

# COMPLIANCE REPORT 2021- 2022

**Oakburn Poultry Rendering Plant SSD 9394  
19 March 2021 to 18 March 2022**

**Prepared for:**

Baiada Poultry Pty Ltd  
PO Box W484  
West Tamworth NSW 2340

**Authorised Reporting Officer:**

Sherilee Stewart  
Oakburn Compliance

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**SLR** 

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## BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Baiada Poultry Pty Ltd (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

## DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
630.30332-R01-v1.2	3 May 2022	Chelsey Zuiderwyk	Adam Williams	Adam Williams

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## CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>1</b>
1.1	Report Scope.....	1
1.2	Company Description.....	1
1.3	Project Description .....	2
1.4	Site Description.....	2
1.5	Key Project Personnel .....	5
1.6	Approvals .....	5
1.6.1	Overview .....	5
1.6.2	Development Consent SSD 9394 .....	5
1.6.3	Environment Protection Licence .....	6
1.6.3.1	Pollution Incident Response Management Plan.....	6
1.6.4	Liquid Trade Waste Services Agreement .....	6
1.7	Certification .....	6
1.8	Management Plans .....	7
<b>2</b>	<b>PROJECT ACTIVITIES DURING THE REPORTING PERIOD .....</b>	<b>7</b>
<b>3</b>	<b>PREVIOUS REPORT ACTIONS .....</b>	<b>8</b>
<b>4</b>	<b>COMPLIANCE STATUS SUMMARY .....</b>	<b>11</b>
<b>5</b>	<b>INCIDENTS.....</b>	<b>17</b>
5.1	Incidents and Non-Compliance Management.....	17
5.2	Environmental Incidents.....	17
<b>6</b>	<b>COMPLAINTS.....</b>	<b>19</b>
6.1	Complaints Management .....	19
6.2	Complaints Received.....	19
<b>7</b>	<b>ENVIRONMENTAL PERFORMANCE .....</b>	<b>20</b>
7.1	Odour Management .....	20
7.2	Bird Life Monitoring.....	21
7.3	Noise Management .....	22
7.4	Solid Waste Management.....	23
7.5	Hazardous Material Management.....	25
7.6	Heritage .....	26
7.7	External Lighting .....	26
7.8	Wastewater Management.....	26
7.9	Stormwater Management .....	34

## CONTENTS

7.10	Water and Energy Efficiency.....	34
7.11	Planned Improvements.....	38
<b>8</b>	<b>REFERENCES .....</b>	<b>39</b>

### TABLES

Table 1	Compliance with SSD 9394 Consent Conditions .....	1
Table 2	Key Project Personnel .....	5
Table 3	Current Consents, Licences and Approvals .....	5
Table 4	Project Stages.....	7
Table 5	IEA Recommendations and Responses/Actions.....	8
Table 6	Compliance Status Summary .....	11
Table 7	Summary of Environmental Incidents.....	17
Table 8	Comparison of Environmental Incidents.....	18
Table 9	Complaints during the Reporting Period.....	19
Table 10	Comparison of Complaints.....	19
Table 11	Comparison of Odour Complaints.....	21
Table 12	Operation Noise Limits (dB(A)) .....	22
Table 13	Waste Management Requirements .....	23
Table 14	Total Waste Materials .....	24
Table 15	Comparison of Landfill and recycling amounts .....	24
Table 16	Wastewater Analysis Results .....	27
Table 17	Comparison of Average Wastewater Analysis Results.....	28
Table 18	Water Consumption .....	35
Table 19	Gas Consumption .....	36
Table 20	Electricity Consumption .....	37

### FIGURES

Figure 1	Locality Plan.....	3
Figure 2	Site Layout.....	4
Figure 3	Comparison of Incidents .....	18
Figure 4	Comparison of Complaints.....	20
Figure 5	Comparison of Odour Complaints.....	21
Figure 6	Comparison of Landfill Amounts (Tonnes) by Material Type.....	25
Figure 7	Comparison of Average discharge pH .....	29
Figure 8	Comparison of Average discharge Ammonia as Nitrogen .....	29
Figure 9	Comparison of Average discharge BOD .....	30
Figure 10	Comparison of Average discharge COD .....	30
Figure 11	Comparison of Average discharge Kjeldahl Nitrogen as N.....	31
Figure 12	Comparison of Average Total Phosphorus.....	31
Figure 13	Comparison of Average Discharge Oil and Grease.....	32
Figure 14	Comparison of Average discharge Total Suspended Solids (TSS) .....	32
Figure 15	Comparison of Average discharge TDS .....	33
Figure 16	Comparison of Average discharge Sulphate .....	33
Figure 17	Average Water Consumption (per Tonne of Finished Product).....	35

## CONTENTS

Figure 18	Average Gas Consumption (per Tonne of Finished Product) .....	36
Figure 19	Electricity Consumption (per Tonne of Finished Product) .....	37

## APPENDICES

Appendix A	Government Agency Correspondence
Appendix B	SSD 9394 Development Consent
Appendix C	EPL 7566
Appendix D	EPL Annual Return
Appendix E	Liquid Trade Waste Services Agreement
Appendix F	Weekly Production Data
Appendix G	Compliance Table
Appendix H	Compliance Report Declaration Form

# 1 Introduction

## 1.1 Report Scope

Condition C18 of SSD 9394 requires an annual Compliance Report to be prepared for the Oakburn Poultry Rendering Plan (Oakburn). This Compliance Report has been prepared by SLR Consulting Australia (SLR) and covers the annual reporting period from the 19 March 2021 to the 18 March 2022.

It is noted that this reporting period correlates with the reporting period for the site’s Environment Protection Licence (EPL) 7566.

This Compliance Report addresses all aspects listed under SSD 9394 Consent Conditions (see **Table 1**) and is based on operational and environmental monitoring data supplied by Baiada and consultation with Baiada personnel.

**Table 1 Compliance with SSD 9394 Consent Conditions**

Condition No.	Condition Description	Reference
C18	Within twelve months of the date of this consent, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:	This report
C18a	Identify any trends in the monitoring data over the life of the development;	Section 7
C18b	Identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	Section 7
C18c	Describe what measures will be implemented over the next year to improve the environmental performance of the development	Section 7.11

## 1.2 Company Description

Baiada Poultry Pty Ltd (Baiada) is a privately-owned Australian company providing poultry products throughout Australia under the well-established brand names of Steggles and Lilydale. The Tamworth region is a major production area for the company, with the regional operations being vertically integrated and comprising breeder farms, hatcheries, growing farms, a feed mill, a processing plant and Oakburn.

The company has an employee base of around 6,850 people, including on site production contractors, many of which are located within the Tamworth region.

Baiada employs a total of 17 people at Oakburn, including administrative staff and operational staff.

### 1.3 Project Description

On 18 December 2020, Baiada was granted State Significant Development (SSD) 9394. SSD consent was approved by the Department of Planning and Environment (DPE) (formally known as the Department of Planning, Infrastructure and Environment (DPIE)), for the construction and operation of the Baiada Integrated Poultry Processing Facility, including:

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

### 1.4 Site Description

Oakburn is located at 1154 Gunnedah Road, Westdale, approximately 11 kilometres (km) north-west of Tamworth on the Oxley Highway. It is situated within Lot 100 in Deposited Plan (DP) 1097471 in the Parish of Murroon, County of Parry within the Tamworth regional local government area (LGA) (see **Figure 1** and **Figure 2**).



**NOTES & CAUTIONS:**

1. All boundaries shown on this plan are approximate only and subject to survey verification
2. Aerial photography sourced from NearMap. Imagery dated 23rd April 2021

0.0 800 1600  
m

Scale: 1:40000  
(GDA94) MGA Zone 56

23.04.2021  
630.13030



## 1.5 Key Project Personnel

The key project personnel who are responsible for environmental/compliance management of the project are listed below in **Table 2**.

**Table 2 Key Project Personnel**

Role	Name	Company	Contact Details
National Environment Sustainability Officer	Grant White	Baiada	Mobile: 0418 118 045 Email: Grant.White@baiada.com.au
Oakburn Compliance	Sherilee Stewart	Baiada	Mobile: 0438 118 353 Email: Sherilee.Stewart@baiada.com.au
Site Manager	Paul Grima	Baiada	Mobile: 0428 118 150 Email: Paul.Grima@baiada.com.au

## 1.6 Approvals

### 1.6.1 Overview

**Table 3** provides a summary of the statutory approval instruments applicable to Oakburn.

**Table 3 Current Consents, Licences and Approvals**

Approvals	Issue Date	Regulatory Authority	Status	Comments
Development Consent SSD 9394	18 Dec 2020	DPE	Active	Approved the construction and operation of Baiada Integrated Poultry Processing Facility. Applicable to existing operations and newly approved development.
Environment Protection Licence EPL 7566	8 Feb 2021	EPA	Active	Originally issued in December 2000. An updated version was issued 18 June 2018 and a licence variation was issued 8 February 2021 with the addition of two air discharge points. Licenced reviewed every five years.
Liquid Trade Waste Services Agreement TWC006/2006	15 Nov 2021	Tamworth Regional Council (TRC)	Active	Effective for 5 years from commencement date (i.e. until 14 November 2026)

In accordance with Condition A12 of SSD 9394, all Development Application (DA) consents were surrendered within 12 months of the date of determination of SSD 9394. Correspondence in relation to this is attached in **Appendix A**.

### 1.6.2 Development Consent SSD 9394

Development Consent SSD 9394 was granted on 18 December 2020 by the DPE for the construction and operation of the Baiada Integrated Poultry Processing Facility. SSD 9394 applies to the existing operations and the newly approved development.

A copy of SSD 9394 is attached as **Appendix B**

It is noted that where the Development Consent refers to “Commencement of operations of the development” it is referring to the commencement of the processing facility along with the continued operations of the rendering plant. Further explanation of this terminology is outlined in an email from DPE dated 22 December 2021 and is attached as **Appendix A**. The terminology distinction is relevant at this stage of the development as the construction of the processing facility is yet to commence, therefore there are some construction and operational conditions in the SSD consent which have not been triggered (see **Section 2**).

### 1.6.3 Environment Protection Licence

Oakburn is required to hold an EPL administered by the EPA under Section 43(b) of the *Protection of the Environment Operations Act 1997* (POEO Act) and operates under Environmental Protection Licence (EPL) 7566. This is due to livestock processing and chemical storage being classed as “scheduled activities” under Schedule 1 of the POEO Act.

This EPL covers rendering (or fat extraction) to a scale of greater than (>) 4,000 tonnes per year and general chemicals storage of between 0 and 5,000 kilolitres (kL).

A copy of EPL 7566 is contained within **Appendix C**, and a copy of the 2021-22 Annual Return for EPL 7566 is attached as **Appendix D**.

#### 1.6.3.1 Pollution Incident Response Management Plan

Oakburn operated under the *Pollution Incident Response Management Plan* (PIRMP) during the 2021-22 reporting period. This document contains key actions to minimise the occurrence of a pollution incident and, if necessary, manage a pollution incident. It also details the procedures for notification of pollution incidents resulting in or having the potential to cause material harm to the environment.

The PIRMP was not required to be activated during the 2020-21 reporting period, and was tested on 7 February 2022.

### 1.6.4 Liquid Trade Waste Services Agreement

All operational wastewater generated by Oakburn is pre-treated on site prior to being discharged to TRC’s sewerage system under the provisions of a Liquid Trade Waste Services Agreement (LTWSA). The current LTWSA (TWC006/2006) was issued by TRC on 15 November 2021 and is effective for a period of five years until 14 November 2026. A copy of the current LTWSA is contained within **Appendix E**.

As addressed in **Section 7.8**, the LTWSA imposes both quantity and quality limits for the wastewater discharged from Oakburn on a daily basis.

## 1.7 Certification

Oakburn currently holds the following certifications:

- **AS/NZS ISO 14001:2015** – Baiada has implemented an Environmental Management System (EMS) across many of its sites, including Oakburn, which has been certified to *AS/NZS ISO 14001:2015 – Environmental Management Systems* for several years. The EMS certification was last updated on 15 January 2020.

- **AS/NZS 4801:2001** – Baiada has implemented an Occupational Health and Safety Management System across many of its sites, including Oakburn, which has been certified to *AS/NZS 4801:2001 – Occupational Health and Safety Management Systems* for many years. An audit of this system was undertaken on 9 January 2018.
- **HACCP** – to assist Baiada in providing a consistently safe product for consumption, a Hazard Analysis Critical Control Points (HACCP) food safety system has been adopted, implemented and certified at Oakburn. An audit of this system was last undertaken on 4 November 2020.

## 1.8 Management Plans

The following standard operating procedures (SOP) and management plans have been prepared for Oakburn as part of the site’s EMS and in accordance with the requirements of SSD 9394:

- *Bird Life Monitoring Program* (Cumberland Ecology 2021);
- *Odour Management Plan* (Baiada 2022);
- *Operational Environmental Management Plan* (Baiada 2022);
- *Stormwater Management Plan* (MPN Consulting 2019); and
- *Traffic Management Plan* (Baiada 2022).

## 2 Project Activities during the Reporting Period

Baiada are taking a staged approach to this project (Baiada 2022), as outlined in **Table 4**.

**Table 4 Project Stages**

Project Stage	Stage Description	Status
Stage 1	Existing Rendering Plant	Current stage
Stage 2	Commencement of Construction of Processing Plant (with Ongoing Rendering Operation)	Not yet commenced
Stage 3	Processing and rendering Operation	Not yet commenced

The following activities occurred during the reporting period:

- Baiada continued Stage 1 operations of the existing rendering plant and are yet to commence Stage 2 operations;
- Total Production during the reporting period was 27,005 tonnes, for weekly production figures, see **Appendix F**.
- The pad was constructed for the Covered Anaerobic Lagoons (CAL) flare to improve odour management at the site (see **Table 5** and **Table 6**);

### 3 Previous Report Actions

Independent Environmental Audit (IEA) and Compliance Report compliance performance recommendations are outlined in **Table 5**.

**Table 5 IEA Recommendations and Responses/Actions**

Ref	Source	Condition of Consent	Action proposed	Proposed Completion Date	Status	Action Completed
1	IEA 2021	DA 53/97 S3,c16	The Auditors note an opportunity for improvement (OFI) would be to conduct a review of the integrity of pits and bunds.	30 Mar 2022	Complete	Review of pits and bunds completed 30 March 2022
2	IEA 2021	DA 53/97 S3,c19	Review the Liquid Waste elements of the OEMP to address all of the requirements of Condition 19, except those that relate to Stage 2/Project upgrades, including: <ul style="list-style-type: none"> <li>- characterising the quantity and quality of wastewater;</li> <li>- identifying the criteria/limits for the disposal of treated wastewater;</li> <li>- a plan(s) of the wastewater treatment process showing the key plant / equipment / infrastructure, sampling point(s) and discharge point; and</li> <li>- a protocol for the investigation, notification and mitigation of identified exceedances of the criteria / limits.</li> </ul>	30 Jun 2022	Complete	OEMP updated on 7 April 2022 to include: <ul style="list-style-type: none"> <li>▪ Quantity and quality of wastewater and limits</li> <li>▪ Plan of WWTP</li> <li>▪ Protocol for notification</li> </ul>
3	IEA 2021	DA 53/97 S4,c50	The Auditors recommend that Baiada confirm DPE's requirements for reporting production data in the Compliance Reports going forward. The Auditors note that DA 53/97 was surrendered on 21/12/21 and SSD-9394 does not include the same limits as Condition 6(a) and 6(b).	April 2022	Complete	SSD9394 Condition A6 requires that production be capped at 1,120T finished rendering product until processing plant is operational. Future Compliance reports (including this report) will report weekly production tonnes (see <b>Appendix F</b> ). Methodology has been clearly indicated in this report.
4	IEA 2021	DA 53/97 S4,c53	Ensure that strategies, management plans and programs are reviewed and revised following submission of an IEA in accordance with the requirements of SSD-9394, Conditions C11 to C13.	Ongoing	Ongoing	Tracking will be built into the EMS System for the site to manage items to the SSD Conditions and timelines.
5	IEA 2021	SSD 9394 B8	If it is not already being undertaken, investigate options for odour mitigation for the CAL Biogas Vent (e.g. feasibility study of options) and implement the preferred option to prevent a reoccurrence of an offensive odour emission from the CAL Biogas Vent beyond the boundary of the site.	30 June 2022	Construction commenced	A Flare for the Vented CAL gas is being installed, with construction commencing February 2022.
6	IEA 2021	SSD 9394 B12	Review the OMP and OEMP be reviewed and revised to address the identified gaps, in particular, improving the objectives and targets, ensuring consistency between the OMP and OEMP, ensuring all potential odour sources under normal and abnormal conditions are assessed and compliance reporting requirements are better defined. Also ensure that the OMP complies with Condition C1 requirements	30 June 2022	Complete	OMP and OEMP updated on 8 April 2022 and reissued to include the suggested improvements.

Ref	Source	Condition of Consent	Action proposed	Proposed Completion Date	Status	Action Completed
7	IEA 2021	SSD 9394 B60	Review the chemical storage quantities and reduce the quantity of Sodium Hydroxide stored onsite to comply with Table 3 limits and/or seek a modification of this condition to increase the limit for Sodium Hydroxide stored onsite, and correct any factual inaccuracies in Table 3.	30 June 2022  Next mod for SSD 9394	Complete  Pending	Request was made to increase the limit for Sodium Hydroxide (NaOH) stored on site and DPE response was to reduce NaOH on site below 5400lt as per Table 3 of SSD 9394 (DPE Response in <b>Appendix A</b> ).  Request has been made to correct factual inaccuracies in Table 3 at next review of SSD.
8	IEA 2021	SSD 9394 C5, C1 & C6	Review and revise the OEMP to more completely and consistently meet Condition C1 requirements for all of the environmental aspects and impacts, which should be consistent with the site's environmental aspects and impacts register / risk assessment, as well as the requirements of SSD-9394.  There should be clear links between identified environmental hazards, the control measures, required performance indicators and monitoring and reporting requirements with a particular focus on any regulatory limits and requirements. The OEMP should also describe the procedure(s) to respond to "any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria)", which may or may not be an incident.	30 June 2022	Complete	Amendments made 7 April 2022 to the OEMP, and 28 March 2022 to the OMP to more completely meet Condition C1 requirements.
9	IEA 2021	SSD 9394 C15	Submit a non-compliance notification to DPE regarding: - the non-compliance with Condition C23 (the subject of DPE's letter dated 10/08/21) in accordance Conditions C15 and C16; and - the non-compliance with Condition C19 (failure to upload 2021 AEMR and notify DPE within required timeframes) in accordance with Condition C16.  This is in order to ensure that the reason(s) for the non-compliances are investigated and appropriate actions undertaken to address the non-compliances and prevent a reoccurrence. It is suggested that non-compliances are managed in a similar manner to incidents (within the meaning of SSD-9394, i.e. notifiable incidents) and recorded on the Incident/ Complaint Register. Also refer to the findings and recommendations for Conditions C5 and C6 and procedures for responding to any non-compliance, which is considered to be one action for preventing a reoccurrence (i.e. provision of clear instructions).	30 April 2022	Complete	This has been noted and shall be reported in line with requirements.  Letter with regards to non-compliance submitted via portal to DPE 25 February 2022.
10	IEA 2021	SSD 9394 C16	Baiada did not submit non-compliance notifications for the Condition C19 and condition C23 non-compliances, in accordance with Condition C16. This is considered to be a separate non-compliance to the Condition C15 non-compliance because all of the required information was not provided and there is no evidence that the non-compliances have been investigated and what actions have been undertaken to address the non-compliances and prevent a reoccurrence.  Follow recommendation as listed for No.9 above.	30 April 2022	Complete	Letter with regards to non-compliance submitted via portal to DPE 25 February 2022.
11	IEA 2021	SSD 9394 C18	In line with DPE's requirement all future Compliance Reports comply with CRPAR 2020 requirements and include graphs of data to facilitate easy identification of trends and performance against limits and other targets	March 2022	Complete	This report has been prepared in accordance with consent and CPAR 2020 requirements.
12	IEA 2021	SSD 9394 C19	Review and revise the Register of Portal & Website Uploads to include additional fields to prompt due dates for when reports must be uploaded and when DPE must be notified by, as applicable, in addition to when reports were actually submitted and notified.	30 Apr 2022	Complete	EMS Hub has requirements more clearly defined.

Ref	Source	Condition of Consent	Action proposed	Proposed Completion Date	Status	Action Completed
13	IEA 2021	SSD 9394 C23	Review the website and upload the identified missing information as soon as practicable. Establish a process to ensure the required information is uploaded on a regular basis and within any required timeframes.	30 Mar 2022	Complete	Website modified 30 March 2022 with missing information uploaded to the website.
14	AEMR / CR 2020-21	NA	In the 2020-21 Annual Review and Compliance Report Acceptance letter (dated 10 Aug 2021), DPE requested that future Compliance Reports be in a layout that is generally in accordance with Section 5 of the Departments Compliance Reporting Post Approval requirements (2020) (DCRPAR 2020).	May-22	Complete	This Compliance Report is in a layout generally in accordance with Section 5 of the DCRPAR 2020.
15	AEMR / CR 2020-21	SSD 9394 C19 and C23	In the 2020-21 Annual Review and Compliance Report Acceptance letter (dated 10 Aug 2021), DPE requested the Baiada website be updated with the documentation required by these consent conditions.	March	Complete	Identified missing information uploaded to the website. Completed 30 March 2022.

## 4 Compliance Status Summary

The Compliance Table has been supplied by Baiada and is provided as **Appendix G**. Non-compliances identified during the reporting period are listed in **Table 6**.

**Table 6 Compliance Status Summary**

Consent No.	SSD 9394 Compliance Requirement	Details of Non-Compliance	Agencies Reported to	Enforcement Action by Regulators	Baiada Response to Non-compliance
B8	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined under the POEO Act) beyond the boundary of the site.	An odour complaint on 4 April 2021 indicates that an offensive odour was likely to have been emitted beyond the boundary of the site. Investigation indicated the odour was sourced from the CAL Biogas Vent.	Reported to DPE via the 2021 IEA	None	Capital has been invested to correct this issue by constructing a CAL flare. Construction commenced February 2022.
B12	Within 6 months of the date of this consent, the Applicant must prepare an updated Odour Management Plan for the existing development to the satisfaction of the Planning Secretary. The Odour Management Plan must form part of the OEMP required by condition C5. The Odour Management Plan must be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary and include: (a) objectives and targets; (b) an odour risk assessment; (c) proactive and reactive mitigation measures of all significant and potentially significant emissions sources; (d) key performance indicators; (e) monitoring method(s); (f) location, frequency and duration of monitoring; (g) record keeping; (h) response mechanisms and contingency measures; (i) responsibilities; and compliance reporting.	The Auditors consider that the OMP does not adequately address the following C1 requirements.	Reported to DPE via the 2021 IEA	None	Amendments made 7 April 2022 to the OEMP, and 28 March 2022 to the OMP to meet this condition and reissued to include the suggested improvements.

