give the community an opportunity to read the modification report and make a submission on the merits of the modified project.



## 6. ASSESSMENT OF IMPACTS

### 6.1 ENVIRONMENTAL PLANNING INSTRUMENTS

#### 6.1.1 State Environmental Planning Polices

An assessment of the proposed development has been undertaken against the relevant State Environmental Planning Policies (SEPPs).

**Table 6: SEPP Compliance Table**

STATE ENVIRONMENTAL PLANNING POLICY (PLANNING SYSTEMS) 2021	
CHAPTERS	ASSESSMENT & COMPLIANCE
<b>Chapter 2 - State and Regional Development</b>	<b>Not applicable</b> – In accordance with Section 2.6 and Schedule 1 of the State Environmental Planning Policy (Planning Systems) 2021, development is declared to be State Significant Development if it is listed in Schedule 1 of the SEPP. With respect to intensive Agricultural produce industries and food and beverage processing, this use is listed as SSD if it has an Estimated Development Cost (Formerly CIV) of more than \$30 million.  Under clause 4.5 of the EPA Act 1979, the Consent Authority for the SSD (including any modifications) is the Minister or the Independent Planning Commission.
<b>Chapter 3 - Aboriginal Land</b>	<b>Not applicable</b> – The Modification Application is not located on and owned by an Aboriginal Land Council.
<b>Chapter 4 – Concurrences and Consents</b>	<b>Not applicable</b> – There are no concurrences of consents described in Chapter 4 applicable to the Modification Application.
STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021	
CHAPTERS	ASSESSMENT & COMPLIANCE
<b>Chapter 2 – Vegetation in Non-Rural Areas</b>	<b>Not applicable</b> – Chapter 2 does not apply to the Tamworth Regional Council Area.
<b>Chapter 3 – Koala Habitat Protection 2020</b>	<b>Applicable</b> – Chapter 3 Applies to assessment of the Modification Application. The proposed modifications to processing facility will result in no changes to the approved development footprint. As outlined, in the approved BDAR, the presence of Koala’s and potential habitat was the considered in detail as part of the previous assessment. Nocturnal surveys, Koala SAT searches, and motion sensor cameras did not identify the presence of Koalas on-site. As such, the minor modification proposed in this application are not expected to result in and any additional or significant direct or indirect impacts on Koalas and algins with the requirements of Chapters 3 and 4.
<b>Chapter 4 – Koala Habitat Protection 2021</b>	<b>Not applicable</b> – This chapter does not apply to the site.
<b>Chapter 5 – River Murray Lands</b>	<b>Not applicable</b> – This chapter does not apply to the Tamworth Regional Council Area.
<b>Chapter 6 – Water Catchments</b>	<b>Not applicable</b> – The site is not located within a nominated water catchment.



<b>Chapter 13 – Strategic Conservation Planning</b>	<b>Not applicable</b> – The site is not located on the nominates Land Application maps.
<b>STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021</b>	
<b>CHAPTERS</b>	<b>ASSESSMENT &amp; COMPLIANCE</b>
<b>Chapter 2 - Coastal Management</b>	<b>Not applicable</b> - The subject site is not within a coastal zone.
<b>Chapter 3 - Hazardous and Offensive Development</b>	<b>Applicable</b> – There are no changes to the approved storage or use of dangerous goods proposed or required as part of this modification.
<b>Chapter 4 - Remediation of Land</b>	<p><b>Applicable</b> – A detailed Contaminated Site Assessment Report was prepared by SMK Consultants and submitted with the original development application to determine if there was any contamination on the subject site. The investigation took into consideration the characteristics of the site, historical land uses and adjoining land uses when analysing potential sources of contamination. This investigation did not identify any contamination of concern within the property boundary of the “Oakburn” Development Site.</p> <p>The assessment concluded that the development site does not contain contaminated land that would impact construction of the Oakburn Processing Facility or pose an unacceptable risk to human health or the surrounding environment.</p> <p>The minor modifications proposed as part of this application are contained within the approved development footprint and as such, the original contamination assessment and associated management and mitigation measures remain fit for purpose for the modified development.</p>
<b>STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021</b>	
<b>CHAPTERS</b>	<b>ASSESSMENT &amp; COMPLIANCE</b>
<b>Chapter 2 - Infrastructure</b>	<p><b>Applicable.</b></p> <p><b>Division 17:</b> In accordance with Clause 2.122 of the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>, the Development Application must be referred to the RMS for comment as it involves development listed under Schedule 3 Traffic Generating Development.</p> <p>As per the existing approvals, a new access road has been constructed linking the processing facility to Workshop Lane. As part original submission, a Road Transport Assessment was prepared by The Transport Planning Partnership (dated 20 June 2019) which demonstrated that with the traffic changes forecast to result from the processing facility, the key intersections would continue to operate at good levels of service. As noted, the forecasts assume a “worst case” in which the peak traffic generated by the processing facility would coincide with the on-street peak conditions, which is unlikely to occur. Nevertheless, the results indicate that sufficient capacity is available at the intersections under such conditions.</p> <p>As there are no changes to processing activities and the total traffic volumes proposed as part of this modification, the findings from the original Road Transport Assessment remain fit for purpose for the modified development.</p>
<b>Chapter 3 - Educational Establishments and Childcare Facilities</b>	<b>Not applicable</b> – The modified development does not involve educational establishments or childcare facilities.