Consent No.	SSD 9394 Compliance Requirement	Details of Non-Compliance	Agencies Reported to	Enforcement Action by Regulators	Baiada Response to Non-compliance																																												
B60	The storage of dangerous goods within the development must not exceed the maximum storage quantities listed in Table 3.	The quantity of Sodium Hydroxide Solution stored onsite exceeds the Table 3 limit. The Packing Group of the stored chemical is also a higher risk Packing Group than shown in Table 3.	Reported to DPE via the 2021 IEA	None	Request was made to increase the limit for Sodium Hydroxide (NaOH) stored on site and DPE response was to reduce NaOH on site below 5400lt as per Table 3 of SSD 9394 (DPE Response in <b>Appendix A</b> ). This has been complied with.  Request has been made to correct factual inaccuracies in Table 3 at next review of SSD.																																												
	<table border="1"> <thead> <tr> <th>Description</th> <th>Dangerous Goods Class</th> <th>Packing Group</th> <th>Maximum Storage Quantity</th> </tr> </thead> <tbody> <tr> <td>Liquified natural gas (LNG)</td> <td>2.1</td> <td>n/a</td> <td>240,000 L</td> </tr> <tr> <td>Liquified petroleum gas (LPG)</td> <td>2.1</td> <td>n/a</td> <td>480 kg</td> </tr> <tr> <td>Nitrogen</td> <td>2.2</td> <td>n/a</td> <td>10,000 L</td> </tr> <tr> <td>Liquified oxygen gas (LOX)</td> <td>2.2 (5.1)</td> <td>n/a</td> <td>10,000 L</td> </tr> <tr> <td>Carbon dioxide</td> <td>2.2</td> <td>n/a</td> <td>10,000 L</td> </tr> <tr> <td>Anhydrous ammonia refrigerant</td> <td>2.3</td> <td>n/a</td> <td>7 tonnes</td> </tr> <tr> <td>Ferric sulphate</td> <td>8</td> <td>III</td> <td>15,000 L</td> </tr> <tr> <td>Hypochlorite solution</td> <td>8</td> <td>III</td> <td>13,800 L</td> </tr> <tr> <td>Sodium hydroxide solution</td> <td>8</td> <td>III</td> <td>5,400 L</td> </tr> <tr> <td>Sulfuric acid (35%)</td> <td>8</td> <td>II</td> <td>4,000 L</td> </tr> </tbody> </table>					Description	Dangerous Goods Class	Packing Group	Maximum Storage Quantity	Liquified natural gas (LNG)	2.1	n/a	240,000 L	Liquified petroleum gas (LPG)	2.1	n/a	480 kg	Nitrogen	2.2	n/a	10,000 L	Liquified oxygen gas (LOX)	2.2 (5.1)	n/a	10,000 L	Carbon dioxide	2.2	n/a	10,000 L	Anhydrous ammonia refrigerant	2.3	n/a	7 tonnes	Ferric sulphate	8	III	15,000 L	Hypochlorite solution	8	III	13,800 L	Sodium hydroxide solution	8	III	5,400 L	Sulfuric acid (35%)	8	II	4,000 L
	Description					Dangerous Goods Class	Packing Group	Maximum Storage Quantity																																									
	Liquified natural gas (LNG)					2.1	n/a	240,000 L																																									
	Liquified petroleum gas (LPG)					2.1	n/a	480 kg																																									
	Nitrogen					2.2	n/a	10,000 L																																									
	Liquified oxygen gas (LOX)					2.2 (5.1)	n/a	10,000 L																																									
	Carbon dioxide					2.2	n/a	10,000 L																																									
	Anhydrous ammonia refrigerant					2.3	n/a	7 tonnes																																									
	Ferric sulphate					8	III	15,000 L																																									
	Hypochlorite solution					8	III	13,800 L																																									
Sodium hydroxide solution	8	III	5,400 L																																														
Sulfuric acid (35%)	8	II	4,000 L																																														

Consent No.	SSD 9394 Compliance Requirement	Details of Non-Compliance	Agencies Reported to	Enforcement Action by Regulators	Baiada Response to Non-compliance
C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> <li>(a) detailed baseline data;</li> <li>(b) details of: <ul style="list-style-type: none"> <li>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>(ii) any relevant limits or performance measures and criteria; and</li> <li>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</li> </ul> </li> <li>(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</li> <li>(d) a program to monitor and report on the: <ul style="list-style-type: none"> <li>(i) impacts and environmental performance of the development;</li> <li>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;</li> </ul> </li> <li>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</li> <li>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</li> <li>(g) a protocol for managing and reporting any: <ul style="list-style-type: none"> <li>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</li> <li>(ii) complaint;</li> <li>(iii) failure to comply with statutory requirements; and</li> </ul> </li> <li>(h) a protocol for periodic review of the plan.</li> </ul> <p>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</p>	<p>The 2021 OEMP does not adequately meet all of the requirements of Condition C5, including Condition C1 requirements, particularly the relevant statutory requirements, limits, performance measures and specific performance indicators.</p> <p>The 2021 OEMP generally meets Condition C6 requirements except that it does not include a procedure to respond to any non-compliance, which may or may not be an incident (as defined under SSD-9394), and under Condition C1 is defined as “specifically including any exceedance of the impact assessment criteria and performance criteria”.</p> <p>This is considered non-compliant as an OEMP should clearly define and differentiate incidents and non-compliances and notification requirements under SSD-9394 and other approvals (e.g. EPL 7566, the LTWSA).</p> <p>Management plans are also required to meet Condition C1 requirements. The Auditors consider that the OMP does not adequately address C1 requirements.</p>	Reported to DPE via the 2021 IEA	None	Amendments made 7 April 2022 to the OEMP, and 28 March 2022 to the OMP to meet this condition.
C5	<p>Within 9 months of the date of this consent, the Applicant must prepare an Operational Environmental Management Plan (OEMP) for the existing development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.</p>	<p>The 2021 OEMP does not adequately meet all of the requirements of Condition C5, including Condition C1 requirements, particularly the relevant statutory requirements, limits, performance measures and specific performance indicators.</p>	Reported to DPE via the 2021 IEA	None	Amendments made 7 April 2022 to the OEMP, and 28 March 2022 to the OMP to meet this condition.

Consent No.	SSD 9394 Compliance Requirement	Details of Non-Compliance	Agencies Reported to	Enforcement Action by Regulators	Baiada Response to Non-compliance
C6	<p>As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> <li>(a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</li> <li>(b) describe the procedures that would be implemented to: <ul style="list-style-type: none"> <li>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>(ii) receive, handle, respond to, and record complaints;</li> <li>(iii) resolve any disputes that may arise;</li> <li>(iv) respond to any non-compliance;</li> <li>(v) respond to emergencies; and</li> </ul> </li> <li>(a) include the following environmental management plans: <ul style="list-style-type: none"> <li>(i) Evaporation Pond Management Plan (see condition B26);</li> <li>(ii) Water Management Plan (see condition B28);</li> <li>(iii) Emergency disposal and Biosecurity protocol (see condition B65); and</li> </ul> </li> </ul> <p>Landscape Management Plan (see condition B72).</p>	<p>The 2021 OEMP generally meets Condition C6 requirements except that it does not include a procedure to respond to any non-compliance, which may or may not be an incident (as defined under SSD-9394), and under Condition C1 is defined as “specifically including any exceedance of the impact assessment criteria and performance criteria”. This is considered non-compliant as an OEMP should clearly define and differentiate incidents and non-compliances and notification requirements under SSD-9394 and other approvals (e.g. EPL 7566, the LTWSA).</p>	Reported to DPE via the 2021 IEA	None	Amendments made 7 April 2022 to the OEMP, and 28 March 2022 to the OMP to meet this condition.
C15	The Planning Secretary must be notified in writing to the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	Baiada did not submit a non-compliance notification in accordance with this condition when DPE made Baiada aware on 10/08/21 that they were not complying with Condition C23, Access to Information.	DPE via portal 25 February 2022	None	Letter with regards to non-compliance submitted via portal to DPE 25 February 2022.
C16	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Baiada did not submit non-compliance notifications for the Condition C19 and condition C23 non-compliances, in accordance with Condition C16. This is considered to be a separate non-compliance to the Condition C15 non-compliance because all of the required information was not provided and there is no evidence that the non-compliances have been investigated and what actions have been undertaken to address the non-compliances and prevent a reoccurrence. Follow recommendation as listed for No.9 above.	DPE via portal 25 February 2022	None	Letter with regards to non-compliance submitted via portal to DPE 25 February 2022.

Consent No.	SSD 9394 Compliance Requirement	Details of Non-Compliance	Agencies Reported to	Enforcement Action by Regulators	Baiada Response to Non-compliance
C18	<p>Within twelve months of the date of this consent, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:</p> <ul style="list-style-type: none"> <li>(a) identify any trends in the monitoring data over the life of the development;</li> <li>(b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</li> </ul> <p>describe what measures will be implemented over the next year to improve the environmental performance of the development</p>	<p>The 2021 AEMR and Compliance Report did not meet all of the requirements of Condition C18 and the Compliance Reporting Post Approval Requirements (Department 2020) (CRPAR 2020), as required and detailed in Table A-2 in relation to this condition.</p>	<p>Reported to DPE via the 2021 IEA</p>	<p>In the 2020-21 Annual Review and Compliance Report Acceptance letter (dated 10 Aug 2021), DPE requested that future Compliance Reports be in a layout that is generally in accordance with Section 5 of the Departments Compliance Reporting Post Approval requirements (2020) (DCRPAR 2020).</p>	<p>This report has been prepared in accordance with consent and CPAR 2020 requirements.</p>
C19	<p>The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.</p>	<p>The 2021 AEMR was uploaded to the Oakburn SSD-9394 website more than 60 days after the report was submitted to DPE on 07.05.21. The Department was not notified of the upload to the public website 7 days prior to uploading the 2021 AEMR to the website.</p>	<p>Reported to DPE via the 2021 IEA</p>	<p>None</p>	<p>The EMS Hub has been updated so that notification requirements are clearly defined. Completed 30 March 2022.</p>

Consent No.	SSD 9394 Compliance Requirement	Details of Non-Compliance	Agencies Reported to	Enforcement Action by Regulators	Baiada Response to Non-compliance
C23	<p>Within six months of the date of this consent and for the life of the development, the Applicant must:</p> <ul style="list-style-type: none"> <li>(a) make the following information and documents (as they are obtained or approved) publicly available on its website: <ul style="list-style-type: none"> <li>(i) the documents referred to in condition A2 of this consent;</li> <li>(ii) all current statutory approvals for the development;</li> <li>(iii) all approved strategies, plans and programs required under the conditions of this consent;</li> <li>(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</li> <li>(v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</li> <li>(vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>(vii) a summary of the current stage and progress of the development;</li> <li>(viii) contact details to enquire about the development or to make a complaint;</li> <li>(ix) a complaints register, updated monthly;</li> <li>(x) the Compliance Report of the development;</li> <li>(xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;</li> <li>(xii) any other matter required by the Planning Secretary; and</li> </ul> </li> </ul> <p>keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>Information required to be published on Baiada's public website was missing and therefore, not accessible to be public. The missing information is detailed in Audit Table A-2, Condition C23.</p>	<p>Reported to DPE via the 2021 IEA</p>	<p>None</p>	<p>Processes implemented to ensure the required information is uploaded on a regular basis and within any required timeframes.</p> <p>Identified missing information uploaded to the website.</p> <p>Completed 30 March 2022.</p>

## 5 Incidents

### 5.1 Incidents and Non-Compliance Management

A management system for reportable incidents (including a standardised Form and National Register) is maintained for all Baiada sites, including Oakburn. All incidents are reported to the Site Manager and the relevant details are recorded on an *Environmental Incident and Complaint Record Sheet*.

In accordance with Condition C14 and Appendix 5 of SSD 9394, Baiada is required to immediately (within 24 hours) notify the DPE and other relevant agencies of the detection of an exceedance of the limits/performance criteria in the consent or the occurrence of an incident that causes (or may cause) harm to the environment.

Appendix 5 of SSD 9394 requires a detailed report on the incident within 30 days.

In accordance with Conditions C15-C17, a non-compliance notification must be submitted to DPE within seven days after Baiada becomes aware of any non-compliance. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

### 5.2 Environmental Incidents

Baiada has advised that two environmental incidents occurred at Oakburn during the 2021-22 reporting period. Copies of the completed *Environmental Incident and Complaint Record Sheets* for the reporting period have been sighted by SLR and a summary is contained in **Table 7**.

**Table 7 Summary of Environmental Incidents**

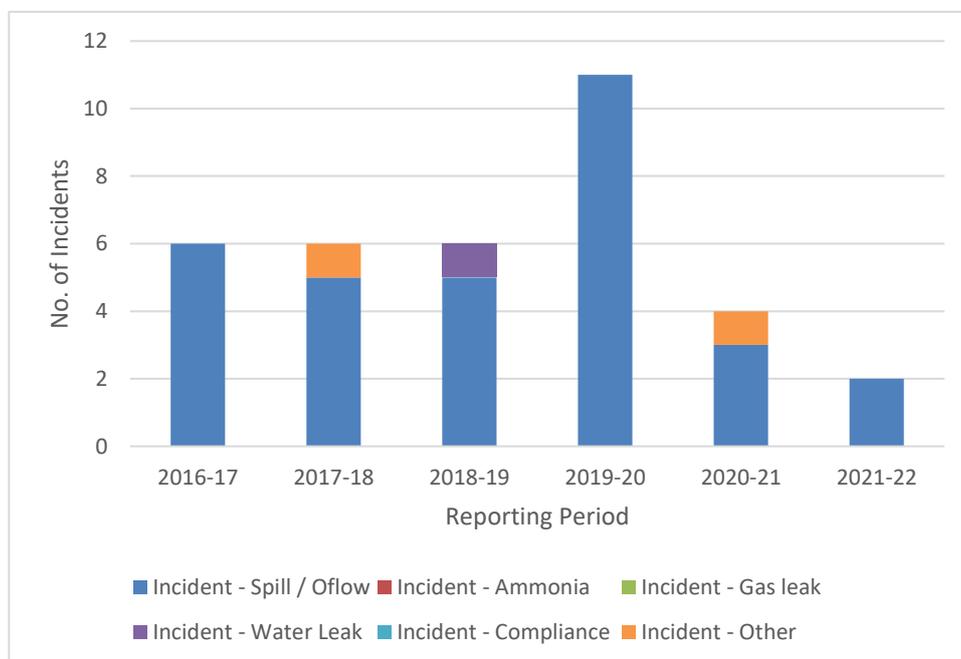
Date	Nature of Incident	Cause	Actions Taken
23 Aug 2021	Approximately 300 litres of wastewater was lost from the Balance tank to the ground around the balance tank and shed area.	A rubber gasket was found leaking on the rubber flange on the line between the balance tank & the CAL.	Leak was repaired and area was cleaned up. Use of gaskets reviewed and where necessary add to MEX for replacement of gaskets.
12 Nov 2021	Approximately 5 litres of engine oil was lost across the site.	Contractor's truck accessing site had an engine leak.	No impact to the environment, Spill kit used to mop spill and contaminated soil removed and disposed. Contractor was informed of need for repairs and has moved off site to have them completed.

The PIRMP did not require activation as a result of any of the above incidents, and the incident reporting requirements of the development consent and EPL were not triggered.

**Table 8** and **Figure 3** compare the number of environmental incidents that occurred at Oakburn over the previous reporting periods.

**Table 8 Comparison of Environmental Incidents**

Report Period	Environmental Incidents Reported
2016-2017	6
2017-2018	6
2018-19	8
2019-20	11
2020-21	4
2021-22	2



**Figure 3 Comparison of Incidents**

As evident, the number of environmental incidents in the 2021-22 reporting period continues to decrease from those recorded in previous reporting periods.

## 6 Complaints

### 6.1 Complaints Management

A management system for complaints and reportable incidents (including a standardised Form and National Register) is maintained for all Baiada sites, including Oakburn. All complaints are reported to the Site Manager and the relevant details are recorded on an *Environmental Incident and Complaint Record Sheet* in accordance with Condition M2 of EPL 7566.

In accordance with Condition M3 of EPL 7566, Baiada has established a 24-hour hotline number for the purpose of receiving feedback and/or complaints from the public. This number is displayed at the entrance to the site on the front gate. The Baiada website can also be accessed via [www.baiada.com.au](http://www.baiada.com.au).

The *Odour Management Plan (2022)* provides a complaint response and validation process specifically when complaints are received in relation to odour.

### 6.2 Complaints Received

Baiada has advised that one complaint was received during the 2021-22 reporting period by one complainant at Oakburn Raceway in relation to a strong smell from the site. A copy of the completed Environmental Incident Record Sheet has been sighted by SLR. Baiada identified the source of the odour and have since commenced construction of a CAL flare, which will result in the burning of CAL gas instead of venting to atmosphere, preventing offsite odour emissions. **Table 9** provides a summary of complaints during the reporting period.

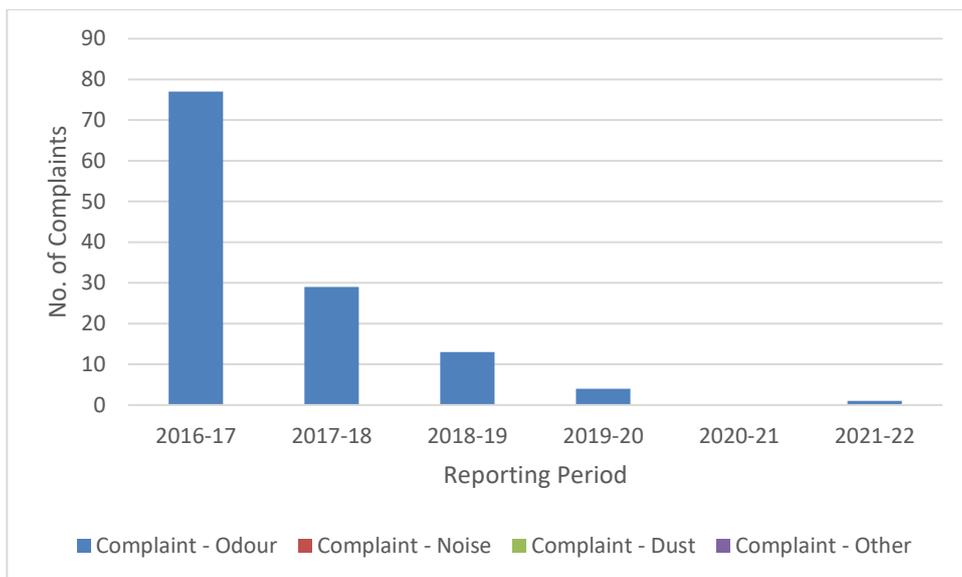
**Table 9 Complaints during the Reporting Period**

No. of Complaints received	Number of complainants	Location of complaints	Nature of complaints
1	1	Oakburn Raceway, offsite neighbour to the North of site.	Odour

**Table 10** and **Figure 4** compare the number of complaints received by Baiada in relation to Oakburn over the previous reporting periods.

**Table 10 Comparison of Complaints**

Report Period	Complaints Received
2016-17	77
2017-18	29
2018-19	13
2019-20	4
2020-21	0
2021-22	1



**Figure 4 Comparison of Complaints**

The number of complaints has significantly improved over the operation of the development, with only one complaint being received in this reporting period and nil received during the 2020-21 reporting period. This can be attributed to the performance of the replacement biofilter and additional air ducting to the WWTP which were commissioned in August 2017, as well as process changes to the treatment of waste water. Baiada is confident the installation of the CAL flare will enable the site to continue to operate with no offensive odour emissions.

## 7 Environmental Performance

### 7.1 Odour Management

Based on the number of surrounding residences and population density, an odour performance criterion of 5 odour units (OU) was adopted for Oakburn in the Environmental Impact Statement (EIS) (PSA Consulting Australia 2019) that accompanied the SSD 9394 application. The EIS states that Oakburn is unlikely to exceed this criterion and cause adverse odour impacts under normal conditions. Condition L3.1 of EPL 7566 does not permit any offensive odour from Oakburn.

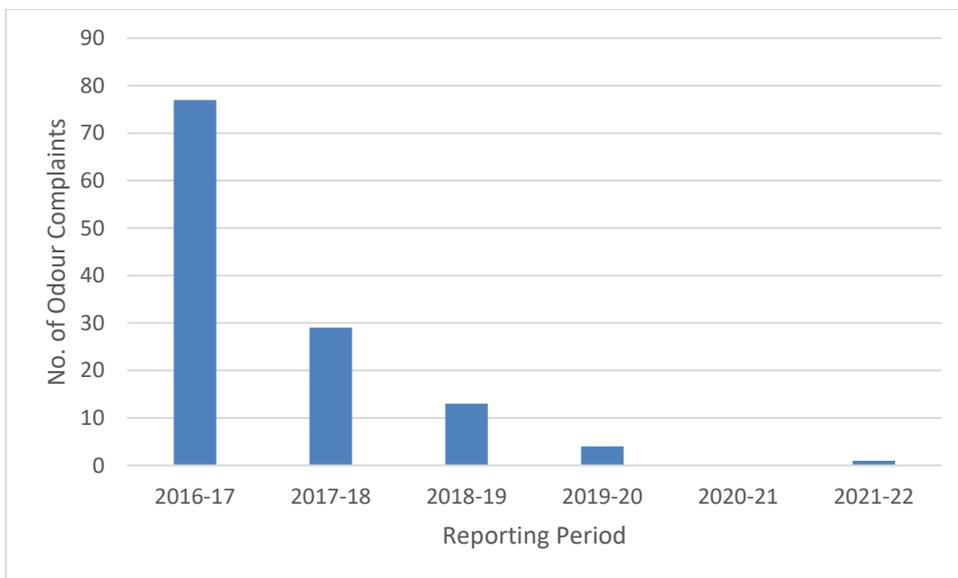
An *Odour Management Plan* (OMP) (2022) is implemented at Oakburn in accordance with Condition B12 of SSD 9394. The key performance indicators of this OMP are:

- No offensive odour beyond the site boundary; and
- No loss of amenity – no community complaints related to odour.

One complaint was received during the 2021-22 reporting period (see **Section 6**) in relation to odour emissions from Oakburn. **Table 11** and **Figure 5** compare the number of complaints received by Baiada in relation to Oakburn over the previous reporting periods.

**Table 11 Comparison of Odour Complaints**

Report Period	Complaints Received
2016-17	77
2017-18	29
2018-19	13
2019-20	4
2020-21	0
2021-22	1



**Figure 5 Comparison of Odour Complaints**

The trend of odour complaints continues to show a significant overall reduction of odour complaints since the 2016-17 reporting period. This can be attributed to the performance of the replacement biofilter and additional air ducting to the WWTP which was commissioned in August 2017, previous odour reduction measures, and process modifications from the WWTP upgrades. In response to this recent odour complaint, Baiada have commenced construction of a CAL flare to mitigate this source of odour ongoing.

## 7.2 Bird Life Monitoring

In accordance with Condition B63 of SSD 9394, a Bird Life Monitoring Program was prepared (Cumberland Ecology 2021). As outlined in this program, a qualified ecological consultant or ornithologist should be engaged to carry out a program of regular monitoring of birds in the subject land.

Initially, the current levels of bird usage of the subject land prior to the future developments will be determined to provide a baseline indication of bird usage. Subsequently, monitoring will be conducted quarterly (i.e. every three months) during the construction and operation of the project to collect data on the usage of the subject land by birds and to identify if bird usage is increasing. The results from the initial monitoring surveys (i.e. collection of baseline data) will be compared to those from after the construction of the project is complete and subsequent surveys to gain an appreciation of whether the project has resulted in an increase in bird usage on the subject land (Cumberland Ecology 2021). Baseline data monitoring is planned to commence in May 2022.

### 7.3 Noise Management

Condition B6 of SSD 9394 impose noise limits for operational activities, which are included in **Table 12**.

**Table 12 Operation Noise Limits (dB(A))**

Location	Noise Limits dB(A)			
	Day	Evening	Night	Night
	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>Amax</sub>
<b>SSD 9394</b>				
R1 – Girrawheen	40	35	35	52
R2 – Abbeylands				
R3 – The Billabong				
R4 – Airport South				

Condition L2.1 of EPL 7566 imposes the following operational noise performance criteria:

*Noise from the premises must not exceed:*

- a. *an LA<sub>10(15 minute)</sub> noise emission criterion of 5 dB(A) above background level LA (90) dB(A) (7am to 6pm) Monday to Friday and 7am to 1pm Saturday; and*
- b. *an LA<sub>10(15 minute)</sub> noise emission criterion of 5 dB(A) above background level LA (90) dB(A) during the evening (6pm to 10pm) Monday to Friday; and*
- c. *at all other times, an LA<sub>10(15 minute)</sub> noise emission criterion of 5 dB(A) above background level LA (90) dB(A), except as expressly provided by this licence.*

There is no requirement under the development consents or EPL to undertake routine noise monitoring at Oakburn, therefore comparisons against the noise predictions cannot be made.

A noise monitoring program or impact assessment is only considered necessary if excessive noise levels are recurring and/or it is requested by the EPA under the provisions of EPL 7556. Under the SSD 9394 *Noise Impact Assessment* (Reverb Acoustics 2019) also recommends attended noise monitoring be carried out at commencement of each process/activity that has the potential to produce excessive noise to verify predictions, although unattended long-term monitoring is not recommended.

The EIS (PSA Consulting Australia 2019) stated that noise from the premises was not expected to exceed the criteria at any receiver, under natural or noise-enhancing atmospheric conditions during the day, evening or night periods.

Noise emissions from Oakburn are predominantly from heavy vehicles entering/exiting the site. The rendering operations are all undertaken within an enclosed building.

During the reporting period, no complaints were received in relation to noise.

## 7.4 Solid Waste Management

Waste will be managed in accordance with the following conditions outlined in **Table 13**.

**Table 13 Waste Management Requirements**

Number	Condition Requirement
<b>SSD 9394</b>	
B43	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
B44	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.
B45	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
B46	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

There were no specific predictions or estimated volumes relating to waste in the EIS (PSA Consulting 2019).

Baiada's commitment to *AS/NZS ISO 14001:2015 – Environmental Management Systems* and the *Australian Packaging Covenant* assists to ensure that operations minimise waste generation through optimised design and production processes and, where possible, material reuse/recycle. The rendering plant is essentially a waste recycling facility.

Waste management at Oakburn is undertaken in accordance with the *Operational Environmental Management Plan (2022)*, prepared and implemented in accordance with Condition B43 to 46 of SSD 9394.

There is no stockpiling or disposal of waste materials on-site at Oakburn.

In summary, Oakburn produced the following solid waste streams during the reporting period:

- Offal waste – typically rejections from the metal detection systems, offal and feathers;
- Minor quantities of maintenance wastes, such as scrap metals and machine parts, collected by licensed recycling contractors;
- Minor quantities of waste oils and chemicals drums collected by a drum recycling contractor;
- General non-recyclable waste taken to the Tamworth WMF for landfill disposal;
- Minor quantities of recyclable wastes, such as cardboard, glass, aluminium and some plastics, collected by Challenge Recycling on a fortnightly basis and taken to the recycling centre at the Tamworth WMF; and
- Wastewater sludge from the Sequencing Batch Reactors (SBR) Sludge process taken to the Tamworth WMF.

**Table 14** summarises the total amount of waste produced by Oakburn and the percentage of this waste able to be recycled during the reporting period.

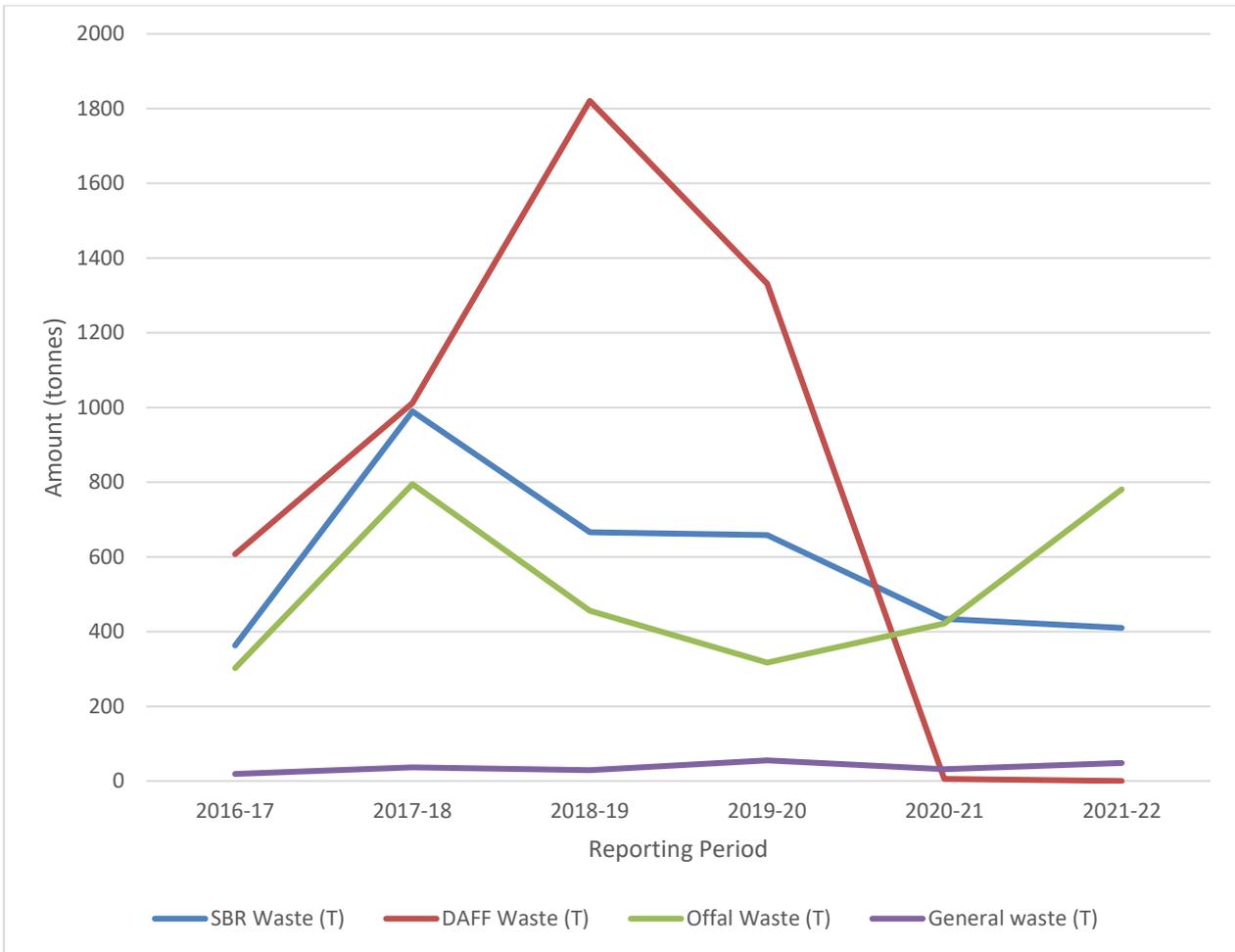
**Table 14 Total Waste Materials**

Material	Total of Waste Material Produced	Percentage Recycled	Percentage Sent to Landfill
SBR Solids (tonnes)	409.74	0%	100%
Offal Waste (tonnes)	781.04	0%	100%
General Waste (tonnes)	47.98	0%	100%
Mixed Recyclables (kg)	164	100%	0%
Printer Cartridges (kg)	5.0	100%	0%
Wood Pallets (kg)	0.0	-	-

**Table 15** below shows the total amounts of waste and recycling produced by Oakburn during the reporting period and in comparison to previous years. **Figure 6** illustrates the trend of landfill amounts since the 2016-17 reporting period.

**Table 15 Comparison of Landfill and recycling amounts**

Waste Material	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
<b>Landfill</b>						
SBR Waste (T)	362.68	989.6	665.72	658.38	434.49	409.74
DAFF Waste (T)	607.48	1011.56	1820.98	1331.24	5.58	0
Offal Waste (T)	302.08	794.84	456.12	317.04	421.5	781.04
General waste (T)	18.88	36.38	28.88	55.24	31.76	47.98
<b>Total (T)</b>	<b>1900.96</b>	<b>2832.24</b>	<b>2971.7</b>	<b>2361.9</b>	<b>893.33</b>	<b>1238.76</b>
<b>Recycling</b>						
Challenge Mixed Recyclables (kg)	156	156	156	156	156	164
Printer Cartridges (kg)	0	0	0	0.5	0	5
Wood Pallets (kg)	0	0	0	100	0	0
Bottles and Cans (kg)	0	0	0	0	7	12
Steel Scraps (kg)	0	0	0	0	0	6.28
Light Bulbs (kg)	0	0	0	0	0	0
Green Waste (kg)	0	4.86	0	0	0	0



**Figure 6 Comparison of Landfill Amounts (Tonnes) by Material Type**

## 7.5 Hazardous Material Management

While there is no specific objective or criteria relating to chemical storage and management, there are general obligations under the POEO Act for EPL holders to avoid and control environmental pollution.

As advised in **Section 1.6.3.1**, Oakburn operates under a PIRMP which has been prepared in accordance with the requirements of Section 153A of the POEO Act. This document contains an inventory of potential pollutants (hazardous substances), the controls in place to reduce the likelihood of a pollution incident to a negligible level, incident management protocol, staff training and annual PIRMP training requirements.

Operation of Oakburn requires only limited input of chemicals and other hazardous substances. The primary areas of chemical use are cleaning/sanitation, wastewater treatment and pest/vermin control. A contracted company provides a chemical delivery and pickup service direct to the site. This reduces the on-site chemical storage requirements and eliminates the need to dispose of empty chemical containers with the contractor retrieving containers for reuse, recycling or appropriate disposal. The largest quantity of hazardous substances on site is three 80,000 L liquid natural gas tanks which are stored and handled in accordance with the PIRMP.

Given the limited applications and current management practices, the potential for adverse impact from the storage and use of hazardous substances at Oakburn is considered low. All operational areas are fully sealed and graded to drains that direct all wash down water to the on-site WWTP.

There were no community complaints or incidents recorded in relation to hazardous material management during the 2021-22 reporting period. The PIRMP was not required to be activated during the reporting period.

## 7.6 Heritage

In accordance with Condition B67 of SSD 9394, in the event that Aboriginal objects are uncovered during the course of the development, then work in the immediate area shall cease, and a 10 m wide buffer implemented around the suspected item or object must be cordoned off. Heritage NSW must be contacted immediately

No Aboriginal objects were uncovered during the 2021-22 reporting period.

## 7.7 External Lighting

As required by Condition B74 of SSD 9394, Baiada limit the potential for visual pollution and nuisance from external lighting at Oakburn by ensuring all exterior lighting fixtures are directed downwards and aimed to avoid light spill onto adjoining lands.

Baiada has advised that no complaints relating to external lighting were received during the 2021-22 reporting period.

## 7.8 Wastewater Management

The LTWSA (see **Section 1.6.4** and **Appendix E**) imposes quality and quantity limits for the wastewater discharged from Oakburn to TRC's sewer on a daily basis. These limits are also listed in **Table 16** below.

All wastewater generated by the plant is treated on-site before being discharged to TRC's sewer under the provisions of the LTWSA. Upgrades to the WWTP were completed during the 2019-20 reporting period and the plant was commissioned in February 2020. The movement of wastewater through the WWTP is described in Section 10.5.5 of the OEMP (Baiada 2022).

### Wastewater Quality

Treated wastewater from Oakburn is sampled and analysed by TRC on a weekly basis. **Table 16** summarises the analysis results during the 2021-22 reporting period and compares them with the wastewater quality limits in the LTWSA.

**Table 16 Wastewater Analysis Results**

Parameter (mg/L)	Minimum	Average	Maximum	Median	LTWSA Conditioned Limit
pH (no units)	6.3	7.4	<b>9.7</b>	7.5	7 to 9
Conductivity	2.0	4.3	8.2	3.3	-
Biological Oxygen Demand	3.0	44.3	119.0	37.0	300mg/L
Chemical Oxygen Demand	21.5	261.4	1210.0	211.5	600mg/L = BOD <150. <3 x BOD = BOD >150mg/L
Total Suspended Solids (TSS)	20.0	69.7	200.0	52.0	300mg/L
Total Dissolved Solids (TDS)	<b>1384.0</b>	<b>3234.5</b>	<b>6740.0</b>	<b>2135.0</b>	1,000mg/L
Sulphate (as SO <sub>4</sub> )	158.0	235.8	448.0	228.0	500mg/L
Total Phosphorus (TP)	<b>34.5</b>	<b>70.8</b>	<b>108.0</b>	<b>71.2</b>	35mg/L
Total Nitrogen as N	0.1	5.0	51.5	2.9	-
Nitrite + Nitrate as N	6.7	47.2	153.0	34.5	-
Ammonia as Nitrogen	5.0	7.4	35.0	5.0	50mg/L
Total Kjeldahl Nitrogen	6.3	7.4	9.7	7.5	100mg/L
Oil and Grease	2.0	4.3	8.2	3.3	100mg/L
Sulphide*	-	-	-	-	1mg/L

Note 1: **Bold** indicates exceedance of LTWSA limits.

Note 2: \*Sulphide testing will be conducted at TRC's discretion

Note 3: No sampling occurred in the week 9.03.22, all other weeks sampled in the reporting period.

During the 2021-22 reporting period, with the exception of the TDS and TP, the average results for all wastewater parameters are below the conditioned limit, and the wastewater analysis results of pH, TDS and phosphorus exceeded the respective limits set by the LTWSA during the report period. TDS and TP were frequently over the LTWSA limit and pH on only two occasions.

During the reporting period, to keep the pH in the required aerobics limits of the SBR for optimal de-nitrification, Oakburn were required to add additional chemical treatment (Sodium Hydroxide), which impacted the TDS. During the latter half of the reporting period, a different method to control pH was introduced which doesn't impact the TDS. Therefore, TDS results are expected to continue to improve over the next 12 months.

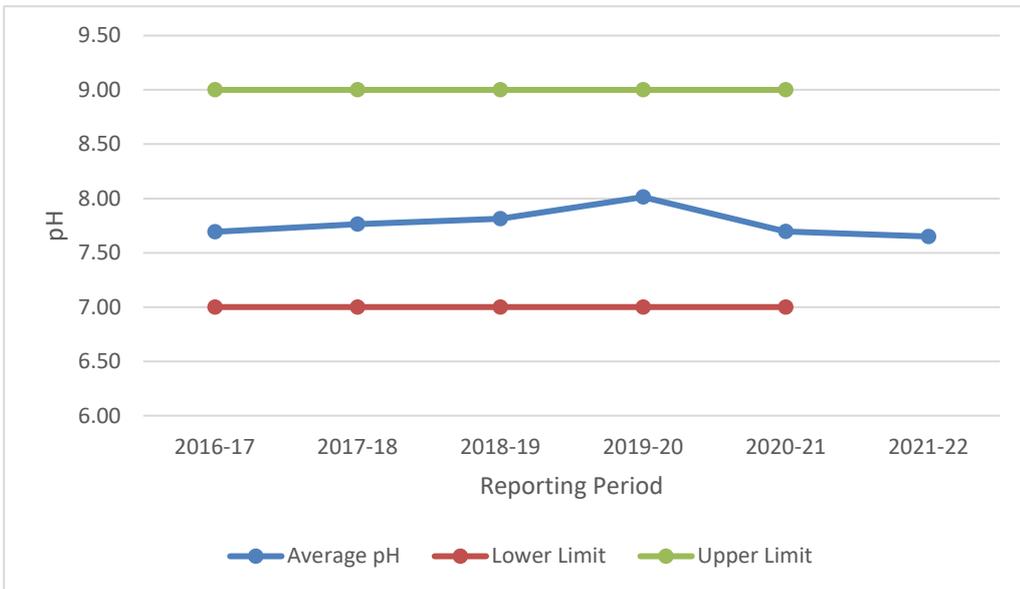
Advice from TRC is that they would prefer additional chemicals not be added to control TP at this time. Oakburn is observing improved TP levels and expect results in the next reporting period to continue on this trajectory.

Wastewater is being treated as described in the EIS (PSA Consulting 2019), although there are no specific predictions of expected wastewater quality at discharge, this is outlined in the LTWSA. Baiada continue to work in consultation with TRC to improve their performance in this area.

**Table 17** and **Figures 7 to 16** compare the 2021-22 reporting period average wastewater analysis results at Oakburn against those from previous reporting periods.

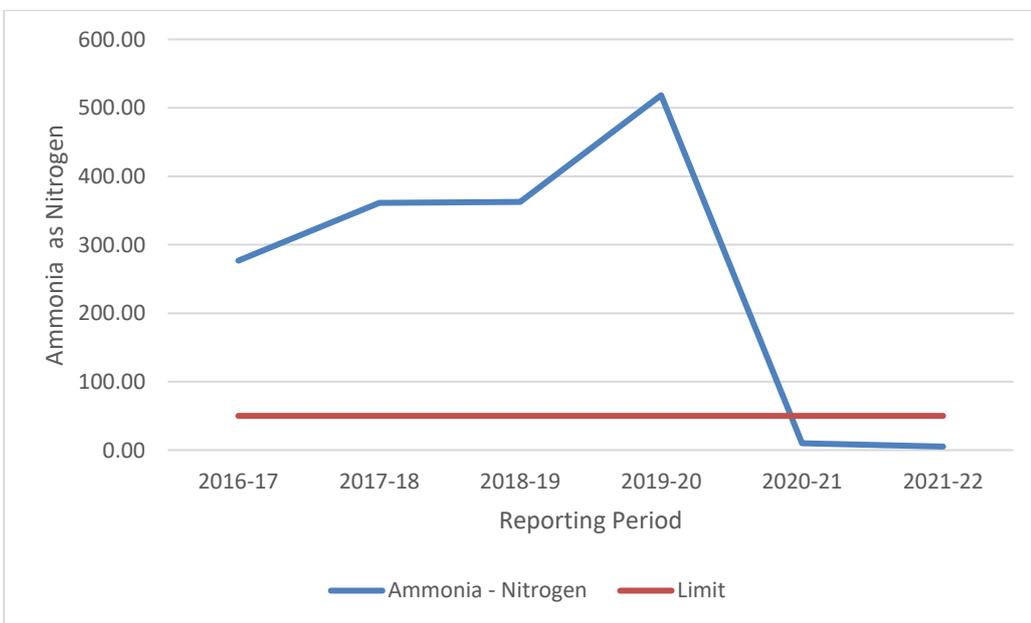
**Table 17 Comparison of Average Wastewater Analysis Results**

Reporting Period	Parameter (mg/L)									
	pH	Ammonia as Nitrogen	Biological Oxygen Demand (BOD)	Chemical Oxygen Demand (COD)	Total Kjeldahl Nitrogen (TKN)	Total Phosphorus (TP)	Oil and Grease	Total Suspended Solids (TSS)	Total Dissolved Solids (TDS)	Sulphate SO <sub>4</sub>
	7 to 9	50	300	600	100	20	100	300	1,000	500
2016-17	7.7	277	270	1030	325	21	33	561	1295	741
2017-18	7.8	361	56	352	442	28	6	226	1570	1045
2018-19	7.8	363	52	240	376	16	6	100	1,388	1,256
2019-20	8	528	144	466	571	32	6	238	1,672	1,173
2020-21	8.5	10	39	186	32	53	9	49	1,989	344
2021-22	7.7	5	46	272	49	74	8	72	3364	245



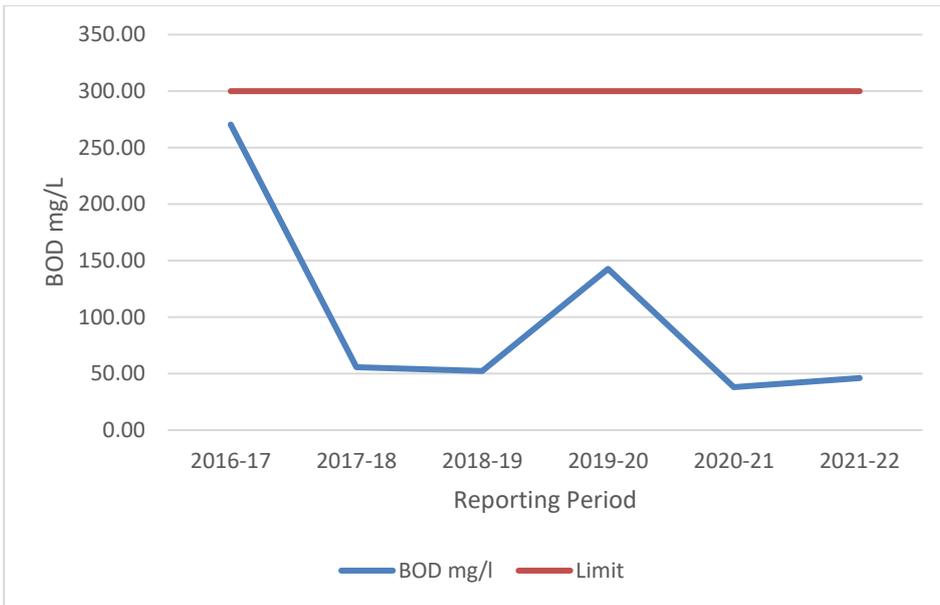
**Figure 7 Comparison of Average discharge pH**

As evident in **Figure 7**, the average discharge pH continues to remain within LTWSA limits. This stable trend of neutral pH is due to a correctly operating WWTP system.