<b>Chapter 4 - Major Infrastructure Corridors</b>	<b>Not applicable</b> – The modified development does not involve a major infrastructure corridor.
<b>Chapter 5 - Three Ports-Port Botany, Port Kembla and Newcastle</b>	<b>Not applicable</b> – The modified development is not located in any of the three ports.
<b>Chapter 6 - Moorebank Freight Intermodal Precinct</b>	<b>Not applicable</b> – The modified development is not located in the Moorebank Freight Intermodal Precinct.
STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021	
CHAPTERS	ASSESSMENT & COMPLIANCE
<b>Chapter 2 - Western Sydney Employment Area</b>	<b>Not applicable</b> – The modified development is not located within the Western Sydney employment area.
<b>Chapter 3 - Advertising and Signage</b>	<b>Not applicable</b> – The modified development does not involve an advertisements or signage.
STATE ENVIRONMENTAL PLANNING POLICY (RESOURCES AND ENERGY) 2021	
CHAPTERS	ASSESSMENT & COMPLIANCE
<b>Chapter 2 – Mining, Petroleum Production and Extractive Industries</b>	<b>Not applicable</b> – The modified development is for a poultry farm.
<b>Chapter 3 - Extractive Industries</b>	<b>Not applicable</b> – The modified development does not involve extractive industries.
STATE ENVIRONMENTAL PLANNING POLICY (PRIMARY PRODUCTION) 2021	
CHAPTERS	APPLICABILITY
<b>Chapter 2 - Primary Production and Rural Development</b>	<b>N/A.</b> The modified project does not involve primary production or rural development regulated by Chapter 2.
<b>Chapter 3 - Central Coast Plateau Areas</b>	<b>N/A.</b> The modified project is not located in the Central Coast Plateau Area.
STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS – EASTERN HARBOUR CITY) 2021	
CHAPTERS	APPLICABILITY
<b>All</b>	<b>N/A.</b> The modified project is not located in a listed State Significant Precinct.
STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS – CENTRAL RIVER CITY) 2021	
CHAPTERS	APPLICABILITY
<b>All</b>	<b>N/A.</b> The modified project is not located in a listed State Significant Precinct.
STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS – WESTERN PARKLAND CITY) 2021	
CHAPTERS	APPLICABILITY
<b>All</b>	<b>N/A.</b> The modified project is not located in a listed State Significant Precinct.
STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS - REGIONAL) 2021	
CHAPTERS	APPLICABILITY
<b>All</b>	<b>N/A.</b> The modified project is not located in a listed State Significant Precinct.
STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2021	



All	N/A. The modification of the approved development does not require assessment against the SEPP.
-----	---

## 6.1.2 Local Environmental Plans

### 6.1.2.1 Zoning And Permissibility

As shown in Error! Reference source not found. Under the *Tamworth Regional Local Environmental Plan 2010*, the subject site is located in the RU1 Primary Production Zone. The objectives for the RU1 Primary Production Zone are as follows:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To permit subdivision only where it is considered by the Council to be necessary to maintain or increase agricultural production*
- *To restrict the establishment of inappropriate traffic generating uses along main road frontages*
- *To ensure sound management of land which has an extractive or mining industry potential and to ensure that development does not adversely affect the extractive industry*
- *To permit development for purposes where it can be demonstrated that suitable land or premises are not available elsewhere.*



The existing and approved development falls under Tamworth LEP definition of **Livestock Processing Industry** which means “a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally from surrounding districts, and includes abattoirs, knackeries, tanneries, woollscours and rendering plants.”



In accordance with Clause 3 of the Tamworth LEP development of a Livestock Processing Industry located in the Primary Production Zone (RU1) is permitted with consent.

The site is located in food production hub which contains a number of major rural industries including a livestock exchange, beef abattoir, lamb abattoir, flour mill, other industrial operations and intensive animal husbandry. As such, the existing, approved and proposed use of the site is considered to be a complementary land use to the surrounding area and adjoining zones. Further, the development of the Oakburn Poultry Processing facility will support expansion of primary industry enterprises across the region and accordingly aligns with the objectives for the zone.

The ancillary access road (via Workshop Lane) also traverses land included in the Special Activities (SP1) and Environmental Management (C3) zones (former E3 Zone). While a Livestock Processing Industry is identified as prohibited development within the SP1 zone, Section 4.38 (3) of the *Environmental Planning and Assessment Act 1979* allowed for development consent to be granted for State Significant Development, despite the development being partly prohibited by an Environmental Planning Instrument (EPI). There is no change to the access road proposed as part of this Modification.

The proposed modification involves minor alterations to the approved design within the site and in response to the detailed design considerations and will not result in any significant changes to the approved use or operations. As such, the development remains consistent with zone objectives.

### 6.1.3 Principal Development Standards

There is no applicable principal development standards identified in Part 4 of the LEP applicable to the development.

### 6.1.4 Other Clauses

Other assessment provisions considered include in the **Table 7**, below.

**Table 7: Tamworth Region LEP 2010 Assessment Provisions**

PROVISION	APPLICABILITY
<b>PRINCIPAL DEVELOPMENT STANDARDS</b>	
4.1 Minimum subdivision lot size	<b>Not Applicable.</b>
4.2 Rural subdivision	<b>Not Applicable.</b>
4.3 Height of buildings	<b>Not Applicable.</b> The subject site is not located near zone boundaries.
4.4 Floor space ratio	<b>Not Applicable.</b>
4.5 Calculation of floor space ratio and site area	<b>Not Applicable.</b>
4.6 Exceptions to development standards	<b>Not Applicable.</b>
<b>MISCELLANEOUS PROVISIONS</b>	
5.1 Relevant acquisition authority	<b>Not Applicable.</b>



PROVISION	APPLICABILITY
	The subject site is not identified as a heritage conservation area
5.2 Classification and reclassification of public land	<b>Not Applicable.</b> The subject site is not identified as a bushfire prone.
5.3 Development near zone boundaries	<b>Not Applicable.</b> The development does not rely on Clause 5.3.
5.4 Controls relating to miscellaneous permissible uses	<b>Not Applicable.</b>
5.6 Architectural roof features	<b>Not Applicable.</b>
5.7 Development below mean high water mark	<b>Not Applicable.</b>
5.8 Conservation of fire alarms	<b>Not Applicable.</b>
5.10 Heritage conservation	<b>Not Applicable.</b>
5.11 Bush fire hazard reduction	<b>Not Applicable.</b>
5.12 Infrastructure development and use of existing buildings of the Crown	<b>Not Applicable.</b>
5.13 Eco-tourist facilities	<b>Not Applicable.</b>
5.14 Siding Spring Observatory – maintaining dark sky	<b>Not Applicable.</b>
5.15 Defence communications facility	<b>Not Applicable.</b>
5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	<b>Not Applicable.</b>
5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	<b>Not Applicable.</b>
5.18 Intensive livestock agriculture	<b>Not Applicable.</b> The development does not involve intensive livestock agriculture.



PROVISION	APPLICABILITY
5.19 Pond-based, tank-based and oyster aquaculture	<b>Not Applicable.</b>
5.20 Standards that cannot be used to refuse consent – playing and performing music	<b>Not Applicable.</b>
5.21 Flood Planning	<p><b>Not Applicable.</b></p> <p>Current flood mapping in the area indicates the site is not subject to flooding from any sources.</p> <p>With respect to overland stormwater flows, an approved stormwater management plan proposed three detention basins located throughout the site will ensure that there are no worsening impacts on the downstream receiving environment.</p> <p>The minor modification proposed as part of this development application</p>
<b>ADDITIONAL LOCAL PROVISIONS</b>	
7.1 Earthworks	<p><b>Complies.</b></p> <p>The proposed development will require earthworks to create level building pad poultry processing facility and associated infrastructure. The extent of earthworks has been approved as part of the preceding approvals and there are no changes proposed or required as part of this modification.</p>
7.6 Development in flight path	<p><b>Complies.</b></p> <p>The proposed development does not involve any construction which exceed the Obstacle Height Limits prescribed along the frontage of the site.</p>

### 6.1.5 Tamworth Regional Blueprint 100 (Lsps 2020)

The proposed development is consistent with the strategic priorities outlined with the Tamworth Regional Blueprint 100 (LSPS). Notably, it directly contributes to Action 3.4 under the Strategic priority to create a prosperous region which is to ‘*Substantially increase Tamworth’s meat and food processing capacity*’.