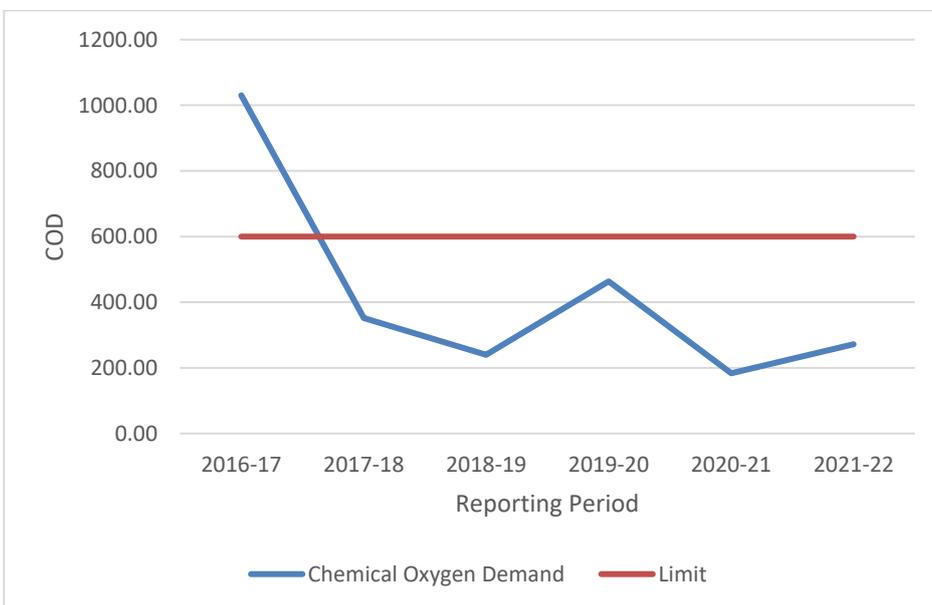
**Figure 8 Comparison of Average discharge Ammonia as Nitrogen**

As evident in **Figure 8**, the average discharge Ammonia as Nitrogen has dropped significantly in this reporting period and last year’s reporting period, remaining below LTWSA limits. This is due to the upgrades to the WWTP which were completed in February 2020.



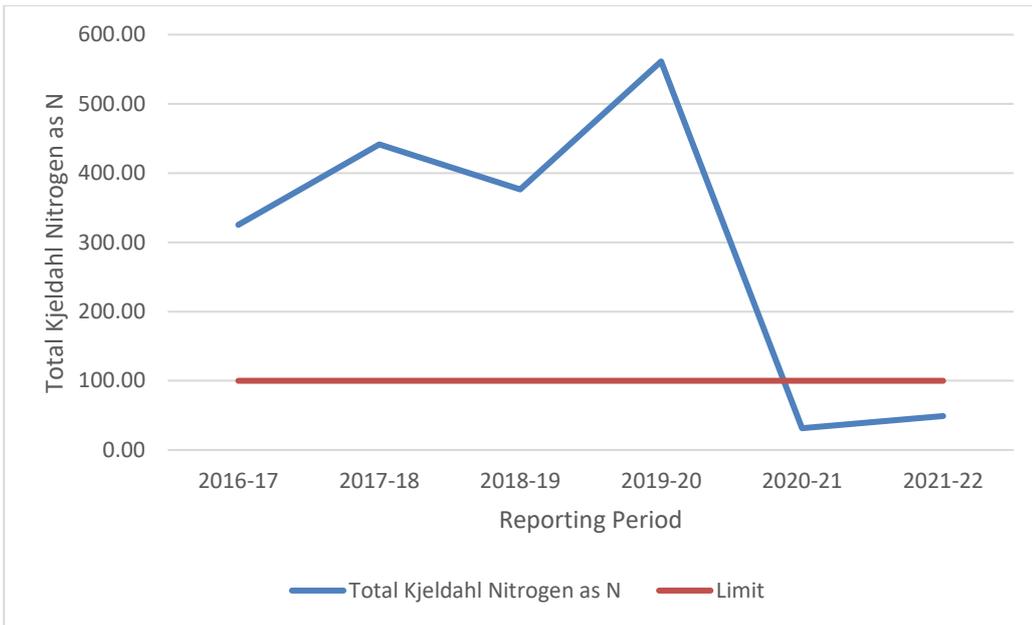
**Figure 9 Comparison of Average discharge BOD**

As evident in **Figure 9**, the average discharge BOD continues to remain below LTWSA limits and exhibits a general downward trend of BOD mg/L over time. The low levels of BOD in the current and previous reporting period is due to the upgrades to the WWTP which were completed in February 2020.



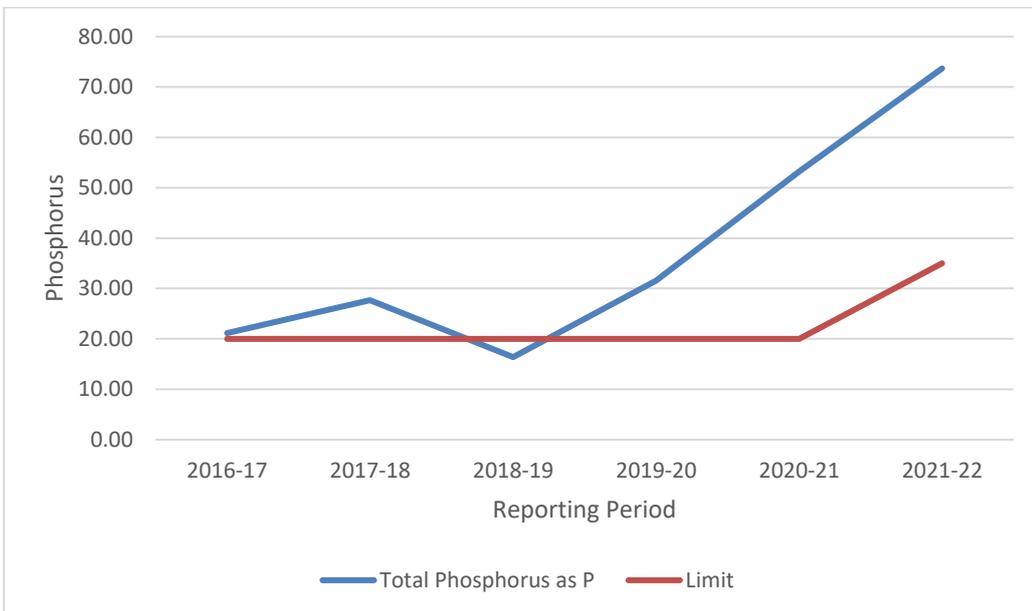
**Figure 10 Comparison of Average discharge COD**

As evident in **Figure 10**, the average discharge COD continues to remain below LTWSA limits and exhibits a general downward trend of COD over time. The low levels of COD in the current and previous reporting period is due to the upgrades to the WWTP which were completed in February 2020.



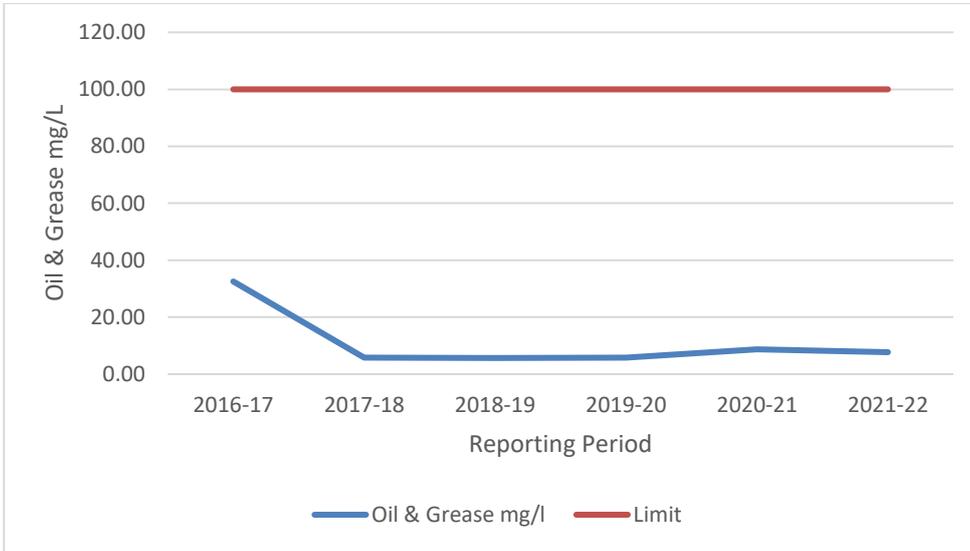
**Figure 11 Comparison of Average discharge Kjeldahl Nitrogen as N**

As evident in **Figure 11**, the average discharge Kjeldahl Nitrogen as N has dropped significantly in this reporting period and last year’s reporting period, remaining below LTWSA limits. This is due to the upgrades to the WWTP which were completed in February 2020.



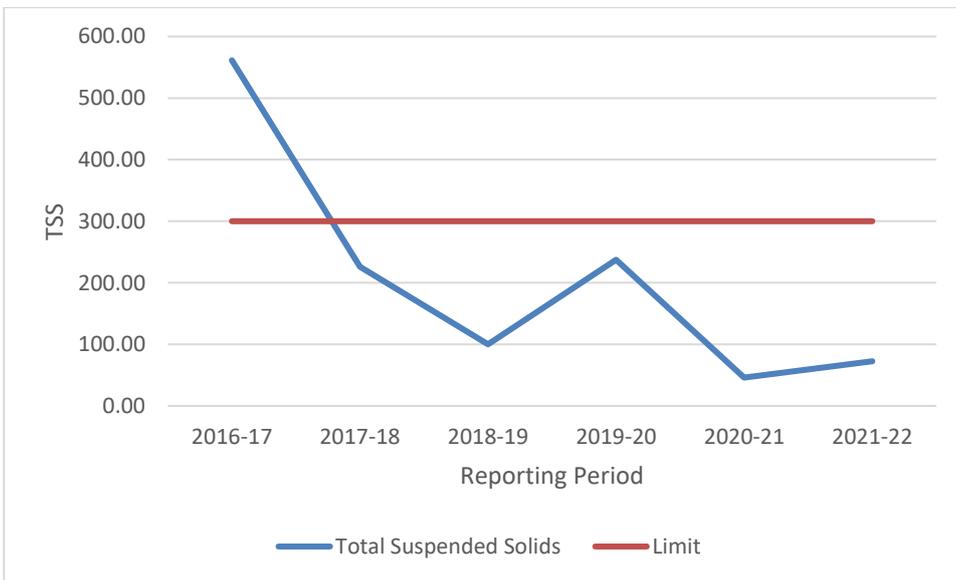
**Figure 12 Comparison of Average Total Phosphorus**

As evident in **Figure 12**, the average discharge TP continues to trend upwards, above LTWSA limits. As mentioned above, advice from TRC is that they would prefer additional chemicals not be added to control TP at this time. Baiada expects improved results in the next reporting period.



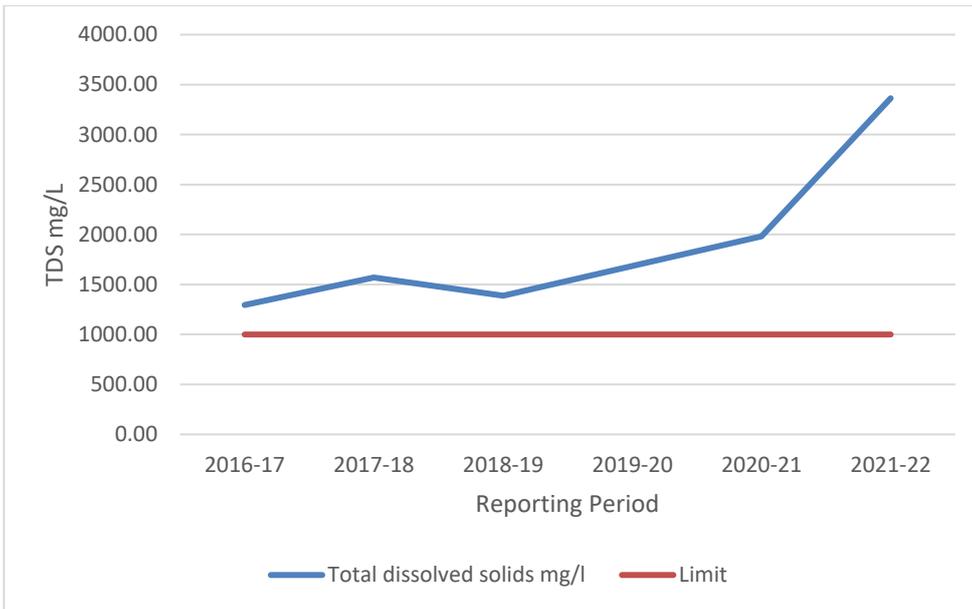
**Figure 13 Comparison of Average Discharge Oil and Grease**

As evident in **Figure 13**, the average discharge Oil and Grease continues to remain below LTWSA limits and exhibits a stable low level since 2017-18 reporting period, due to the ongoing implementation of environmental management measures on site.



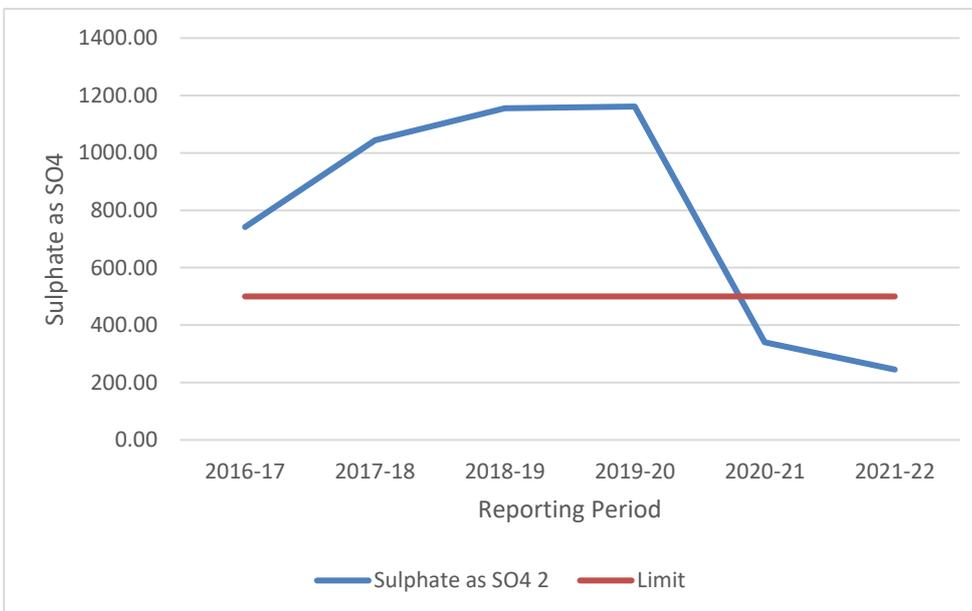
**Figure 14 Comparison of Average discharge Total Suspended Solids (TSS)**

As evident in **Figure 14**, the average discharge TSS continues to remain below LTWSA limits and exhibits a general downward trend of COD over time. The low levels of TSS in the current and previous reporting period is due to the ongoing implementation of environmental management measures on site.



**Figure 15 Comparison of Average discharge TDS**

As evident in **Figure 15**, the average discharge TDS is trending upwards and above LTWSA limits. As mentioned above, to keep the pH in the required aerobics limits of the SBR for optimal de-nitrification, Oakburn were required to add additional chemical treatment (Sodium Hydroxide), which impacted the TDS. During the latter half of the reporting period, a different method to control pH was introduced which doesn't impact the TDS. Therefore, TDS results are expected to continue to improve over the next 12 months and into the future.



**Figure 16 Comparison of Average discharge Sulphate**

As evident in **Figure 16**, the average discharge Sulphate as SO4 has dropped significantly in this reporting period and last year's reporting period, remaining below LTWSA limits. This is due to the upgrades to the WWTP which were completed in February 2020.

---

## Wastewater Quantity

Condition 6 of Annexure A of the LTWSA imposes a daily limit of 450 kL of wastewater discharge from Oakburn, and condition 7 imposes a limit of 7 L/s on the maximum instantaneous discharge rate. Pump settings are now Programmable Logic Controller (PLC) controlled to cease pumping if the flow metre reaches 450kL within a 24 hour period. TRC is provided with a copy of the daily discharge data on a monthly basis.

## 7.9 Stormwater Management

Condition B22 of SSD 9394 and Condition L1.1 of EPL 7566 specifies that the licensee must comply with Section 120 of the POEO Act, which prohibits the pollution of waters.

Stormwater generated within the bounds of the Oakburn development is managed in accordance with the *Stormwater Management Plan* (2019) prepared in accordance with Condition B23 of SSD 9394. This condition will not be triggered until Phase 2 construction.

There were no incidents in relation to stormwater management during the 2021-22 reporting period. The PIRMP was not required to be activated during the reporting period.

## 7.10 Water and Energy Efficiency

During the 2020-21 reporting period Baiada received a grant from DPE under manufacturing efficiency funding to undertake audits in energy efficiency. These included a *Compressed Air Survey* (ERM, 2020) and an *Energy Reduction Plan* (ERM, 2020) from which recommendations have been made to increase efficiency at the site. Several of these recommendations have been implemented and further actions continue to be put in place.

### Water Consumption

The water supply requirements for Oakburn are serviced via the site's connection to TRC's reticulated water supply infrastructure. This is supplemented by rainwater collected on site. The facility does not consume a high volume of water, with the primary areas of use being steam generation, cooling towers, biofilters, cleaning and staff amenities. Water use for cleaning and amenities is small compared to that used for steam generation and cooling tower use, which is a major part of the rendering process.

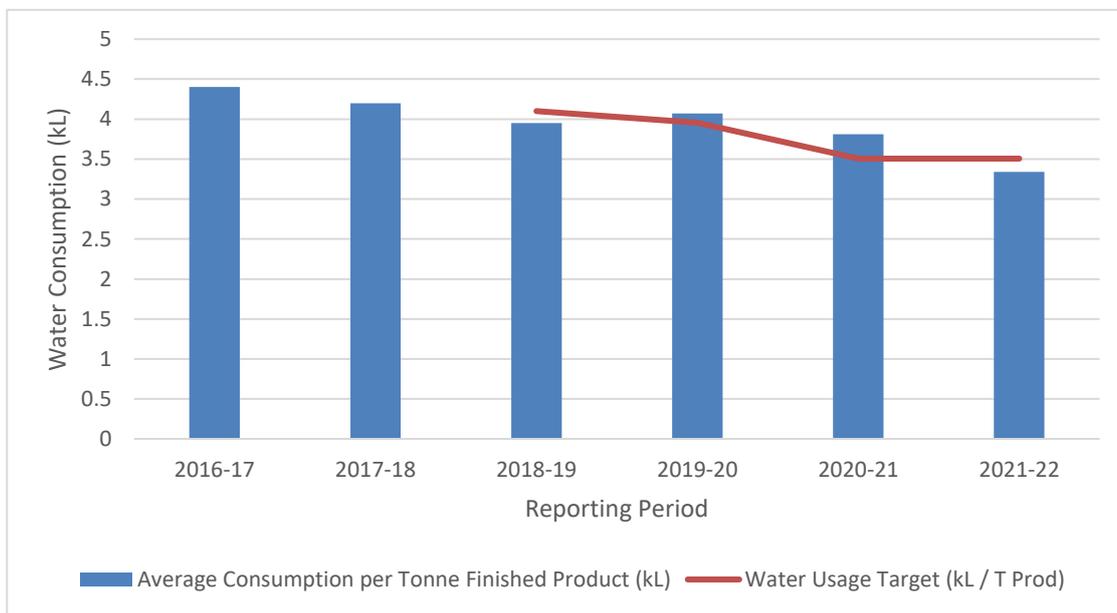
A number of additional water saving initiatives were implemented at the site during the 2020-21 reporting period which have significantly reduced water consumption at the site including:

- Recycling of water from the vacuum pumps to the cooling towers;
- Installation of a side stream filter on the large cooling tower which reduces bleeds to the system and reduces water usage; and
- Metering enabling leaks to be identified and repaired promptly.

Water consumption is monitored by reading and recording the site's water meter on a weekly basis. Total water consumption over the 2021-22 reporting period, and also over previous reporting periods, is presented in **Table 18** and shown in **Figure 17**.

**Table 18 Water Consumption**

Reporting Period	Average Consumption per Tonne Finished Product (kL)	Water Usage Target (kL / T Prod)
2016-17	4.40	-
2017-18	4.20	-
2018-19	3.95	4.10
2019-20	4.07	3.96
2020-21	3.81	3.51
2021-22	3.34	3.51



**Figure 17 Average Water Consumption (per Tonne of Finished Product)**

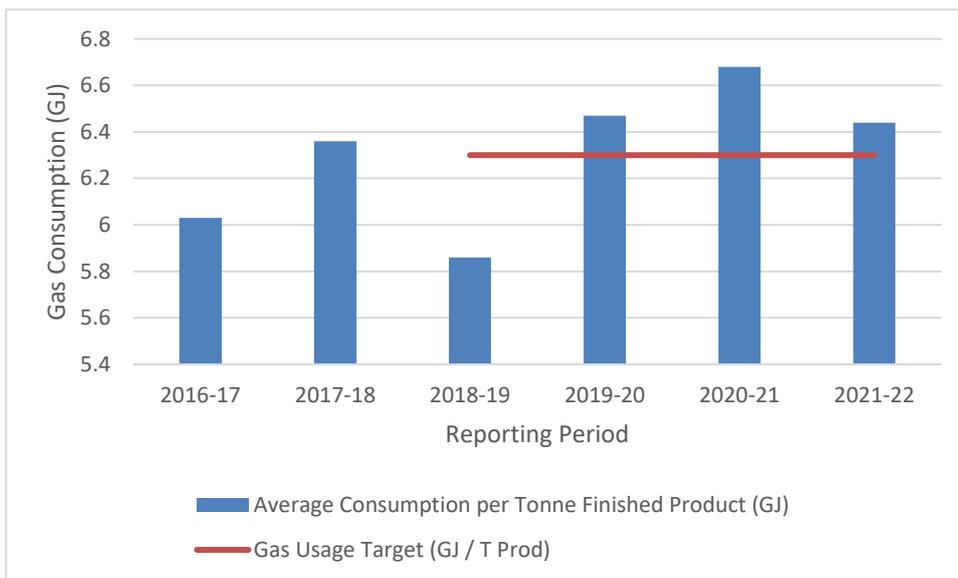
As evident in **Table 18** and **Figure 19**, the average water consumption at the site continues to decrease due to the additional water saving initiatives implemented at the site, and Baiada achieved their Water Usage Target during the 2021-22 Reporting Period.

## Gas Consumption

Reticulated Natural Gas (RNG) is provided by the site’s connection to the Central Ranges Pipeline. RNG is used to generate thermal energy in the form of steam, which is the major area of consumption, and hot water. Baiada also uses LNG at the Oakburn complex. Gas consumption over the 2021-22 reporting period, and also over previous reporting periods, is presented in **Table 19** and shown in **Figure 18**.