The document recognises that Tamworth is ‘*the centre for the production and processing of beef, lamb and poultry products for supply to the whole of New South Wales. The proximity of grain, livestock, feedlots, sale yards and processing facilities provide a competitive advantage to producers in the sector. This sector has significant potential to expand its meat processing capacity and increase its expertise in providing high-tech agribusiness solutions*’ (Tamworth Regional Blueprint 100, pg 27).

The proposed development will capitalise on the existing accumulation of high value poultry assets and geographic, infrastructure and commercial attributes in the region which have created the existing poultry meat cluster.



## 6.2 OTHER LEGISLATIVE CONSIDERATIONS

### 6.2.1 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) requires that an SSD application must be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the determining authority (NSW Planning in this instance) is satisfied that the modification to the approved Oakburn Processing Facility will not increase the impact on biodiversity values. As the project involves minor additions to the approved buildings and is wholly located within the approved development footprint, no changes to approved BDAR are proposed or required.

### 6.2.2 EPBC Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) requires approval from the Commonwealth Minister for the Environment, for any actions that may have a significant impact on Matters of National Environmental Significance (MNES). The previous Modification and associated BDAR identified that the development was unlikely to have a significant impact on MNES, due to the location of the plant within the existing cleared and highly disturbed parts of the property. As, the project involves minor additions to the approved buildings and is wholly located within the approved development footprint, no changes to the potential impacts to MNES previously considered arise as a result of this modification application.

### 6.2.3 Roads Act 1993

The *Roads Act 1993*, section 138 requires consent from Roads and Maritime Services as it involves development listed under Schedule 3 Traffic Generating Development.

In accordance with Clause 2.122 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*, the Development Application must be referred to the RMS for comment as it involves development listed under Schedule 3 Traffic Generating Development.

As per the existing approvals, a new access road is proposed to be constructed linking the processing facility to Workshop Lane. As part of the original submission, a Road Transport Assessment was prepared by The Transport Planning Partnership (dated 20 June 2019) which demonstrated that with the traffic changes forecast to result from the processing facility, the key intersections would continue to operate at good levels of service. As noted, the forecasts assume a “worst case” in which the peak traffic generated by the processing facility would coincide with the on-street peak conditions, which is unlikely to occur. Nevertheless, the results indicate that sufficient capacity is available at the intersections under such conditions.

As there are no changes to the processing activities and the total traffic volumes proposed as part of this modification, the findings of the original assessment as a result of the modification and therefore the original Road Transport Assessment remain fit for purpose for the modified development.

## 6.3 HISTORIC AND CULTURAL HERITAGE

A Cultural Heritage Assessment for Historic Heritage and Aboriginal Culture Heritage Assessment dated 22 January 2019 was prepared by Everick Heritage Consultants and submitted with the original EIS. As a result of the desktop study and field inspection it concluded that no items or places of potential historic heritage significance were located within the Project Area and therefore Everick Heritage Consultants advised that a significance assessment was not required for the project. As a result of the previous assessments and salvage operations undertaken on the site, and the fact that the modified development is wholly located in the approved development footprint, an updated Cultural Heritage Assessment is not required as part of this modification application.

## 6.4 ECOLOGICAL IMPACT

A Biodiversity Development Assessment Report (BDAR) for the approved development was previously prepared by Cumberland Ecology in 2019 and was submitted as part of the original EIS. The original assessment was prepared in accordance with the Biodiversity Conservation Act 2016 (BC Act) and the associated Biodiversity Assessment Method (BAM). This report was updated as part of the subsequent Modification (SSD9394-MOD-1). The modified



report confirmed that biodiversity values of the subject land are limited, due the site history of heavy modification and past agricultural activities. Only one native vegetation community, Box Gum Woodland, occurs as scattered isolated patches that align to the BC Act listing of the TEC.

The approved development footprint as (as modified) resulted in the removal of 0.30 ha of Box Gum Woodland TEC and 0.48 ha of planted natives. The remainder of the vegetation to be removed within the development site consists of exotic dominated pasture and garden beds that do not constitute a recognised ecological community.