**Table 19 Gas Consumption**

Reporting Period	Average Consumption per Tonne Finished Product (GJ)	Gas Usage Target (GJ per T Prod)
2016-17	6.03	-
2017-18	6.36	-
2018-19	5.86	6.30
2019-20	6.47	6.30
2020-21	6.68	6.30
2021-22	6.44	6.30



**Figure 18 Average Gas Consumption (per Tonne of Finished Product)**

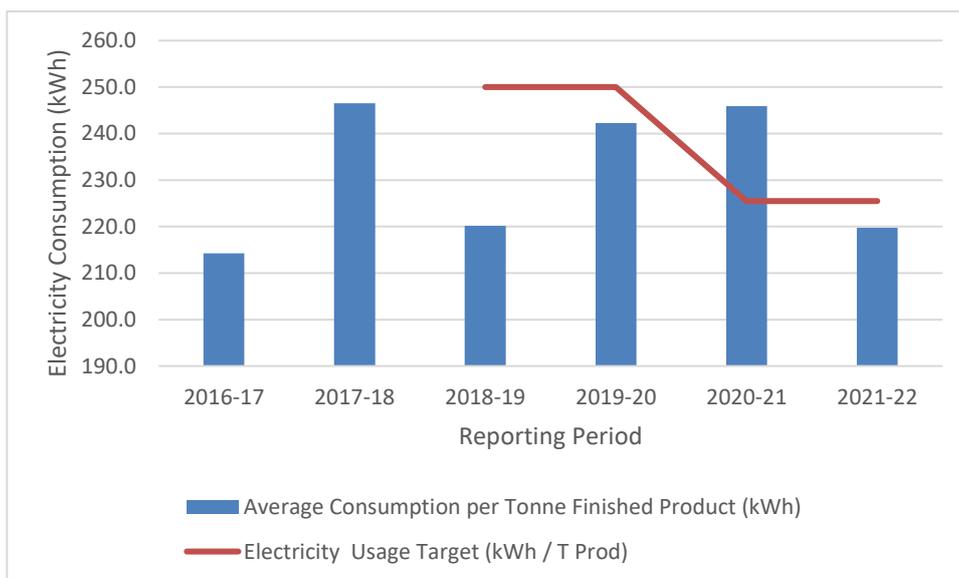
As evident in **Table 19** and shown in **Figure 18**, the average gas consumed per tonne of finished product over the 2021-22 reporting period was 6.44 GJ per tonne of finished product, which is a further decrease from the previous two reporting periods, and closer to achieving Oakburn’s Gas Usage Target.

## Electricity Consumption

The electricity requirements for Oakburn are serviced via the site’s connection to Essential Energy’s reticulated electricity infrastructure. The main areas of electricity use are the cooker extraction fan and motor, biofilter fan, general lighting and staff amenities. Electricity consumption over the 2021-22 reporting period, and also previous reporting periods, is presented in **Table 20** and shown in **Figure 19**.

**Table 20 Electricity Consumption**

Reporting Period	Average Consumption per Tonne Finished Product (kWh)	Electricity Usage Target (kWh / T Prod)
2016-17	214.2	-
2017-18	246.5	-
2018-19	220.1	250.0
2019-20	242.3	250.0
2020-21	245.9	225.5
2021-22	219.7	225.5



**Figure 19 Electricity Consumption (per Tonne of Finished Product)**

As evident in **Table 20** and shown in **Figure 19** the average electricity consumed over the 2021-22 reporting period was 219.7 kWh per tonne of finished product. This is significantly lower than the previous two reporting periods and Baiada achieved their Electricity Usage Target during the 2021-22 Reporting Period.

## 7.11 Planned Improvements

In addition to the implementation of the IEA Recommendations, and in accordance with Condition C18(c) of SSD 9394, the following measures will be implemented over the next year to improve environmental performance at Oakburn:

- Construction of a CAL flare, which will result in the burning of CAL gas instead of venting to atmosphere, preventing offsite odour emissions.
- Baiada is currently reviewing and retesting SBR sludge to determine its suitability for land application, which is a more sustainable waste management approach and would replace the current practice of sending SBR sludge to landfill for disposal at the Tamworth Waste Management Facility (WMF).

## 8 References

Baiada (2022) Oakburn – *Operational Environmental Management (Plan Stage 1 – Rendering) (OEMP)*

Baiada (2022a) Oakburn – *Odour Management Plan (OMP)*

Baiada (2022b) *Traffic Management Plan*

Cumberland Ecology (2021) *Bird Life Monitoring Program*

MPN Consulting (2019) *Stormwater Management Plan*

PSA Consulting Australia (2019) *Environmental Impact Statement (EIS)*

# APPENDIX A

## Government Agency Correspondence



1 December 2021

**Planning Secretary**  
Department of Planning, Industry and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

Att: Joanna Bakopanos

Dear Joanna,

**RE: SURRENDER OF DEVELOPMENT CONSENTS RELATED TO THE BAIADA OAKBURN POULTRY PROCESSING FACILITY ON LAND AT 1154 GUNNEDAH ROAD, WESTDALE, NSW, 2340**

As the owner of the land at 1154 Gunnedah Road, Westdale 2340, described as Lot 100 on DP1097471, and in accordance with section 4.17(5) of the *Environment Planning and Assessment Act 1979*, we are writing to Tamworth Regional Council (the Consent Authority) to formally surrender the following development consents

*Table 1: Development Consent to be Surrendered*

REFERENCE	DATE OF DETERMINATION	DETAILS OF APPROVAL
DA53/97	9 February 1998	Poultry Processing Complex to be developed in four stages (as modified)

Condition A12, the SSD-9394 Development Consent (see **Attachment 1**) issued by the Minister for Planning and Public Spaces on 18 December 2020 requires "*Within 12 months of the date of determination of this development consent, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the consents specified in Appendix 3 in accordance with the EP&A Regulation.*"

As noted in the Preamble to the Development Consent, "*This instrument applies to the Development which is comprised of the Existing Development and the Project on the land (refer to definitions).*" As such, while the Development Consent approved construction and operation of an integrated poultry processing facility, it also consented to the continuation of the existing protein recovery plant and associated infrastructure (taking effect on and from 22 January 2021).

As such, continued operation of the site, and future development will now be carried out in accordance with the SSD-9394 Development Consent and the historic development consents applicable to the site can now be surrendered.

Yours Faithfully,



Simon Camilleri

Director

Baiada (Tamworth) Pty  
Limited



George Tsekouras

Director

Baiada (Tamworth) Pty  
Limited

*ATTACHMENT 1 – SSD9394 DEVELOPMENT CONSENT*



1 December 2021

General Manager  
Tamworth Regional Council  
PO Box 555  
Tamworth NSW 2340

Att: Mitch Gillogly

Dear Mitch,

**RE: SURRENDER OF DEVELOPMENT CONSENTS RELATED TO THE BAIADA OAKBURN POULTRY PROCESSING FACILITY ON LAND AT 1154 GUNNEDAH ROAD, WESTDALE, NSW, 2340**

As the owner of the land at 1154 Gunnedah Road, Westdale 2340, described as Lot 100 on DP1097471, and in accordance with section 4.17(5) of the *Environment Planning and Assessment Act 1979*, we are writing to Tamworth Regional Council (the Consent Authority) to formally surrender the following development consents

*Table 1: Development Consent to be Surrendered*

REFERENCE	DATE OF DETERMINATION	DETAILS
DA0775/2008	10 September 2009	Wastewater treatment plant and extensions to existing industrial shed.
DA0080/2010	4 July 2009	Construction of new equipment/storage shed
DA0571/2010	12 August 2010	Additions to Rendering Plant (Storage tanks, maintenance shed and boiler room)
DA2016/0551	29 July 2016	Alterations and additions to the existing Oakburn Wastewater Treatment Plant
DA2017/0278	23 January 2017	Entrance Signage
DA2017/0282	13 February 2017	Replacement of biofilter and additional air ducting system to existing wastewater treatment plant
DA2018/0443	20 July 2018	Wastewater Treatment Plant

Condition A12, the SSD-9394 Development Consent (see Attachment 1) issued by the Minister for Planning and Public Spaces on 18 December 2020 requires "Within 12 months of the date of determination of this development consent, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the consents specified in Appendix 3 in accordance with the EP&A Regulation."

As noted in the Preamble to the Development Consent, "This instrument applies to the Development which is comprised of the Existing Development and the Project on the land (refer to definitions)." As such, while the

Development Consent approved construction and operation of an integrated poultry processing facility, it also consented to the continuation of the existing protein recovery plant and associated infrastructure (taking effect on and from 22 January 2021).

As such, continued operation of the site, and future development will now be carried out in accordance with the SSD-9394 Development Consent and the historic development consents applicable to the site can now be surrendered.

Yours Faithfully,



Simon Camilleri

Director

Baiada (Tamworth) Pty  
Limited



George Tsekouras

Director

Baiada (Tamworth) Pty  
Limited

*ATTACHMENT 1 – SSD9394 DEVELOPMENT CONSENT*



Mr Grant White  
National Environment and Sustainability Manager  
642 Great Western Highway  
GIRRAWEE NSW 2145

23 December 2021

Dear Mr White

**Baiada Integrated Poultry Processing Facility (SSD-9394)  
Condition A12 - Notice of Surrender**

I refer to your correspondence dated 1 December 2021 regarding the surrender of development consent DA 53/97, pursuant to clause 97 of the Environmental Planning and Assessment Regulation 2000 and Condition A12 of SSD-9394.

The Department of Planning, Industry and Environment (the Department) acknowledges that Baiada (Tamworth) Pty Ltd (the Applicant) has surrendered development consent DA 53/97. The surrender is effective from 22 December 2021, being the date on which the Applicant's notice of surrender was received by the Planning Secretary via the Major Projects portal.

The Department notes that all other development consents listed in Appendix 3 of SSD-9394 will be surrendered in a separate letter to Tamworth Regional Council (Council). It would be greatly appreciated if you could forward any response letter received from Council to the Department for its records.

If you wish to discuss the matter further, please contact Pamela Morales on (02) 9274 6386 or via email at [pamela.morales@planning.nsw.gov.au](mailto:pamela.morales@planning.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink that reads 'C. Ritchie'.

**Chris Ritchie**  
Director  
Industry Assessments

**As nominee of the Planning Secretary**



15/12/2021

To Whom it may concern,

We are requesting clarification of Condition B58 Part B Specific Environmental Conditions and others with similar wording.

The wording “**after the Commencement of operations of the development**” we have taken this to be the commencement of Operation of the Integrated Processing Facility rather than The operation of the previously existing Rendering Only facility.

We would appreciate clarification of this wording to avoid confusion as to any triggers on Condition B58 and several other conditions.

If you would like to discuss this matter further please do not hesitate to contact me on the numbers included below.

Yours Sincerely,

Sherilee Stewart

Oakburn Admin and Compliance

[Sherilee\\_stewart@baiada.com.au](mailto:Sherilee_stewart@baiada.com.au)

PH 0438 118 353

## Chelsey Zuiderwyk

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**From:** Pamela Morales <pamela.morales@planning.nsw.gov.au>  
**Sent:** Wednesday, 9 February 2022 4:46 PM  
**To:** Sherilee Stewart; Grant White  
**Cc:** Joanna Bakopanos; Nicholas Hon  
**Subject:** RE: SSD 9394 corrections  
**Attachments:** Correction of errors SSD 9394.docx

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Grant and Sherilee,

Thanks for your email. Joanna asked me to look into this request for you. I've now had an opportunity to go through the attached word document.

With regard to the noted errors in the consent, I am comfortable for you to include these items in the proposed modification application that is currently being prepared by PSA consulting. Please ensure that you include a description of the condition that requires amendment and a reason or justification for the amendment.

You have also requested an amendment to the chemicals listed in Condition B60 – Table 3 of the consent. I sought feedback from the Department's hazard and risk team and they have provided the following comments:

1. Item 1 regarding increasing LPG storage from 480 kg (40 x 12 kg cylinders) to 1000 kg (2 x 300 kg tanks + several 50 kg tanks for forklifts). This increase in LPG is significant and not assessed in the PHA. The PHA only indicated 40 x 12 kg cylinders, this cylinder size is typical for forklifts, with these cylinders brought into site. However, 2 x 300 kg tanks is likely to indicate that bulk LPG is brought to site instead, and forklift cylinders are decanted from these tanks. Moreover, 50 kg tanks for forklifts are not typical. As such, all aspects involving LPG for this facility, whether currently in-place or can be in place under the consent, should be verified by a suitably qualified and experienced DG specialist as part of the MOD application.
2. Item 2 regarding increasing sodium hydroxide solution from 5,400 L to 8,000 L can be verified via the MOD application. Reclassification from DG Class 8 PG III to II (more hazardous) is subject to a suitably qualified and experienced DG specialist verifying the amended classification against chemical properties of the solution, including and not limited to solution concentrations or other properties indicated in relevant Safety Data Sheets.

Nick Hon and I are happy to discuss the above matters further with you if you have any questions.

Regards

**Pamela Morales**

Industry Assessments  
Department of Planning and Environment  
02 9274 6386

---

**From:** Grant White <[Grant.White@baiada.com.au](mailto:Grant.White@baiada.com.au)>  
**Sent:** Tuesday, February 1, 2022 1:53:11 PM  
**To:** Joanna Bakopanos <[Joanna.Bakopanos@planning.nsw.gov.au](mailto:Joanna.Bakopanos@planning.nsw.gov.au)>  
**Cc:** Sherilee Stewart <[Sherilee.Stewart@baiada.com.au](mailto:Sherilee.Stewart@baiada.com.au)>  
**Subject:** FW: SSD 9394 corrections

Hi Joanna

I have been referred to you for our below and attached guidance from Ania. Any advice would be much appreciated.

Regards  
Grant



**Grant White / National Environment and Sustainability Manager**

0418 118 045 /  
[baiada.com.au](http://baiada.com.au)

---

**From:** Ania Dorocinska <[Ania.Dorocinska@planning.nsw.gov.au](mailto:Ania.Dorocinska@planning.nsw.gov.au)>  
**Sent:** Tuesday, 1 February 2022 1:43 PM  
**To:** Grant White <[Grant.White@baiada.com.au](mailto:Grant.White@baiada.com.au)>  
**Cc:** Sherilee Stewart <[Sherilee.Stewart@baiada.com.au](mailto:Sherilee.Stewart@baiada.com.au)>  
**Subject:** RE: SSD 9394 corrections

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Grant,

Happy new year!

I am no longer working in Industry Assessments, as such can I please ask you forward your email to Joanna Bakopanos ( [Joanna.Bakopanos@planning.nsw.gov.au](mailto:Joanna.Bakopanos@planning.nsw.gov.au) ) as the Team Leader – Industry Assessments.

Thank you

Kind regards,  
**Ania Dorocińska**  
Senior Compliance Officer

Planning & Assessments | Department of Planning and Environment  
M 0497 400 884 T 02 9274 6225 | E [ania.dorocinska@planning.nsw.gov.au](mailto:ania.dorocinska@planning.nsw.gov.au)  
4 Parramatta Square, 12 Darcy St, Parramatta, NSW 2150.  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



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

---

**From:** Grant White <[Grant.White@baiada.com.au](mailto:Grant.White@baiada.com.au)>  
**Sent:** Tuesday, 1 February 2022 11:05 AM  
**To:** Ania Dorocinska <[Ania.Dorocinska@planning.nsw.gov.au](mailto:Ania.Dorocinska@planning.nsw.gov.au)>  
**Cc:** Sherilee Stewart <[Sherilee.Stewart@baiada.com.au](mailto:Sherilee.Stewart@baiada.com.au)>  
**Subject:** SSD 9394 corrections

Hi Ania

I hope you well and happy new year!

We have recently undertaken the first IEA for the facility since the issue of the SSD. During this review we have made a number of comments on the SSD.

Can you have a look over the attached and advise how we are best to approach this? I assume we should lodge an application through the portal, but after a little guidance if possible.

Cheers  
Grant



**Grant White / National Environment and Sustainability Manager**

0418 118 045 /  
[baiada.com.au](http://baiada.com.au)

#####

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#####

We would like to request amendment to the following chemicals listed in Table 3 Re: Condition B60

1. Increase LPG to 1000kg **(2 x 300kg?? tanks plus several 50kg tanks for forklift currently on site)**
2. Increase Sodium Hydroxide Solution on site to 8000L - NAOH based cleaners used on site as well as for waste water usage **(5000 for Waste water and 3000 for Cleaning This is held across several chemical stores) Packing group should also be modified to "II"**

**Table 3:** Maximum storage quantities of dangerous goods and combustible materials

Description	Dangerous Goods Class	Packing Group	Maximum Storage Quantity
Liquified natural gas (LNG)	2.1	n/a	240,000 L
Liquified petroleum gas (LPG)	2.1	n/a	480 kg
Nitrogen	2.2	n/a	10,000 L
Liquified oxygen gas (LOX)	2.2 (5.1)	n/a	10,000 L
Carbon dioxide	2.2	n/a	10,000 L
Anhydrous ammonia refrigerant	2.3	n/a	7 tonnes
Ferric sulphate	8	III	15,000 L
Hypochlorite solution	8	III	13,800 L
Sodium hydroxide solution	8	III	5,400 L
Sulfuric acid (35%)	8	II	4,000 L

We have noted the following errors located within the SSD9394 as issued 18<sup>th</sup> Dec 2020. Can the below errors be corrected at next issue of the consent.

1. Condition A8. Exhaust fans on the processing areas must be designed to achieve a minimum exit velocity of **15 milliseconds. (Can unit of measure be corrected to a velocity)**
2. Condition B3 The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline

(DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 3. **(This should refer to Appendix 4.)**

3. B6. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2. Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for the location of residential sensitive receivers. **(This should refer to Appendix No 2.)**
4. Condition C11 – **(The below condition C12 looks like it should have been included in C11 and the following numbering corrected.)**

SCHEDULE 2 PART C Environmental Management Reporting and Auditing - Revision of Strategies, Plans and Programs	C11. Within three months of: (a) the submission of an incident report under condition C14; (b) the submission of an Independent Environmental Audit under condition C12; (c) the approval of any modification of the conditions of this consent; or (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
	C12. the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

5. Condition C21 – **(additional text included that should be removed.)**

C21. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:  
(a) review and respond to each Independent Audit Report prepared under condition C20 **Error! Reference source not found.of this consent;**

- 6.

We would also like to obtain clarification on the wording of the following conditions

1. Condition B14: The Applicant must:
  - (a) **not commence operation** until the Odour Management Plan required by **condition B12** is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Odour Management Plan approved by the Planning Secretary for the duration of the development.

**(This condition is ambiguous, should this include “of the development or project” rather than ‘existing rendering’ and also should this refer to Condition B13 rather than B12)**



Grant White  
National Environment and Sustainability Manager  
Baiada Poultry Pty Ltd

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

10/08/2021

Dear Mr White

**Baiada Oakburn (DA53/97)  
Annual Environmental Management Report & Compliance Report 2020/2021**

Reference is made to your post approval matter, DA53/97-PA-1, Baiada Oakburn Annual Environmental Management Report and Compliance Report (AEMR&CR) for the period 19 March 2020 to 18 March 2021, submitted as required by Schedule 4, Condition 50 of DA53/97 as modified, and Schedule 2, Part C, Condition C18 of SSD-9394 (the consents) to the Department of Planning, Industry and Environment (the Department) on 7 May 2021.

The Department has reviewed AEMR&CR 2020/2021 and considers it to generally satisfy the reporting requirements of the consents in relation to AEMR and CR reporting. In accordance with Schedule 2, Part C, Condition C 19, please make publicly available a copy of AEMR&CR 2020/2021 on the company website and notify the Department at least 7 days before this is done.

However, for future Compliance Reports, under the provisions of Schedule 2, Part A, Condition A3 of SSD-9394, please ensure the report layout is generally in accordance with Section 5 of the Departments *Compliance Reporting Post Approval Requirements (2020)*.

Please note that the Department's acceptance of AEMR&CR 2020/2021 is not endorsement of the compliance status of the project. The Department notes the continuing non-compliances with the Licensed Trade Waste Services Agreement (LWTWSA TWC006/2006) and notes that Tamworth Regional Council is the appropriate regulatory authority to deal with these non-compliances. The Department also notes that the Baiada website (<https://www.baiada.com.au/our-commitment/oakburn-ssd-9394>) is not up to date with the documentation required by Schedule 2, Part C, Condition C19 and C23 of the consent. These non-compliances have been assessed in accordance with the Department's Compliance Policy with the Department determining to record the breach, with no further action proposed at this time. However, please note that recording the breach does not preclude the Department from taking alternative enforcement action, should it become apparent that an alternative response is more appropriate.

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

Yours sincerely

Heidi Watters  
Team Leader Northern  
Compliance

As nominee of the Planning Secretary

Grant White  
National Environment and Sustainability Manager  
Baiada (Tamworth) Pty Ltd  
Kamilaroi Country

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

21/04/2022

Dear Mr White

**Baiada Integrated Poultry Processing Facility (SSD-9394)  
Independent Environmental Audit 2021**

Reference is made to your post approval matter, SSD-9394-PA-13, Independent Environmental Audit (IEA) report [and Response to Audit Recommendations (RAR)] for the Baiada Integrated Poultry Processing Facility (Baiada), submitted as required by Schedule 2, Part C, Condition C20 of SSD-9394 (the consent) to the Department of Planning and Environment (the department) on 2 February 2022. Reference is also made to your response to the department's request for more information (RFI-40065869) submitted to the department on 7 April 2022.

The department considers the IEA and RAR to generally satisfy the reporting requirements of the consent and the department's *Independent Audit Post Approval Requirements* (2020). Please note that acceptance of this report is not an endorsement of the compliance status of the project.

Non-compliances identified in the IEA have been assessed in accordance with the department's Compliance Policy with the department on this occasion, determining to record the breaches (excluding the non-compliance with Schedule 2, Part B, Condition B60 of the consent) with no further enforcement action. However, please note that recording the breach does not preclude the department from taking alternative enforcement action, should it become apparent that an alternative response is more appropriate.

The non-compliance with Schedule 2, Part B, Condition B60 of the consent will be assessed in accordance with the department's Compliance Policy. Further correspondence may be sent in relation to this non-compliance. Additionally, the department does not support Baiada's proposed response to the non-compliance with Schedule 2, Part B, Condition B60 of the consent.

Under the provisions of Schedule 2, Part A, Condition A3 of the consent, as nominee of the Planning Secretary, I direct Baiada to reduce the volume of Sodium Hydroxide solution stored onsite to reflect the maximum storage quantity for Sodium Hydroxide solution shown in Table 3 of the consent by **5 May 2022** or as otherwise agreed by the Planning Secretary.

Finally, please include a status update for all actions provided in the RAR in the next Compliance Report and Independent Audit, until all actions are completed.

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

Yours sincerely

Department of Planning and Environment



A handwritten signature in black ink, appearing to read "Joel Curran".

Joel Curran  
A/ Team Leader Northern  
Compliance

As nominee of the Planning Secretary

# APPENDIX B

SSD 9394 Development Consent

# Development Consent

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

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2020, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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



18/12/2020

Anthea Sargeant  
**Executive Director**  
**Key Sites and Regional Assessment**

Sydney

2020

### SCHEDULE 1

<b>Application Number:</b>	SSD-9394
<b>Applicant:</b>	Baiada (Tamworth) Pty Ltd
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	1154 Gunnedah Road, Westdale Lot 100 on DP1097471 Lot 101 on DP1097471 Lot 102 on DP1097471
<b>Development:</b>	Construction and operation of Baiada Integrated Poultry Processing Facility, including: <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>• Connection to infrastructure</li></ul>
<b>Preamble:</b>	This instrument applies to the <b>Development</b> which is comprised of the <b>Existing Development</b> and the <b>Project</b> on the land (refer to definitions)

## TABLE OF CONTENTS

<b>DEFINITIONS .....</b>	<b>III</b>
<b>PART A ADMINISTRATIVE CONDITIONS .....</b>	<b>5</b>
Obligation to Minimise Harm to the Environment.....	5
Terms of Consent .....	5
Limits of Consent .....	5
Notification of Commencement.....	5
Surrender of Existing Consents .....	6
Evidence of Consultation .....	6
Staging, Combining and Updating Strategies, Plans or Programs .....	6
Protection of Public Infrastructure.....	6
Demolition.....	7
Structural Adequacy.....	7
Compliance.....	7
Development contributions .....	7
Operation of Plant and Equipment.....	7
External Walls and Cladding.....	7
Utilities and Services .....	7
Works as Executed Plans .....	7
Applicability of Guidelines.....	8
<b>PART B SPECIFIC ENVIRONMENTAL CONDITIONS.....</b>	<b>9</b>
Noise .....	9
Air Quality .....	10
Soils, Water Quality and Hydrology .....	11
Waste Management.....	13
Traffic and Access .....	14
Hazards and Risk .....	15
Airport .....	16
Animal Welfare and Biosecurity.....	16
Aboriginal Heritage .....	17
Biodiversity .....	17
Visual Amenity.....	17
Community Engagement .....	18
<b>PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING .....</b>	<b>19</b>
Environmental Management.....	19
Construction Environmental Management Plan.....	19
Operational Environmental Management Plan .....	19
Revision of Strategies, Plans and Programs .....	20
Reporting and Auditing .....	20
Access to Information .....	21
<b>APPENDIX 1 DEVELOPMENT LAYOUT PLANS.....</b>	<b>23</b>
<b>APPENDIX 2 SENSITIVE RECEIVERS.....</b>	<b>25</b>
<b>APPENDIX 3 EXISTING CONSENTS TO BE SURRENDERED .....</b>	<b>26</b>
<b>APPENDIX 4 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES .....</b>	<b>27</b>
<b>APPENDIX 5 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS .....</b>	<b>31</b>

## DEFINITIONS

<b>Applicant</b>	Baiada (Tamworth) Pty Ltd, or any person carrying out any development to which this consent applies
<b>AWTP</b>	Advanced water treatment plant
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>Certifier</b>	A person who is authorised by or under section 6 of the EP&A Act to issue Part 6 certificates
<b>CEMP</b>	Construction Environmental Management Plan
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.
<b>Council</b>	Tamworth Regional Council
<b>Day</b>	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning, Industry and Environment
<b>Development</b>	The Existing Development and the Project
<b>Development layout</b>	The plans at Appendix 1 of this consent
<b>DPI – Water</b>	DPI – Lands, Water and Department of Primary Industries
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
<b>EES</b>	Environment, Energy and Science Group of the Department
<b>EIS</b>	The Environmental Impact Statement titled <i>Oakburn Poultry Processing Plant – Tamworth NSW, prepared by PSA Consulting Australia</i> dated 2 July 2019, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>Evening</b>	The period from 6 pm to 10 pm
<b>Existing Development</b>	The continuation of the existing protein recovery plant with a processing volume of 530 tonnes of raw material per day and 160 tonnes of finished product per day at 1154 Gunnedah Road, Westdale, as described in the EIS and RTS.
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia
<b>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: “material harm” is defined in this consent

<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>• involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</li> <li>• results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>OEMP</b>	Operational Environmental Management Plan
<b>Operation</b>	The use of an integrated poultry processing facility, including poultry processing, rendering and wastewater treatment
<b>PC</b>	Principal Certifier in accordance with the EP&A Act
<b>PCT 599</b>	Blakely's Red Gum - Yellow Box grassy tall woodland
<b>Planning Secretary</b>	The Secretary of the Department, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Project</b>	The construction and operation of an integrated poultry processing facility, including poultry processing, wastewater treatment plant, advanced water treatment plant and the increase to capacity of the Existing Development, as described in the EIS and RTS, and as generally depicted in plans in Appendix 1;
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
<b>Response to submissions</b>	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act, titled <i>Baiada Integrated Poultry Processing Facility (SSD-9394) – Response to Submissions</i> , prepared by PSA Consulting Australia dated 3 July 2020 and the <i>Baiada Integrated Poultry Processing Facility (SSD-9394) – Supplementary Response to Submissions</i> prepared by PSA Consulting Australia dated 18 October 2020.
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
<b>Site</b>	The land defined in Schedule 1.
<b>TfNSW</b>	Transport for New South Wales
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>WWTP</b>	Wastewater treatment plant
<b>Year</b>	A period of 12 consecutive months

## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

#### TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) in accordance with the EIS, Response to Submissions and Supplementary Response to Submissions;
  - (d) in accordance with the Development Layout in Appendix 1; and
  - (e) in accordance with the management and mitigation measures in Appendix 3.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
  - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

*Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.*

#### LIMITS OF CONSENT

##### Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

##### Protein Recovery Plant

- A6. The rendering capacity cannot increase from 1,120 tonnes to 1,680 tonnes of finished rendering product per week in the protein recovery plant until such time that all works associated with the project, are complete and operational, to the satisfaction of the Planning Secretary.

##### Poultry Processing Facility

- A7. The development is limited to the following limits within the processing plant:
- (a) processing of up to 3 million birds per week; and
  - (b) holding of 90,000 birds (average over 24 hour period) within the live bird area.
- A8. Exhaust fans on the processing areas must be designed to achieve a minimum exit velocity of 15 milliseconds.
- A9. The final design and operation of the plant must not preclude the ability for air pollution and odour emission controls to be retrofitted.

#### NOTIFICATION OF COMMENCEMENT

- A10. The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
  - (b) operation; and
  - (c) cessation of operations.

- A11. If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage of the date of commencement and the development to be carried out in that stage, or a timeframe otherwise agreed with the Planning Secretary.

#### **SURRENDER OF EXISTING CONSENTS**

- A12. Within 12 months of the date of determination of this development consent, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the consents specified in Appendix 3 in accordance with the EP&A Regulation.
- A13. Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals as required under condition A12, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.

**Note:** *This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&A Act or Part 6 of the EP&A Act as applies from 1 September 2018. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.*

#### **EVIDENCE OF CONSULTATION**

- A14. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
  - (b) provide details of the consultation undertaken including:
    - (i) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

#### **STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS**

- A15. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
  - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
  - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A16. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A17. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

#### **PROTECTION OF PUBLIC INFRASTRUCTURE**

- A18. Before the commencement of construction, the Applicant must:
- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
  - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
  - (c) submit a copy of the dilapidation report to the Planning Secretary and Council.
- A19. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
  - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

**Note:** *This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by A23 of this consent.*

## **DEMOLITION**

A20. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

## **STRUCTURAL ADEQUACY**

A21. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

*Note:*

- *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

## **COMPLIANCE**

A22. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

## **DEVELOPMENT CONTRIBUTIONS**

A23. Before the issue of an occupation certificate for any part of the project a levy of 1% of the development cost, as determined by a Registered Quantity Surveyor's Detailed Cost Report, must be paid to Council to cater for the increased demand for community infrastructure resulting from the development, in accordance with Section 4.17 and Section 7.12 of the EP&A Act and the Tamworth Regional Council Section 94A (Indirect) Contributions Plan. 2013

## **OPERATION OF PLANT AND EQUIPMENT**

A24. All plant and equipment used on site, or to monitor the performance of the development must be:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

## **EXTERNAL WALLS AND CLADDING**

A25. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A26. Before the issue of:

- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
- (b) an Occupation Certificate,

the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.

A27. The Applicant must provide a copy of the documentation given to the Certifier under condition A26 to the Planning Secretary within seven days after the Certifier accepts it.

## **UTILITIES AND SERVICES**

A28. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

A29. Before the issue of a Subdivision Works Certificate or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:

- (a) the installation of fibre-ready facilities to the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and
- (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to the development demonstrated through an agreement with a carrier.

A30. Before the issue of an Occupation Certificate, the Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.

## **WORKS AS EXECUTED PLANS**

A31. Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

## **APPLICABILITY OF GUIDELINES**

- A32. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A33. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

## **ADVISORY NOTES**

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

## PART B SPECIFIC ENVIRONMENTAL CONDITIONS

### NOISE

#### Hours of Work

B1. The Applicant must comply with the hours detailed in Table 1.

**Table 1:** Hours of Work

Activity	Day	Time
Earthworks and construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
Operation (general)	Monday – Sunday	24 hours

B2. Works outside of the hours identified in condition B1 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers; or
- (b) works agreed to in writing by the Planning Secretary; or
- (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

#### Construction Noise Limits

B3. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 3.

#### Construction Noise Management Plan

B4. The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must

- (a) be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;
- (b) be approved by the Planning Secretary prior to the commencement of construction of the project
- (c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
- (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
- (e) include a complaints management system that would be implemented for the duration of the development.

B5. The Applicant must:

- (a) not commence construction of any relevant stage of the project until the Construction Noise Management Plan required by condition B4 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.

#### Operational Noise Limits

B6. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.

**Table 2:** Noise Limits (dB(A))

Locality	Location	Day L <sub>Aeq</sub> (15 minute)	Evening L <sub>Aeq</sub> (15 minute)	Night L <sub>Aeq</sub> (15 minute)	Night L <sub>AFmax</sub>
R1	Girraween	40	35	35	52
R2	Abbeylands	40	35	35	52
R3	The Billabong	40	35	35	52
R4	Airport South	40	35	35	52

**Note:** Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for the location of residential sensitive receivers.

### **Noise Walls**

B7. The Applicant must construct the noise walls shown on page 32 of the *Revised Noise Impact Assessment – Oakburn Processing Facility & Rendering Plant dated August 2020*, prior to the commencement of operation of the project.

If construction of noise walls is to be staged, the Applicant must submit a noise verification study to the satisfaction of the Planning Secretary to demonstrate the development will comply with the noise limits in condition B6 at all times.

### **AIR QUALITY**

#### **Operational odour impact management**

- B8. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined under the POEO Act) beyond the boundary of the site.
- B9. The site must be maintained in a condition which minimises or prevents the emission of air pollution (including odour and dust) from the site.
- B10. The bird processing buildings must be designed and operated as to contain dust and odour, operating under negative pressure where possible.
- B11. All bird handling and associated cleaning activities are to be carried out so as to contain dust and odour, and where possible contained indoors.

#### **Odour management plan**

- B12. Within 6 months of the date of this consent, the Applicant must prepare an updated Odour Management Plan for the existing development to the satisfaction of the Planning Secretary. The Odour Management Plan must form part of the OEMP required by condition C5. The Odour Management Plan must be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary and include:
- (a) objectives and targets;
  - (b) an odour risk assessment;
  - (c) proactive and reactive mitigation measures of all significant and potentially significant emissions sources;
  - (d) key performance indicators;
  - (e) monitoring method(s);
  - (f) location, frequency and duration of monitoring;
  - (g) record keeping;
  - (h) response mechanisms and contingency measures;
  - (i) responsibilities; and
  - (j) compliance reporting.
- B13. Prior to commencement of operation of the project, the Applicant must update the Odour Management Plan as required by condition B12 to incorporate the project and its management to the satisfaction of the Planning Secretary. The updated plan must be prepared in accordance with the requirements of condition B12 and must incorporate the following:
- (a) details of emissions from all sources of the Development;
  - (b) description of the air quality monitoring to measure the performance of the Development against this consent and the EPL; and
  - (c) description of any additional measures that would be implemented to ensure the Development complies with this consent and the EPL.
- B14. The Applicant must:
- (a) not commence operation until the Odour Management Plan required by condition B12 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Odour Management Plan approved by the Planning Secretary for the duration of the development.

#### **Odour audit**

- B15. The Applicant must carry out an Odour Audit of the development no later than six months after the commencement of operation of the development. The audit must:

- (a) be carried out by a suitably qualified, experienced and independent person(s);
- (b) audit the development in full operation;
- (c) include a summary of odour complaints and any actions that were carried out to address the complaints;
- (d) assess the operation against odour impact predictions in the EIS;
- (e) review design and management practices in the development against industry best practice for odour management; and
- (f) include an action plan that identifies and prioritises any odour mitigation measures that may be necessary to reduce odour emissions.

**Note:** *The Odour Audit may be prepared so that it addresses the requirements of this consent and the EPL for the development.*

- B16. Within six months of commissioning of the Odour Audit required by condition B15, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the Odour Audit report to the satisfaction of the Planning Secretary, together with the Applicant's response to any recommendations contained in the Odour Audit report.

#### **Dust Minimisation**

- B17. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B18. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or alternate suppression methods;
  - (b) all trucks entering or leaving the site with loads have their loads covered;
  - (c) trucks associated with the development do not track dirt onto the public road network;
  - (d) public roads used by these trucks are kept clean; and
  - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

#### **Air Quality Discharges**

- B19. The Applicant must install and operate equipment to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.

#### **SOILS, WATER QUALITY AND HYDROLOGY**

##### **Imported Soil**

- B20. The Applicant must:
- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
  - (b) keep accurate records of the volume and type of fill to be used; and
  - (c) make these records available to the Department upon request.

##### **Erosion and Sediment Control**

- B21. Prior to the commencement of any construction the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

##### **Discharge Limits**

- B22. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

##### **Stormwater Management System**

- B23. Prior to the commencement of operation of the project, the Applicant must design, install and operate a stormwater management system for the development. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
  - (b) be generally in accordance with the conceptual design in the EIS;
  - (c) mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities;
  - (d) be consistent with the Stormwater Management Plan for the catchment;
  - (e) be in accordance with applicable Australian Standards;
  - (f) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

## Evaporation Ponds

- B24. The evaporation ponds must have liners installed and maintained to achieve a hydraulic conductivity of  $1 \times 10^{-9}$  metres per second or less via a constructed clay liner of at least 1000 mm thickness (or a geosynthetic liner providing equivalent or better protection) or otherwise agreed with the EPA or the Planning Secretary.
- B25. The evaporation ponds must be designed to include, and maintain, a freeboard level of at least 500mm to meet the 7-day rare design rainfall depth for a 1 in 2,000 year-event of 480 mm.
- B26. Prior to the commencement of operation of the project, the Applicant must prepare an Evaporation Pond Management Plan to the satisfaction of the Planning Secretary. The Evaporation Pond Management Plan must form part of the OEMP required by condition C5. The Evaporation Pond Management Plan must:
- be prepared by a suitably qualified and experienced engineer;
  - provide an updated water balance and risk mitigation measures to demonstrate that the design freeboard capacity of the evaporation ponds is restored as soon as practical after significant rainfall events and there is no cumulative storage above the freeboard;
  - identify contingency measures to prevent managed overflows; and
  - describe operational measures to be implemented for salt removal, maintaining liner integrity and maintaining the leak detection system performance.
- B27. Prior to the commencement of operation of the project, the Applicant must submit an Evaporation Ponds Commissioning Report to the Department and EPA that:
- demonstrates the evaporation ponds have been constructed in consultation with a suitably qualified and experienced engineer;
  - demonstrates the liner achieves the specified hydraulic conductivity described in condition B24;
  - addresses the increased risk to groundwater contamination due to high salinity wastewater potentially reacting with the liner; and
  - includes groundwater monitoring requirements to detect potential pond leakage.

## Water Management Plan

- B28. Prior to the commencement of operation of the project, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The Water Management Plan must form part of the OEMP required by condition C5. The Water Management Plan must:
- be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
  - be prepared in consultation with DPI – Water;
  - detail water use, metering, disposal and management on-site;
  - detail the number and location of piezometers on-site;
  - detail the water licence requirements for the development;
  - detail the management of wastewater streams on-site;
  - include an incident response plan with triggers for the National Water Quality Management Strategy (NWQMS) guidelines (ANZECC/ARMCANZ latest issue) should the lagoons be found to be leaking;
  - contain a Groundwater Management Plan, including:
    - the installation of groundwater monitoring bores around the evaporation basins and the existing rendering water treatment lagoon
    - baseline data on groundwater levels and quality;
    - a program to monitor groundwater levels and quality;
    - groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts; and
    - a protocol for the investigation and mitigation of impacts where the groundwater impact assessment criteria has been exceeded.
- B29. The Applicant must:
- not commence operation of the project until the Water Management Plan required by condition B28 is approved by the Planning Secretary; and
  - implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development.

## Water Management

- B30. A Compliance Certificate under Section 306 of the *Water Management Act 2000* must be obtained from the Council (as the Local Water Supply Authority) prior to the issue of an Occupation Certificate. All contribution payments, or a formal Agreement with Council for payment of contributions, must be made prior to issue of any Construction Certificate. Council requires the following to be undertaken prior to the issue of a Compliance Certificate.
- B31. Any additional demand for water over the daily limit of 1.6 ML to the site will be subject to an agreement with Council.
- B32. Unless otherwise agreed with the Local Water Supply Authority, a single water service with appropriate metering and backflow prevention device shall be provided to service the development. The existing water service off Gunnedah Road may be utilised if it is adequate.
- B33. The Applicant must engage a hydraulic engineer to determine the fire fighting and other demands and determine an appropriate water service size for the development.
- B34. Works required for water servicing must be undertaken in accordance with Council's Engineering Design Minimum Standards for Subdivisions & Developments.
- B35. Work on live water mains is to be undertaken by Council at full cost to the Applicant.

## WASTE MANAGEMENT

### Sewage

- B36. The existing point of discharge to Council's sewerage system on Gunnedah Road is to be utilised for the discharge of sewage.
- B37. Sewage streams must remain separate from the WWTP/AWTP system at all times.
- B38. Works shall be undertaken in accordance with Council's Engineering Design Minimum Standards for Subdivisions & Developments.
- B39. Work on live sewer mains is to be undertaken by Council at full cost to the Applicant.

### Liquid Trade Waste

- B40. Should any details of trade waste treatment or discharge to Council's sewer differ from the existing Trade Waste Application or Agreement, a Trade Waste Application is to be submitted to Council.

*Note: A Trade Waste Agreement is in place for the existing development on the site*

- B41. The reverse osmosis concentrate is not to be discharged to Council's sewerage system (directly or indirectly).

### Pests, Vermin and Priority Weed Management

- B42. The Applicant must:
- implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
  - inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.

**Note:** *For the purposes of this condition, priority weeds are those species subject to an order declared under the Biosecurity Act 1915.*

### Statutory Requirements

- B43. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B44. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.
- B45. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- B46. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

## TRAFFIC AND ACCESS

### Construction Traffic Management Plan

- B47. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be prepared in consultation with TfNSW;
  - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
  - (d) detail heavy vehicle routes, access and parking arrangements;
  - (e) include a Driver Code of Conduct to:
    - (i) minimise the impacts of earthworks and construction on the local and regional road network;
    - (ii) minimise conflicts with other road users;
    - (iii) minimise road traffic noise; and
    - (iv) ensure truck drivers use specified routes;
  - (f) include a program to monitor the effectiveness of these measures; and
  - (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- B48. The Applicant must:
- (a) not commence construction until the Construction Traffic Management Plan required by condition B47 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

### Roadworks and Access

- B49. Prior to the commencement of operation of project, the Applicant must complete the construction of Workshop Lane to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the *Roads Act 1993*.
- B50. Prior to the commencement of operation of project, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the accesses to the site are designed to accommodate the turning path of a 26 m B-Double vehicle.

### Parking

- B51. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

### Operating Conditions

- B52. The Applicant must ensure:
- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004) and *AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities* (Standards Australia, 2002);
  - (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
  - (c) the development does not result in any vehicles queuing on the public road network;
  - (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
  - (e) all vehicles are wholly contained on site before being required to stop;
  - (f) all loading and unloading of materials is to be carried out on-site;
  - (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
  - (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

## HAZARDS AND RISK

B53. The Applicant must implement all control and safeguards from the *Preliminary Hazard Analysis*, comprising of the following documents, in a timely and appropriate manner:

- (a) SEPP 33 Preliminary Risk Screening & Hazard Analysis, Proposed Baiada Oakburn Poultry Processing Facility, 1154 Gunnedah Road, Westdale NSW 2340, SSD-9394 (document number 6.10.19171-R02, version -v1.2, dated 18 September 2020, prepared by SLR Consulting); and
- (b) Risk Assessment, 1154 Gunnedah Road, Westdale, NSW 2340 (document number 370593-LoteRA-BaiadaPoultryPlant-RevB, revision B, dated 17 September 2020, prepared by Lote Consulting).

### Pre-construction

B54. The Applicant must prepare a Fire Safety Study for the project construction, other than of preliminary works that are outside the scope of hazard studies and must not commence construction until study recommendations have been considered and, where appropriate, acted upon. The Applicant must submit the study to the Planning Secretary no later than one month prior to commencement of construction of the project, other than preliminary works, or within such further period as the Planning Secretary may agree. The study must cover the relevant aspects of the Department's *Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines'* and the New South Wales Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*, and be prepared in consultation with Fire and Rescue NSW.

### Pre-commissioning

B55. Prior to commissioning, the Applicant must develop and implement the plans and systems set in B53 (a) and (b). The Applicant must submit to the Planning Secretary documentation describing the plans and systems no later than two months prior to the commencement of commissioning of the project, or within such further period as the Secretary may agree.

### Emergency Plan

B56. Prior to commissioning, a comprehensive Emergency Plan and detailed emergency procedures for the development. The Emergency Plan must include consideration of the safety of all people outside of the development who may be at risk from the development. The plan must be prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*.

### Safety Management System

B57. Prior to commissioning, a document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials. The document must clearly specify all safety related procedures, responsibilities and policies along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by Planning Secretary upon request. The Safety Management System must be developed in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'*.

### Hazard Audit

B58. Twelve months after the commencement of operations of the development and every five years thereafter or at such intervals as the Planning Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of the development and within one month of each audit submit a report to the satisfaction of the Planning Secretary. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development and approved by the Planning Secretary prior to commencement of the audit. Hazard Audits must be carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit'*. The audit must include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.

### Further Requirements

B59. The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B53 to B58 inclusive, within such time as the Planning Secretary may agree

### Dangerous Goods

B60. The storage of dangerous goods within the development must not exceed the maximum storage quantities listed in Table 3.