Potential indirect impacts of the Project include inadvertent impacts on hydrological processes and adjacent habitat, and prescribed impacts such as demolition of human-made structures and impacts on habitat connectivity and species movements have been considered. The impacts to Box Gum Woodland TEC, which is a SAIL entity, are not considered to be significant.

A suite of mitigation measures was previously proposed to minimise the direct, indirect and prescribed impacts of the Project, such as construction mitigation measures, weed management and pre-clearance surveys.

As the Project includes the removal of areas of native vegetation, offsets were required in the form of ecosystem credits. This assessment indicated that the removal of the native vegetation within the subject land requires a total of 6 ecosystem credits, comprising PCT 599 (White Box – Yellow Box – Blakely's Red Gum Woodland). The credit liability has already been met via payment into the Biodiversity Conservation Fund.

As the modification involves minor additions to the approved buildings and is wholly located within the approved development footprint, no changes to approved BDAR are proposed or required.

## 6.5 AIR QUALITY

As part of the previous modification (SSD9394-MOD1), The Odour Unit (TOU) was engaged to prepare an Odour Impact Assessment in accordance with the NSW EPA Guidelines. The OIA assessment was carried out using the CALPUFF Modelling System with use of odour emissions estimates based upon measurements collected by TOU at Oakburn PRP, Baiada Hanwood Processing facility and at the Out Street, Tamworth abattoir. All on-site odour sources were assessed and modelled as separate groups (Protein Rendering Plant, Processing facility and the Wastewater Treatment Plant) as well as cumulatively.

As demonstrated in the previous assessment, the results show that the predicted cumulative odour impact for existing rendering plant, poultry processing facility and wastewater treatment plant was below the NSW EPA odour IAC of 5ou at all sensitive receptors. The cumulative 5ou contour encroaches beyond the site boundary marginally to the north and marginally to the south. Therefore, it has been found that the proposed development is unlikely to cause adverse odour impacts under normal conditions.

As the modification involves minor additions to the approved buildings, does not result in any changes to the approved operations and will not change the location or design of any emission sources, the previous odour impact assessment remains fit for purpose for the modified development.

## 6.6 NOISE

As part of the previous Modification (SSD9394-MOD1) an Acoustic Impact Assessment was prepared by Reverb Acoustics which demonstrated that provided the mitigation and management measures were implemented noise levels were predicted to compliant with the EPA's NPfl at all nearby residential receivers during the day, evening and night, for neutral and prevailing atmospheric conditions. It was determined that an updated acoustic impact assessment was not considered necessary as part of this Modification Application. All existing conditions, recommendations, management and mitigation measures, associated with the management of odour emissions will continue to be adopted by for the modified project.

As the modification involves minor additions to the approved buildings, does not result in any changes to the approved operations and will not change the location or design of any noise emission sources, the previous odour impact assessment remains fit for purpose for the modified development.



## 6.7 STORMWATER

As part of the previous modification (SSD9394-MOD1) a Stormwater Management Plan was developed by MPN Consulting to appropriately manage the potential stormwater quantity and quality impacts of the proposed development.

With respect to stormwater quantity, the site was split into three main sub-catchments – a South West, a North and an East catchment, identified as Catchments A, B and C, respectively. There are also three other sub-catchments including the undeveloped land and access roads in the Eastern half of the site and the undeveloped land on the Southern side of the site, identified as Catchments D and E, respectively.

Stormwater runoff from each of the main sub-catchments will be collected and conveyed in a new internal stormwater pit, pipe and open channel network, prior to discharge to three separate treatment/detention basins. Stormwater will discharge from the basins via overland flow across the site boundaries as per existing condition. Litter baskets will also be fitted to the new field inlet pits to capture gross pollutants.

The existing detention basin constructed as part of the previous approval for the rendering plant has been retained (Existing Basin B) to service Catchment B. New basins have been constructed to the South West (Catchment A) and North East of the site (Basin C) to service Catchments A and C, respectively. Stormwater runoff from each of the other sub-catchments will be collected in grassed swales prior to discharge across the site boundaries via overland flow as per existing condition.

In order to limit the site stormwater discharge, stormwater runoff from Catchments A, B and C will be detained in three separate above ground basins. The basins have been over-sized to cater for the areas which will bypass detention (Catchments D and E). Runoff flows for the Annual Recurrence Intervals from 5 to 100 years and durations of 5 minutes to 2 hours showed that peak runoff flows from the proposed development would not exceed peak runoff flows from the existing site.