**Table 3:** Maximum storage quantities of dangerous goods and combustible materials

Description	Dangerous Goods Class	Packing Group	Maximum Storage Quantity
Liquified natural gas (LNG)	2.1	n/a	240,000 L
Liquified petroleum gas (LPG)	2.1	n/a	480 kg
Nitrogen	2.2	n/a	10,000 L
Liquified oxygen gas (LOX)	2.2 (5.1)	n/a	10,000 L
Carbon dioxide	2.2	n/a	10,000 L
Anhydrous ammonia refrigerant	2.3	n/a	7 tonnes
Ferric sulphate	8	III	15,000 L
Hypochlorite solution	8	III	13,800 L
Sodium hydroxide solution	8	III	5,400 L
Sulfuric acid (35%)	8	II	4,000 L

B61. The Applicant must store and handle all chemicals, fuels and oils in accordance with:

- (a) the requirements of all relevant Australian Standards, including and not limited to *Australian Standards 1894 The storage and handling of non-flammable cryogenic and refrigerated liquids*; and
- (b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook* if the chemicals are liquids.

In the event of an inconsistency between the requirements in (a) and (b), the most stringent requirement shall prevail to the extent of the inconsistency.

#### AIRPORT

B62. The external materials and finishes of the buildings must be non-reflective to the satisfaction of the Planning Secretary, to avoid distraction to air crews.

#### Wildlife monitoring program

B63. Within six months of the date of determination of this development consent, the Applicant must establish a site wide bird life monitoring program, in consultation with Civil Aviation Safety Authority (CASA). The monitoring program is to include:

- (a) details of bird life that may trigger the need for mitigation measures to manage potential interactions with Tamworth Regional Airport. These triggers and measures should be established in consultation with CASA and the Tamworth Regional Airport;
- (b) be prepared by a suitably qualified consultant;
- (c) identify areas of potential bird attraction;
- (d) details of mitigation measures such as bird netting and other deterrents; and
- (e) procedures for the implementation of any mitigation measures.

A copy of the monitoring program is to be provided to the Planning Secretary.

#### ANIMAL WELFARE AND BIOSECURITY

##### Animal Welfare

B64. The Applicant must ensure the development complies with the relevant requirements for the welfare of livestock, particularly health, housing, watering, feeding, handling and transport, including but not limited to those contained within the latest version of:

- (a) *National Animal Welfare Standards for Livestock Processing Establishments 2nd edition* (Meat and Livestock Australia, 2009);
- (b) *Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock* (Animal Health Australia, 2012);
- (c) *National Animal Welfare Standards for the Chicken Meat Industry* (Barnett et al. 2008)
- (d) *NSW DPI Best Practice Management for Meat Chicken Production in NSW – Manual 2* (2012);
- (e) *Model Code of Practice for the Welfare of Animals – Domestic Poultry, 4th Edition* (PISC, 2002);
- (f) any other relevant document that supersedes the above; and
- (g) Management and Mitigation Measures described in Appendix 4 of this consent.

## **Emergency Disposal and Biosecurity**

- B65. Prior to the commencement of operation of the project, the Applicant must prepare an Emergency Disposal and Bio-security Protocol, detailing the procedures for a biosecurity emergency including a mass mortality event, to the satisfaction of the Planning Secretary. The protocol must form part of the OEMP required by condition C5 and must:
- (a) be prepared in consultation with Council, EPA and the Department;
  - (b) be consistent with the relevant AUSTVETPLAN manuals and supporting documents;
  - (c) describe the notification procedures;
  - (d) include a Hazard Analysis and Critical Control Points Plan;
  - (e) detail all transport routes to be used in a mass mortality event;
  - (f) detail any requirements to stage the mass disposal of dead livestock;
  - (g) detail the burial location(s) for the disposal of dead livestock, including plans and drawings;
  - (h) detail the measures to maintain quarantine control;
  - (i) detail measures to prevent ground water contamination; and
  - (j) detail the mass mortality disposal procedures and options.
- B66. The Applicant must:
- (a) not commence operation of the project until the Emergency Disposal and Biosecurity Protocol required by condition B65 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Emergency Disposal and Biosecurity Protocol approved by the Planning Secretary for the duration of the development.

## **ABORIGINAL HERITAGE**

### **Unexpected Finds Protocol**

- B67. If any item or object of Aboriginal heritage significance is identified on site:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
  - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
  - (c) Heritage NSW must be contacted immediately.
- B68. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

## **BIODIVERSITY**

- B69. Prior to any clearing or Construction works the Applicant must purchase and retire 5 ecosystem credits of PCT 599 to offset the removal of native vegetation at the site. The ecosystem credits must be retired in accordance with the requirements of the EES Group's Biodiversity Offsets Scheme and the Biodiversity Conservation Act 2016.
- B70. The requirement to retire ecosystem credits (see condition B69) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of 5 ecosystem credits, as calculated by the EES Group's Biodiversity Offsets Payment Calculator.
- B71. The Applicant must provide the Planning Secretary with evidence that:
- (a) the retirement of ecosystem credits has been completed (see condition B69); or
  - (b) a payment has been made to the Biodiversity Conservation Fund (see condition B70),
- prior to undertaking any clearing of native vegetation, or activities that have the potential to impact upon this native vegetation.

## **VISUAL AMENITY**

### **Landscaping**

- B72. Prior to the commencement of operation of the project, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP in accordance with conditions C5. The plan must:
- (a) detail the species to be planted on-site;
  - (b) incorporate plant species that form part of PCT 599 and be stock germinated from within the same IBRA region;
  - (c) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
  - (d) be consistent with the Applicant's Management and Mitigation Measures at Appendix 3.

B73. The Applicant must:

- (a) not commence operation of the project until the Landscape Management Plan is approved by the Planning Secretary.
- (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and
- (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B72 for the life of the development.

#### **Lighting**

B74. The Applicant must ensure the lighting associated with the development:

- (a) complies with the latest version of AS 4282-1997 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
- (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

#### **Signage and Fencing**

B75. The Applicant must not install any signage, advertising or fencing, except for signage and advertising that is exempt development, without the written approval of the Planning Secretary. In seeking this approval, the Applicant must:

- (a) submit detailed plans of the proposed signage, advertising or fencing, which have been prepared in consultation with Council; and
- (b) demonstrate that the proposed signage, advertising or fencing is consistent with the relevant requirements in the DCP.

#### **COMMUNITY ENGAGEMENT**

B76. The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified on Figure 2: Appendix 2, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) detailed baseline data;
  - (b) details of:
    - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
    - (ii) any relevant limits or performance measures and criteria; and
    - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
  - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
  - (d) a program to monitor and report on the:
    - (i) impacts and environmental performance of the development;
    - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
  - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
  - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
  - (g) a protocol for managing and reporting any:
    - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
    - (ii) complaint;
    - (iii) failure to comply with statutory requirements; and
  - (h) a protocol for periodic review of the plan.

**Note:** *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans*

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Erosion and Sediment Control Plan;
  - (b) Construction Noise Management Plan (see condition B4);
  - (c) Construction Traffic Management Plan (see condition B47); and
  - (d) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
  - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

#### OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. Within 9 months of the date of this consent, the Applicant must prepare an Operational Environmental Management Plan (OEMP) for the existing development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
  - (b) describe the procedures that would be implemented to:
    - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
    - (ii) receive, handle, respond to, and record complaints;

- (iii) resolve any disputes that may arise;
- (iv) respond to any non-compliance;
- (v) respond to emergencies; and
- (c) include the following environmental management plans:
  - (i) Evaporation Pond Management Plan (see condition B26);
  - (ii) Water Management Plan (see condition B28);
  - (iii) Emergency disposal and Biosecurity protocol (see condition B65); and
  - (iv) Landscape Management Plan (see condition B72).
- C7. The Applicant must operate the existing development in accordance with the OEMP approved by the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- C8. Prior to commencement of operation of the project, the Applicant must update the OEMP required under condition C5 to incorporate the project and its management to the satisfaction of the Planning Secretary. The updated plan must be prepared in accordance with the requirements of condition C5, and must incorporate the following:
  - (a) procedures, roles and responsibilities of key personnel involved in the environmental management of the Development;
  - (b) community consultation requirements for the Development; and
  - (c) updates to the environmental management sub-plans listed under condition C6.
- C9. The Applicant must not commence operation of the project until the updated OEMP as required by condition C6 is approved by the Secretary.
- C10. The Applicant must implement the most recent version of the OEMP approved by the Planning Secretary for the duration of the Development's operation.

#### **REVISION OF STRATEGIES, PLANS AND PROGRAMS**

- C11. Within three months of:
  - (a) the submission of an incident report under condition C14;
  - (b) the submission of an Independent Environmental Audit under condition C12;
  - (c) the approval of any modification of the conditions of this consent; or
  - (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- C12. the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.
- C13. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

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

#### **REPORTING AND AUDITING**

##### **Incident Notification, Reporting and Response**

- C14. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 5.

##### **Non-Compliance Notification**

- C15. The Planning Secretary must be notified in writing to the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- C16. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C17. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

##### **Compliance Reporting**

- C18. Within twelve months of the date of this consent, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary.

Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:

- (a) identify any trends in the monitoring data over the life of the development;
- (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (c) describe what measures will be implemented over the next year to improve the environmental performance of the development

C19. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

#### Independent Audit

C20. Within twelve months of the date of this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:

- (a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)
- (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and
- (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).

C21. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:

- (a) review and respond to each Independent Audit Report prepared under condition C20 **Error! Reference source not found.** of this consent;
- (b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;
- (c) implement the recommendations to the satisfaction of the Planning Secretary; and
- (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

#### Monitoring and Environmental Audits

C22. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

**Note:** *For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

#### ACCESS TO INFORMATION

C23. Within six months of the date of this consent and for the life of the development, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
  - (i) the documents referred to in condition A2 of this consent;
  - (ii) all current statutory approvals for the development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent;
  - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
  - (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
  - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (vii) a summary of the current stage and progress of the development;
  - (viii) contact details to enquire about the development or to make a complaint;
  - (ix) a complaints register, updated monthly;
  - (x) the Compliance Report of the development;

- (xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
  - (xii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

**APPENDIX 1 DEVELOPMENT LAYOUT PLANS**

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

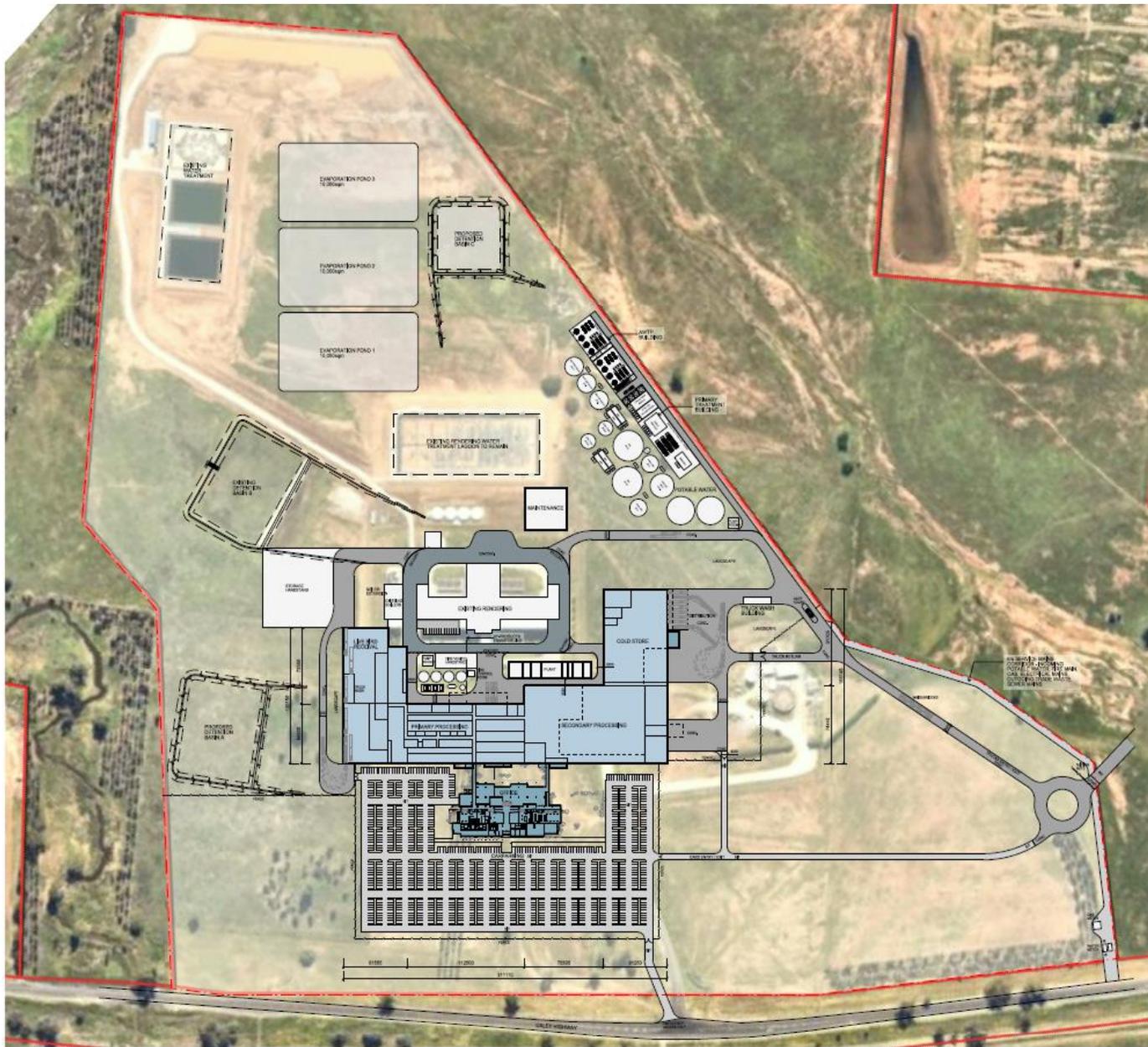


Figure 1: Site Plan

APPENDIX 2 SENSITIVE RECEIVERS



Figure 2: Sensitive receivers

**APPENDIX 3    EXISTING CONSENTS TO BE SURRENDERED**

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

**APPENDIX 4 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES**

IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES										
<p align="center"><b>TRAFFIC</b></p>	<ul style="list-style-type: none"> <li>• Staff and processing plant traffic are to be directed to use the proposed driveway connecting to Workshop Lane.</li> <li>• Direct access to the Oxley Highway is to be maintained for visitors to the site and emergency access only.</li> <li>• 820 car parking spaces are to be provided on site with a minimum of 8 spaces be designated for people with a disability.</li> <li>• Car park design and line-marking is to be undertaken in accordance the Australian Standard 2890.1 (2004).</li> <li>• Due to the length of aisles, speed humps be provided in in accordance with AS2890.1 to provide positive speed control.</li> <li>• Detailed design of the car park to incorporate minor amendments to the kerb line near the northern end of the staff car park to ensure fire truck access is available through the car park if required.</li> <li>• The Internal T-intersection between the staff car park access road and the weighbridge access road be designed as a standard priority T-intersection to reflect the dominant traffic flow.</li> </ul>										
<p align="center"><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 align="center"><b>NOISE</b></p>	<p><b>Noise Mound/Barrier Adjacent to Live Bird Area</b></p> <ul style="list-style-type: none"> <li>• An acoustic mound or barrier are to be erected at the following locations:</li> </ul> <table border="1" data-bbox="558 1216 1420 1579"> <thead> <tr> <th data-bbox="558 1216 989 1265">Location</th> <th data-bbox="989 1216 1420 1265">Height above FGL (mm)</th> </tr> </thead> <tbody> <tr> <td data-bbox="558 1265 989 1344">West side Live Bird Area and Hardstand</td> <td data-bbox="989 1265 1420 1344">3000</td> </tr> <tr> <td data-bbox="558 1344 989 1422">North side Rendering Building loop road</td> <td data-bbox="989 1344 1420 1422">2100</td> </tr> <tr> <td data-bbox="558 1422 989 1500">North side Cooling towers &amp; associated plant</td> <td data-bbox="989 1422 1420 1500">2100</td> </tr> <tr> <td data-bbox="558 1500 989 1579">North side Cold Store distribution dock</td> <td data-bbox="989 1500 1420 1579">2400 (above truck FGL)</td> </tr> </tbody> </table> <p><b>General Noise Control Recommendations</b></p> <ul style="list-style-type: none"> <li>• All access roads should be kept in good condition, i.e. no potholes, etc.</li> <li>• Trucks and other machines should not be left idling for extended periods unnecessarily. Machines found to produce excessive noise compared to industry best practice should be removed from the site or stood down until repairs or modifications can be made.</li> <li>• A regular maintenance schedule should be adopted for all mobile and fixed plant items. Items found producing high noise should be stood down until repairs are completed.</li> <li>• A noise monitoring program, during commissioning, or in the early life of the site is recommended. This program will verify our predictions and in the unlikely event that complaints may arise, enable noise control strategies to be implemented, where required.</li> </ul>	Location	Height above FGL (mm)	West side Live Bird Area and Hardstand	3000	North side Rendering Building loop road	2100	North side Cooling towers & associated plant	2100	North side Cold Store distribution dock	2400 (above truck FGL)
Location	Height above FGL (mm)										
West side Live Bird Area and Hardstand	3000										
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North side Cooling towers & associated plant	2100										
North side Cold Store distribution dock	2400 (above truck FGL)										

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

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

IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES
<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 Plant for certification in accordance with the AS/NZS/ISO 14001: 2015 Standard.</li> </ul>

## APPENDIX 5 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

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

# APPENDIX C

EPL 7566

# Licence Variation



Licence - 7566

BAIADA POULTRY PTY LIMITED  
ABN 96 002 925 948 ACN 002 925 948  
PO BOX 21  
PENDLE HILL NSW 2145

Attention: Mr Grant White

Notice Number 1596421  
File Number DOC21/80552  
Date 08-Feb-2021

## NOTICE OF VARIATION OF LICENCE NO. 7566

### BACKGROUND

- A. BAIADA POULTRY PTY LIMITED «AcctPartyTrading Name» ("the licensee") is the holder of Environment Protection Licence No. 7566 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at 1154 OXLEY HIGHWAY, TAMWORTH, NSW, 2340 ("the premises").
- B. The EPA has completed the five year review of the licence in accordance with section 78 of the Act. During the review, the licensee identified two air discharge points that were not identified on the licence.
- C. The licensee completed a Pollution Reduction Program in July 2017 that required the installation and commissioning of a new biofilter at the premises. Condition U1 was completed and removed from the licence by the licence variation number 1565743, dated 18 June 2018.
- D. This licence variation includes the newly installed & commissioned biofilter in the licence as a discharge point under condition P1.
- E. Under DA 2018/0443, licensee has constructed a new wastewater treatment plant that consists a bio gas unit connected to the Covered Anaerobic Lagoon that is in operation. This licence variation also includes that biogas unit in the licence as a discharge point under condition P1.
- F. This licence variation does not authorise a significant increase in the environmental impact of the activity authorised or controlled by the licence.

### VARIATION OF LICENCE NO. 7566

1. By this notice the EPA varies licence No. 7566. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
  - Condition P1 - EPA identification point 6 & 7 has been added.

# Licence Variation

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*Rebecca Scrivener*

.....  
**Rebecca Scrivener**  
**Head Regional Operations Unit**  
**Regional West - Armidale**  
(by Delegation)

## **INFORMATION ABOUT THIS NOTICE**

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

## **Appeals against this decision**

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

## **When this notice begins to operate**

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

# Environment Protection Licence

Licence - 7566

## Licence Details

Number:	7566
Anniversary Date:	19-March

## Licensee

BAIADA POULTRY PTY LIMITED

PO BOX 21

PENDLE HILL NSW 2145

## Premises

OAKBURN PROTEIN RECOVERY PLANT

1154 OXLEY HIGHWAY

TAMWORTH NSW 2340

## Scheduled Activity

Chemical storage

Livestock processing activities

## Fee Based Activity

## Scale

General chemicals storage	0-5000 kL storage capacity
Rendering or fat extraction	> 4000 T annual production capacity

## Region

Regional West - Armidale

Ground Floor, NSW Govt Offices, 85 Faulkner Street

ARMIDALE NSW 2350

Phone: (02) 6773 7000

Fax: (02) 6772 2336

PO Box 494

ARMIDALE NSW 2350



# Environment Protection Licence

Licence - 7566

<b>INFORMATION ABOUT THIS LICENCE</b>	3
Dictionary	3
Responsibilities of licensee	3
Variation of licence conditions	3
Duration of licence	3
Licence review	3
Fees and annual return to be sent to the EPA	3
Transfer of licence	4
Public register and access to monitoring data	4
<b>1 ADMINISTRATIVE CONDITIONS</b>	<b>5</b>
A1 What the licence authorises and regulates	5
A2 Premises or plant to which this licence applies	5
A3 Information supplied to the EPA	5
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>	<b>6</b>
P1 Location of monitoring/discharge points and areas	6
<b>3 LIMIT CONDITIONS</b>	<b>6</b>
L1 Pollution of waters	6
L2 Noise limits	7
L3 Potentially offensive odour	7
<b>4 OPERATING CONDITIONS</b>	<b>7</b>
O1 Activities must be carried out in a competent manner	7
O2 Maintenance of plant and equipment	7
O3 Dust	7
<b>5 MONITORING AND RECORDING CONDITIONS</b>	<b>8</b>
M1 Monitoring records	8
M2 Recording of pollution complaints	8
M3 Telephone complaints line	8
<b>6 REPORTING CONDITIONS</b>	<b>9</b>
R1 Annual return documents	9
R2 Notification of environmental harm	10
R3 Written report	10
<b>7 GENERAL CONDITIONS</b>	<b>11</b>
G1 Copy of licence kept at the premises or plant	11
<b>DICTIONARY</b>	<b>12</b>
General Dictionary	12

# Environment Protection Licence

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Licence - 7566

## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).



# Environment Protection Licence

Licence - 7566

The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

## Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

## Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

## This licence is issued to:

<b>BAIADA POULTRY PTY LIMITED</b>
<b>PO BOX 21</b>
<b>PENDLE HILL NSW 2145</b>

subject to the conditions which follow.