Concerning stormwater quality, in order to achieve the pollutant load reduction targets for the development, it was proposed to use natural treatment methods to treat the runoff prior to discharge from the site. Stormwater runoff from Catchments A and B will be treated by gross pollutant traps prior to discharge into the swales and detention basins. Stormwater runoff from the smaller sub-catchments will be treated by swales. The resulting percentage-based load reductions at the site outlets was demonstrated to exceed the target water quality objectives for TSS, TP, TN and Gross Pollutants.

As the modification involves minor additions to the approved buildings, does not result in any change to the development footprint and will not alter the approved stormwater infrastructure, the approved stormwater management arrangements remain fit for purpose for the modified development.

## 6.8 TRAFFIC

As per the original approval (SSD 9394), a new access road was proposed to be constructed linking the processing facility to Workshop Lane. As part of the original submission, a Road Transport Assessment was prepared by The Transport Planning Partnership (dated 20 June 2019) which demonstrated that with the traffic changes forecast to result from the from the processing facility, the key intersections would continue to operate at good levels of service. As noted, the forecasts assume a “worst case” in which peak traffic generated by the processing facility would coincide with the on-street peak conditions, which is unlikely to occur. Nevertheless, the results indicate that sufficient capacity is available at the intersections under such conditions.

As there are to changes to the processing activities and the total traffic volumes proposed as part of this modification, the findings of the original Road Transport Assessment remain fit for purpose for the modified development.

Tamworth Regional Development Control Plan 2010 requires that car parking at light or heavy industry developments to be provided at the greater one space per 75m<sup>2</sup> GFA or one space per two employees. On this basis, the processing facility requires a minimum of 680 spaces based on the proposed 51,041 m<sup>2</sup> of GFA or 588 spaces based on the total of 1,176 employees. The proposed provision of 840 car parking spaces therefore exceeds the requirements of the



---

DCP and is satisfactory. It is recommended that 9 - 17 spaces be designated for people with a disability, representing one to two per cent of the total number of spaces provided.

Detailed design of the entire car parking, including line marking plans, show that up to 840 parking spaces can now be accommodated within the approved parking areas, which exceeds the minimum provision of 820 spaces identified in the project Mitigation and Management Provisions.

No changes are proposed in relation to traffic generation or staff numbers are proposed as a result of this modification and therefore the original Road Transport Assessment prepared by the Transport Planning Partnership (dated 20 June 2019) remains fit for purpose.

## **6.9 WASTE**

The proposed modifications will not change the approved operations or the facility or introduce any additional operational waste streams or increase waste volumes compared to what has been previously considered as part of the current approvals. As such, there are no changes to the approved waste management arrangements proposed or required as part of this modification application.

## **6.10 DANGEROUS GOODS**

As part of the previous modification (SSD9394-Mod-1) a Screening Assessment and Preliminary Hazards Assessment (PHA) were prepared to identify and assess the potential risks associated with the use and storage of dangerous goods on the site. Due to the exceedance of the SEPP33 Screening Threshold, the PHA assessed the storage and use of Class 2.1 – Liquefied Natural Gas (LNG), Liquid Petroleum Gas (LPG) as well as Class 2.3 – Ammonia Anhydrous. None of the dangerous goods assessed in the PHA will be affected by the minor modifications proposed as part of this application. With consideration of these factors, an updated PHA is not considered necessary as part of this Modification Application. All existing conditions, recommendations, management and mitigation measures, associated with the storage and use of dangerous goods will continue to be adopted for the modified project.



## 7. MITIGATION AND MANAGEMENT MEASURES

Updated Mitigation and Management Measures are provided below. Changes to the approved list are identified in blue text.

IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES										
<p><b>TRAFFIC</b></p>	<ul style="list-style-type: none"> <li>Staff and processing facility 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 -9 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>										
<p><b>AIR QUALITY</b></p>	<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>										
<p><b>NOISE</b></p>	<p><b>DURING OPERATIONS</b></p> <p><b>Noise Barrier 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" data-bbox="560 1435 1426 1816"> <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 Cooling towers and associated plant.</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> </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 Cooling towers and associated plant.	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 Cooling towers and associated plant.	2400 (above truck FGL)										



IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES
	<ul style="list-style-type: none"> <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> <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 faunae 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>



IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES
	<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 or relocated by the ecologists in areas of similar habitat nearby that will not be impacted.</li> </ul>
<p><b>CULTURAL HERITAGE</b></p>	<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>
<p><b>STORMWATER</b></p>	<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>
<p><b>WASTE</b></p>	<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>
<p><b>CHEMICAL USE</b></p>	<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>



IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES
	<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 Dangerous Goods Code.</li> <li>• The over pressurisation shut off for the supply shall be set at not more than 200 kPa.</li> </ul>
<p><b>CONSTRUCTION MANAGEMENT</b></p>	<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>
<p><b>ENVIRONMENTAL MANAGEMENT</b></p>	<ul style="list-style-type: none"> <li>• Prepare an implemented a detailed Environmental Management System for the Oakburn Processing facility for certification in accordance with the AS/NZS/ISO 14001: 2015 Standard.</li> </ul>



## 8. JUSTIFICATION OF MODIFICATION

Since approval of the modified project in May 2023, Baiada has proceeded with detailed design of the facility, commenced construction, confirmed equipment selections, and liaised with various technical experts (including certifiers, fire engineers, architects, builders and process engineers) which has resulted in some minor changes to the built form and layout.

These minor alterations and additions to the approved project will not change the approved operations or the facility or introduce any additional operational impacts that have not been previously considered as part of the current approvals.

In response to these changes to the approved development, a modification under 4.55 (1A) is requested from DPE to enable construction of the revised facility to proceed. The following section provides a justification of the proposed modification with consideration of the proposed Biophysical, Economic and Social factors as well as the planners of Ecologically Sustainable Development.

### 8.1 BIOPHYSICAL CONSIDERATIONS

Based on the assessments undertaken by the relevant technical specialists, it has been demonstrated that the proposed development can be undertaken in a manner consistent with the statutory obligations in relation to potential:

- Ecological Impacts;
- Acoustic Emissions;
- Odour and Dust Emissions;
- Stormwater Water Management;
- Water Quality Impacts;
- Cultural Heritage Impacts;
- Historic Heritage Impacts;
- Hazards and Risk Management;
- Aircraft and Airport Safety;
- Waste Management; and
- Biosecurity Risks.

In addition, as demonstrated in this Modification Report and the supporting documentation, the potential impacts associated with the poultry processing facility remain consistent with those previously forecast and no additional mitigation or management actions beyond those originally prescribed are required to achieve compliance. As such, it is considered that there is no bio-physical consideration which would preclude approval of the proposed development.

### 8.2 ECONOMIC CONSIDERATIONS

As demonstrated in the previous submissions, the project will have a positive economic impact in terms of significant construction works and ongoing employment opportunities for local residents. The economic impacts forecast in the original EIS included:

- Direct employment for around 1,176 workers which represents a net increase of 682 jobs over the base case.



- Indirect employment including the creation of an additional 2,039 jobs (1,323 jobs associated with the inputs to production and a further 716 jobs providing the goods and services to the additional workers).
- HillPDA previously calculates that every one million dollars of construction generates 2.15 full time positions over 12 months directly in construction on site. Based on the revised cost of \$285m, approximately 613 years would be directly generated.
- As outlined above, a key component in the development of the Tamworth region as a poultry cluster is the availability of local grain from farms in the region to produce poultry feed blends while minimising transport costs. As per current operations, grain for the expanded operation will be primarily sourced from the surrounding areas including Tamworth, Moree, Narrabri, Walgett and Gunnedah. The economic benefits from the increase in regional grain supply estimated to be 546,000 tonnes per year (~\$136.5m), are factored into the multipliers described above.
- To support the increase in processing of poultry within the region, significant increases in the supply of birds will be required. It is expected that around 300 additional poultry sheds will be required to service the ultimate capacity of the Oakburn processing facility. This growth is expected to occur via expansion of existing farms, as well as new farms located on suitable sites, located within a 2-hour drive of the Oakburn processing facility in accordance with animal welfare considerations. Expansion of broiler farms will be subject to identification and acquisition of suitable sites and the relevant statutory approvals being obtained by Applicants.

With consideration of these employment opportunities, the modified project continues to display a positive economic impact and employment impact for the region.

### 8.3 SOCIAL CONSIDERATIONS

With respect to social impacts, the findings of the detailed technical assessments undertaken in relation with the previous modification demonstrate that the project is unlikely to have significant, negative social impacts provided the approved mitigation and management measures documented in this Modification Report are implemented. The modifications proposed as part of this application are not expected to result in any additional social impacts.

With consideration of the positive impacts, particular in relation to economic investment and local employment opportunities, overall, it is considered that the integrated poultry processing plant will have a positive social outcome.

### 8.4 PRINCIPLES OF ECOLOGICALLY SUSTAINABLE DEVELOPMENT

A discussion of the proposal’s compliance with the principles of Ecologically Sustainable Development is also provided in **Table 8**.

**Table 8: Principles of Ecological Sustainability**

PRINCIPLE	DISCUSSION
<p><i>(a) the precautionary principle, namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:</i></p>	<p><b>Complies.</b> There are no threats of serious or irreversible environmental damage that have been identified as part of the detailed assessments undertaken with respect to the modified project. A number of mitigation, management and monitoring measures that were approved under the previous applications are also applied to proposed operation to ensure that it will perform in accordance with all relevant environmental standards.</p>



PRINCIPLE	DISCUSSION
<p><i>(i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and</i></p> <p><i>(ii) an assessment of the risk-weighted consequences of various options,</i></p>	
<p><i>(b) inter-generational equity, namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,</i></p>	<p><b>Complies.</b> The proposed development will not result in the impacts that will reduce the health, diversity and productivity of the environment or reduce the potential benefits of future generations. Conversely, the proposed development will continue to support the operations the approved development site and support the broader growth and economic development associated with poultry production in the New England Region.</p>
<p><i>(c) conservation of biological diversity and ecological integrity, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,</i></p>	<p><b>Complies.</b> A Biodiversity Development Assessment Report (BDAR) for the approved development was previously prepared by Cumberland Ecology in 2019 and was submitted as part of the original EIS. The original assessment was prepared in accordance with the Biodiversity Conservation Act 2016 (BC Act) and the associated Biodiversity Assessment Method (BAM). This report was updated as part of the subsequent Modification (SSD9394-MOD 1). The modified report confirmed that biodiversity values of the subject land are limited, due the site history of heavy modification and past agricultural activities. Only one native vegetation community, Box Gum Woodland, occurs as scattered isolated patches that align to the BC Act listing of the TEC.</p> <p>The approved development footprint as (as modified) resulted in the removal of 0.30 ha of Box Gum Woodland TEC and 0.48 ha of planted natives. The remainder of the vegetation to be removed within the development site consists of exotic dominated pasture and garden beds that do not constitute a recognised ecological community.</p> <p>Potential indirect impacts of the Project include inadvertent impacts on hydrological processes and adjacent habitat, and prescribed impacts such as demolition of human-made structures and impacts on habitat connectivity and species movements have been considered. The impacts to Box Gum Woodland TEC, which is a SAIL entity, are not considered to be significant.</p> <p>A suite of mitigation measures was previously proposed to minimise the direct, indirect and prescribed impacts of the Project, such as construction mitigation measures, weed management and pre-clearance surveys.</p> <p>As the modification involves minor additions to the approved buildings and is wholly located within the approved development footprint, no additional</p>



PRINCIPLE	DISCUSSION
	ecological impacts are forecast as a result of the modified development.
<p><i>(d) improved valuation, pricing and incentive mechanisms, namely, that environmental factors should be included in the valuation of assets and services, such as:</i></p> <p><i>(i) polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,</i></p> <p><i>(ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,</i></p> <p><i>(iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.</i></p>	<p><b>Complies.</b> Beyond the minor additions to the approved buildings, there is not change to the approved approached to waste management and handling associated with solid waste, packaging waste, processing wastes and recycling.</p>

As demonstrated in this Modification report, the proposed development complies with the relevant statutory planning instruments and will not result in unacceptable adverse environmental impacts on the receiving environment. In addition, the proposed modification will facilitate improvements to the approved development identified as part of the detailed design phase of the project.

The proposal capitalises on an improves the existing approvals on the site and supports the ongoing expansion of the broader poultry industry and economic development in the region. Where potential impacts have been identified, suitable mitigation and management measures have been implemented. Accordingly, approval of the proposed modification is justified.



---

<b>APPENDIX 1</b>	<b>EXISTING CONSENT</b>	<b>AP01</b>
<b>APPENDIX 2</b>	<b>MODIFIED DEVELOPMENT PLANS</b>	<b>AP02</b>
<b>APPENDIX 3</b>	<b>MODIFIED DEVELOPMENT PLANS WITH REVISIONS</b>	<b>AP03</b>



[psaconsult.com.au](http://psaconsult.com.au)

---

PSA Consulting Pty Ltd

ABN 83 109 836 197

T + 61 7 3220 0288

**Brisbane (Head Office)** L20 / 127 Creek Street, Brisbane / Meeanjin Qld 4000  
PO Box 10824 Adelaide Street Brisbane Qld 4000