# Environment Protection Licence

Licence - 7566

## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Chemical storage	General chemicals storage	0 - 5000 kL storage capacity
Livestock processing activities	Rendering or fat extraction	> 4000 T annual production capacity

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
OAKBURN PROTEIN RECOVERY PLANT
1154 OXLEY HIGHWAY
TAMWORTH
NSW 2340
LOT 100 DP 1097471

### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

## 2 Discharges to Air and Water and Applications to Land

# Environment Protection Licence

Licence - 7566

## P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1		Discharge to air	Biofilter marked as 'BIOFILTER 1' on the map titled 'SITE PLAN' (drawing number 01-002) received by the EPA on 8/4/15 (TRIM: DOC15/113473).
2		Discharge to air	Biofilter marked as 'BIOFILTER 2' on the map titled 'SITE PLAN' (drawing number 01-002) received by the EPA on 8/4/15 (TRIM: DOC15/113473).
3		Discharge to air	Boiler stack represented by the northernmost point within the area marked as 'NEW BOILER HOUSE' on the map titled 'SITE PLAN' (drawing number 01-002) received by the EPA on 8/4/15 (TRIM: DOC15/113473).
4		Discharge to air	Boiler stack represented by the middle point within the area marked as 'NEW BOILER HOUSE' on the map titled 'SITE PLAN' (drawing number 01-002) received by the EPA on 8/4/15 (TRIM: DOC15/113473).
5		Discharge to air	Boiler stack represented by the southernmost point within the area marked as 'NEW BOILER HOUSE' on the map titled 'SITE PLAN' (drawing number 01-002) received by the EPA on 8/4/15 (TRIM: DOC15/113473).
6		Discharge to air	Biofilter marked as 'Biofilter (proposed)' on the map titled 'Building & Equipment General Layout' received by the EPA on 23/6/2020 (CM9:DOC20/494250)
7		Discharge to air	Biogas vent marked as 'Biogas vent' on the aerial view received by the EPA on 23/6/2020 (CM9:DOC20/4494857)

P1.2 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

## 3 Limit Conditions

### L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.



# Environment Protection Licence

Licence - 7566

## L2 Noise limits

L2.1 Noise from the premises must not exceed:

- a) an LA10 (15 minute) noise emission criterion of 5 dB(A) above background level LA (90) dB(A) (7am to 6pm ) Monday to Friday and 7am to 1pm Saturday ; and
- b) an LA10 (15 minute) noise emission criterion of 5 dB(A) above background level LA (90) dB(A) during the evening (6pm to 10pm) Monday to Friday; and
- c) at all other times, an LA10 (15 minutes) noise emission criterion of 5 dB(A) above background level LA (90) dB(A),  
except as expressly provided by this licence.

L2.2 Noise from the premises is to be measured or computed at within one metre of the boundary of any residential premises or any other noise sensitive area to determine compliance with condition L2.1. 5dB(A) must be added to the measured level if the noise is substantially tonal or impulsive in character.

## L3 Potentially offensive odour

L3.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

## 4 Operating Conditions

### O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

### O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

### O3 Dust

O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from



# Environment Protection Licence

Licence - 7566

the premises.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

M1.2 All records required to be kept by this licence must be:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:

- a) the date(s) on which the sample was taken;
- b) the time(s) at which the sample was collected;
- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

### M2 Recording of pollution complaints

M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M2.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

### M3 Telephone complaints line

M3.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M3.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a

# Environment Protection Licence

Licence - 7566

complaints line so that the impacted community knows how to make a complaint.

M3.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## 6 Reporting Conditions

### R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.



# Environment Protection Licence

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Licence - 7566

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

## **R2 Notification of environmental harm**

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

## **R3 Written report**

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

# Environment Protection Licence

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Licence - 7566

## 7 General Conditions

### **G1 Copy of licence kept at the premises or plant**

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

# Environment Protection Licence

Licence - 7566

## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

# Environment Protection Licence

Licence - 7566

<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

# Environment Protection Licence

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Licence - 7566

<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr David Dutailis

Environment Protection Authority

(By Delegation)

Date of this edition: 06-December-2000

# Environment Protection Licence

Licence - 7566

## End Notes

- 1 Licence varied by notice 1009246, issued on 02-Jul-2001, which came into effect on 27-Jul-2001.
- 2 Licence varied by notice 1015846, issued on 31-Mar-2003, which came into effect on 25-Apr-2003.
- 3 Licence varied by notice 1039415, issued on 30-Jul-2004, which came into effect on 24-Aug-2004.
- 4 Licence varied by add street number to premises address, issued on 03-May-2005, which came into effect on 03-May-2005.
- 5 Licence varied by notice 1058313, issued on 12-May-2006, which came into effect on 12-May-2006.
- 6 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 7 Licence varied by notice 1097682, issued on 11-Feb-2009, which came into effect on 11-Feb-2009.
- 8 Licence varied by notice 1119005, issued on 13-Sep-2010, which came into effect on 13-Sep-2010.
- 9 Licence varied by change to Scheduled Activity name, issued on 10-Feb-2011, which came into effect on 10-Feb-2011.
- 10 Licence varied by notice 1514583 issued on 17-Jun-2013
- 11 Licence varied by notice 1529089 issued on 10-Apr-2015
- 12 Licence varied by notice 1547734 issued on 25-Jan-2017
- 13 Licence varied by notice 1551385 issued on 20-Apr-2017
- 14 Licence varied by notice 1565743 issued on 18-Jun-2018

# APPENDIX D

EPL Annual Return



# Annual Return

BAIADA POULTRY PTY LIMITED

Licence 7566

## A. Statement of Compliance - Licence Details

ALL Licence holders must check that the Licence details in Section A are correct.

If there are changes to any of these details, you must advise Environment Protection Authority (EPA) and apply as soon as possible for a variation to your Licence or for a Licence transfer.

Licence variation and transfer application forms are available on the EPA website at: <http://www.epa.nsw.gov.au/licensing-and-regulation/licensing> or from regional offices of the EPA, or by contacting by telephone 02 9995 5700.

If you are applying to vary or transfer your Licence, you must still complete and submit this Annual Return.

### A1. Licence holder

Licence number : 7566  
Licence holder : BAIADA POULTRY PTY LIMITED  
Trading name (if applicable) :  
ABN : 96 002 925 948  
ACN : 002 925 948  
Reporting period : From: 19-3-2021 To: 18-3-2022

### A2. Premises to which Licence Applies (if applicable)

Common name (if any) : OAKBURN PROTEIN RECOVERY PLANT  
Premises : 1154 OXLEY HIGHWAY TAMWORTH 2340 NSW

### A3. Activities to which Licence Applies

Livestock processing activities  
Chemical storage

### A4. Other Activities (if applicable)

### A5. Fee-Based Activity Classifications

Note that the fee based activity classification is used to calculate the administrative fee.

Fee-based activity	Activity scale	Unit of measure
General chemicals storage	> 0.00 - 5,000.00	kL storage capacity
Rendering or fat extraction	> 4,000.00	T annual production capacity



# Annual Return

BAIADA POULTRY PTY LIMITED

Licence 7566

## A6. Assessable Pollutants (if applicable)

**Note** that the identification of assessable pollutants is used to calculate the **load-based fee**.  
The following assessable pollutants are identified for the fee-based activity classifications in the licence:

## B. Monitoring and Complaints Summary

### B1. Number of Pollution Complaints

Pollution Complaint Category	Complaints
Air	1
Water	0
Noise	0
Waste	0
Other	0
<b>Total complaints recorded by the licensee during the reporting period</b>	<b>1</b>

### B2. Concentration Monitoring Summary

For each concentration monitoring point identified in your licence, details are displayed below. If concentration monitoring is not required by your licence, **no data** will appear below.  
If data was provided from an uploaded file, the file name will be displayed below instead of any data.  
**Note** that this does not exclude the need to conduct appropriate concentration monitoring of assessable pollutants as required by load-based licensing (if applicable).

### B3. Volume or Mass Monitoring Summary

For each volume or mass monitoring point identified in your licence, details are displayed below. If volume or mass monitoring is not required by your licence, **no data** will appear below.  
If data was provided from an uploaded file, the file name will be displayed below instead of any data.  
**Note** that this does not exclude the need to conduct appropriate volume or mass monitoring of assessable pollutants are required by load-based licensing (if applicable).

## C. Statement of Compliance - Licence Conditions

### C1. Compliance with Licence Conditions

Were all conditions of the licence complied with (including monitoring and reporting requirements)?	Yes
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# Annual Return

BAIADA POULTRY PTY LIMITED

Licence 7566

## D. Statement of Compliance - Load Based Fee Calculation

If you are not required to monitor assessable pollutants by your licence, **no data** will appear below.

If assessable pollutants have been identified on your licence, the following worksheets for each assessable pollutant will determine your load based fee for the licence fee period to which this Annual Return relates.

**Loads of assessable pollutants must be calculated using any of the methods provided in EPA's Load Calculation Protocol for the relevant activity.** A Load Calculation Protocol would have been already sent to you with your licence. If you require additional copies, you can download the Protocol from the EPA's website or you can contact us on telephone 02 9995 5700.

You are required to keep all records used to calculate licence fees for four years after the licence fee was paid or became payable, whichever is the later date.

## E. Statement of Compliance - Requirement to Prepare PIRMP

Have you prepared a Pollution Incident Response Management Plan (PIRMP) as required under section 153A of the Protection of the Environment Operations (POEO) Act 1997?	Yes
Is the PIRMP available at the premises?	Yes
Is the PIRMP available in a prominent position on a publicly accessible website?	Yes
Address of the web page where the PIRMP can be accessed ▼	
<a href="http://www.baiada.com.au/our-commitment/pollution-managemnet/oakburn">www.baiada.com.au/our-commitment/pollution-managemnet/oakburn</a>	
Has the PIRMP been tested?	Yes
The PIRMP was last tested on	7-2-2022
Has the PIRMP been updated?	Yes
The PIRMP was last updated on	13-5-2021
Number of times the PIRMP was activated in this reporting period?	0
The PIRMP was activated on	

## F. Statement of Compliance - Requirement to Publish Pollution Monitoring Data

Are there any conditions attached to your licence that require pollution monitoring to be undertaken as required under section 66(6) of the Protection of the Environment Operations (POEO) Act 1997?	No
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## G. Statement of Compliance - Environment Management System and Practices



# Annual Return

**BAIADA POULTRY PTY LIMITED**  
Licence 7566

Do you have an ISO 14001 certified Environmental Management System (EMS) OR any other system that EPA considers is equivalent to the accountability, procedures, documentation and record keeping requirements of an ISO 14001 certified EMS?	Yes
When was the last check (As per ISO 14001) of the EMS completed?	15-1-2020
Were there any non-conformances related to environmental issues identified in the last check of the EMS?	No
If there were non-conformances identified, were these non-conformances rectified?	

## H. Signature and Certification

This Annual Return may only be signed by person(s) with legal authority to sign it as set out in following categories: an Individual, a Company, a Public authority or a Local council.

It is an offence under section 66 of the Protection of the Environment Operations Act 1997 to supply any information in this form that is false or misleading in a material respect, or to certify a statement that is false or misleading in a material respect. There is a maximum penalty of \$250,000 for a corporation and \$120,000 for an individual.

I/We

- declare that the information in the Monitoring and Complaints Summary in Section B of this Annual Return application is correct and not false or misleading in a material respect, and
- certify that the information in the Statement and Compliance in sections A, C, D, E, F, G and H and any other pages attached to Section C is correct and not false or misleading in a material respect.

Signature		Signature	
Name	SIMON CAMILLERI	Name	GEORGE TSEKOURAS
Position	MANAGING DIRECTOR	Position	DIRECTOR
Date	05 / 04 / 2022	Date	5 / 4 / 22



# Annual Return

**BAIADA POULTRY PTY LIMITED**

**Licence 7566**

## Declaration

I declare that the information in the Monitoring and Complaints Summary in section B of this Annual Return is correct and not false or misleading in a material respect, and

I certify that the information in the Statement of Compliance in section A,C,D,E,F and G and any pages attached to Section C is correct and not false or misleading in a material respect.

## Declaration

I declare that the information in the Monitoring and Complaints Summary in section B of this Annual Return is correct and not false or misleading in a material respect, and

I certify that the information in the Statement of Compliance in section A,C,D,E,F and G and any pages attached to Section C is correct and not false or misleading in a material respect.

# APPENDIX E

## Liquid Trade Waste Services Agreement



## **LIQUID TRADE WASTE SERVICES AGREEMENT**

**BETWEEN**

**Tamworth Regional Council**

**AND**

**Baiada Poultry Pty Ltd**

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**Oakburn Protein Recovery Plant Tamworth 2021 - 2026**

Executed 15/11/21 : Expiry 14/11/26

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## LIQUID TRADE WASTE SERVICES AGREEMENT

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Made this 25th day of October, 2021

### BETWEEN

1. Tamworth Regional Council and more fully described in the Annexure

### AND

2. Baiada Poultry Pty Ltd and more fully described in the Annexure

### RECITALS

- A. The Council is the owner and operator of a sewerage system within the Tamworth Regional Council area.
- B. The Applicant has made application to the Council to discharge liquid trade waste from the Premises into the Council's sewerage system.
- C. The application has been approved by the Council on certain conditions ("the Approval" which is annexed and marked "A"), including the condition that the Council and the Applicant enter into this Agreement.
- D. The Secretary of the NSW Department of Industry, Skills and Regional Development has concurred in the Approval in accordance with clause 28 of the *Local Government (General) Regulation 2005*.has concurred in the Approval in accordance with clause 28 of the *Local Government (General) Regulation 2005*.
- E. The Approval does not operate until this Agreement has been executed by both parties.
- F. The parties enter this Agreement in consideration of the mutual promises contained herein.

### OPERATIVE PART

#### 1. Definitions and Interpretation

***In this Agreement, unless the context otherwise requires:***

**"Act"** means the *Local Government Act 1993* (NSW).

**"Annexure"** means the annexure to this Agreement.

**"Annual Management Plan"** means the annual management plan of the Council, as adopted by the Council from time to time.

**"Applicant"** means the entity named as such in the Annexure.

“**Approval**” means the approval described in Recital C, a copy of which is attached and marked “A”.

“**Council**” means the council named as such in the Annexure.

“**Liquid Trade Waste Services**” mean the making available by the Council of its sewerage system for connection to the Premises, for the purpose of discharge by the Applicant of its liquid trade waste.

“**Premises**” means the premises described in the Annexure.

**Unless the context otherwise requires:**

- (a) A reference to this Agreement is a reference to this Agreement, including the Annexure, as amended from time to time in accordance with its terms.
- (b) A reference to the discharge of liquid trade waste means the discharge of liquid trade waste by the Applicant from the Premises to the Council's sewerage system.
- (c) A reference to any legislation is a reference to such legislation as amended from time to time.
- (d) Where the Applicant is comprised of more than one person, each obligation of the Applicant will bind those persons jointly and severally and will be enforceable against them jointly and severally.

**2. Liquid Trade Waste Services**

*The Council will provide the Liquid Trade Waste Services to the Applicant on the terms of this Agreement.*

**3. Additional Conditions for discharge of liquid trade waste**

- 3.1 The Applicant may discharge liquid trade waste to the Council's sewerage system in accordance with the terms of the Approval and subject to this Agreement.
- 3.2 The Applicant must comply with all applicable Acts, regulations, by laws, proclamations and orders and with any lawful direction or order given by or for the Council or any other competent authority relating to the discharge of liquid trade waste.
- 3.3 The Applicant must not discharge liquid trade waste contrary to this Agreement or the Approval or in any manner which may have an adverse effect on any person or property (including the sewerage system and the ecological system in the waters, land or area receiving sewage treatment works effluent or biosolids), or which may cause the Council to be in breach of any applicable Act, regulation, by law, proclamation or order or of any lawful direction given by or for any competent authority.

- 3.4 The Applicant must at its own cost monitor its discharges in accordance with the requirements set out in the Approval and must maintain records of all such monitoring for inspection by the Council for such period as may be specified in the Approval and/or specified by Council from time to time.
- 3.5 The Council will carry out routine sampling and testing of the waste stream at the Applicant's cost (see clause 5).
- 3.6 Where any flow-metering device is installed, the Applicant must at its own cost cause the device to be calibrated at least annually by a person or company approved by the Council. The Applicant must obtain a calibration certificate annually and provide a copy of the certificate to the Council within one month of receiving it and/or upon request by Council.
- 3.7 The Council shall be entitled to require the Applicant to cease discharging liquid trade waste for any period and in such circumstances, the Applicant must cease discharging such waste for the period specified.
- 3.8 Where the Applicant ceases to discharge waste in the circumstances prescribed in clause 3.7, the Council may, at its discretion, elect to refund part of the annual trade waste fee on a pro rata basis, calculated according to the period of suspension.
- 3.9 If this Agreement is terminated, the Applicant must immediately cease to discharge liquid trade waste.
- 3.10 The Applicant must provide at its own cost, the plant and equipment required to comply with the Approval and must maintain such plant and equipment and any other pipes, equipment or apparatus used for the conveyance, measurement or treatment of the liquid trade waste in a proper, efficient, clean and working order and condition at all times.

#### **4. Duty to Report**

In the event that the Applicant becomes aware that it is or believes that it may be in breach of any term or condition or requirement of the Approval, howsoever arising, it must immediately (within four hours of becoming aware of such circumstances) notify Council's contact person and/or any person holding a management position in Council's water engineering department and shall convey full and complete details to Council & shall allow Council immediate access to the Premises for inspection & testing

#### **5. Fees and Charges**

- 5.1 In consideration for the provision of the Liquid Trade Waste Services provided by Council to the Applicant, the Applicant agrees to pay the fees and charges as specified in the Council's Annual Management Plan and notified by Council to the Applicant, including fees for sampling and testing by Council in accordance with this Agreement and the Approval.
- 5.2 Fees and charges payable by the Applicant will include both non-residential sewerage charges and liquid trade waste fees and charges.
- 5.3 All monies payable to the Council by the Applicant, must be paid within the time specified in the notice of charge, failing which, interest shall accrue in accordance with Section 566 of the Local Government Act.
- 5.4 The Applicant acknowledges that Council's fees and charges for the trade waste services will vary annually and will be set in its Annual Management Plan. Council will notify the Applicant of the details of such fees and charges annually after the Annual Management Plan has been finalised.

- 5.5 In accordance with the section 560 of the *Local Government Act*, Council may also levy all water supply, sewerage and liquid trade waste fees and charges on the owner of the property.

## **6. Term**

- 6.1 This Agreement will commence from the date it is signed on behalf of the Council, and will continue for the term noted in the Approval until the Applicant's Approval is revoked or the Applicant permanently ceases to discharge liquid trade waste pursuant to the Approval or the term of this agreement expires or this Agreement is terminated, whichever is the earlier. Upon such revocation or permanent cessation of the approved activity or the expiry of the term of this Agreement or this Agreement is terminated then this Agreement shall automatically terminate by operation of this clause.
- 6.2 The Approval does not operate until this Agreement has been executed by both parties.
- 6.3 Upon the termination of this Agreement or the expiry of the term, the Approval shall lapse.
- 6.4 Termination of this Agreement is without prejudice to any accrued rights or obligations of either Party.
- 6.5 Should the Applicant continue to discharge trade waste after the expiration or determination of the term of this Agreement with the consent of Council, other than pursuant to a further trade waste services agreement, then the terms of this Agreement will continue to apply and the Agreement may be terminated by either party upon giving of 21 days written notice to the other party.
- 6.6 Notwithstanding any term of this Agreement or the Approval, the Council may terminate this liquid trade waste services agreement at any time by notice in writing to the Applicant. If practical, the Council must give reasonable notice of the termination of this Agreement and must also provide an explanation for why the service is terminated.

## **7. No Representation**

- 7.1 Notwithstanding the Approval, Council does not make any representation or warranty as to the ongoing ability of the Applicant to continue to discharge liquid trade waste to the sewer during the term of this Agreement. Council will use its best endeavours to minimise any interruption to the sewerage service system. Any decision of Council to direct the Applicant to immediately cease discharge of trade waste, shall be made by Council in its absolute & discretion. In exercising this discretion, the Council will act reasonably and in good faith having regard to all factors which it considers relevant. Provided the Council exercises its discretion in good faith, the Council will not be liable to the Applicant for any claim or for any loss or damage due to the disruption of the Applicant's business or any additional costs or loss or expense or damage suffered by it including the cost of disposal of liquid trade waste, in the event that Council exercises its powers to direct the Applicant to cease discharging liquid trade waste to its sewerage system or in the event that the sewerage system is not functioning and/or inoperable.

## **8. Powers of the Council**

- 8.1 The Council may enter the Premises at any hour in the daytime or at any hour during which business is in progress or is usually carried on at the Premises for the purpose of conducting any inspection, examination, testing, monitoring or sampling, to determine whether the Applicant is complying with the conditions of this Agreement and the Approval.
- 8.2 The Applicant acknowledges that the Council has statutory powers available to it under the Local Government Act 1993 and other Acts to issue orders and directions to the Applicant in relation to the discharge of liquid trade waste. The Applicant undertakes to comply with each such order or direction that may be notified by the Council to the Applicant within the time specified for compliance in that order or direction.
- 8.3 The Applicant releases the Council from any liability to the Applicant for any loss or damage due to the disruption of the Applicant's business arising out of the exercise of Council's rights pursuant to this Agreement and/or the Approval.
- 8.4 Upon receiving a Notice referred to in clause 3.7 of this Agreement, the Applicant must cease discharging trade waste for the period specified in the Notice.

## **9. Powers of the Council upon default by the Applicant**

- 9.1 The Council may by written notice to the Applicant require the Applicant to rectify any breach of this Agreement and/or the Approval within such time as is specified in the Notice and, where appropriate, to cease the discharge of trade waste pending such rectification.
- 9.2 If the Applicant is in breach of this Agreement, the Council may enter the Premises without notice and disconnect the means of discharge of trade waste or take such other measures as may be necessary to prevent the discharge of trade waste.
- 9.3 If the Applicant is in breach of this Agreement, the Council may without notice terminate this Agreement and the Approval for the Applicant to discharge trade waste to Council's sewer.

## **10. Information supplied by the Applicant**

- 10.1 The Applicant warrants that all information in its application for approval is true, complete and accurate to the best of its knowledge.
- 10.2 The Applicant must immediately notify the Council in writing of any error or omission in that information or any change to the information of which the Applicant becomes aware.
- 10.3 The Applicant must not provide any false or misleading information to the Council particularly its monitoring records, nor shall it omit to provide all relevant & material information to Council throughout the term of this agreement.
- 10.4 In the event that the Applicant advises Council of an error or omission or Council becomes aware that any information provided was false or misleading, Council reserves the right to terminate this Agreement & Approval and/or to vary the terms and conditions of the Approval provided that in taking any such action, that it acts reasonably and in good faith having regard to factors it considers relevant.

## **11. Liability and Indemnity**

- 11.1 The Applicant indemnifies the Council from and against any claims, losses, penalties, fines or expense (including legal costs on a solicitor and client basis) which the Council pays, suffers, incurs or is liable for as a result of:
- (a) any unlawful, negligent, reckless or deliberately wrongful act or omission of the Applicant or its personnel or agents in connection with the discharge of liquid trade waste, including (without limitation) such acts or omissions which cause damage to property, personal injury or death; and
  - (b) a breach of this Agreement by the Applicant.
- 11.2 The Applicant's liability to indemnify the Council shall be reduced proportionally to the extent that any unlawful, negligent, reckless or deliberately wrongful act or omission of the Council caused or contributed to the liability or loss
- 11.3 Where Council requires the Applicant to cease to discharge liquid trade wastes in accordance with this Agreement for any reason, the Applicant agrees that Council will not be liable to the Applicant for any loss or damage nor will it be entitled to make any claim for any loss or damage expense or liability suffered by it including disruption to its business and/or additional costs in disposing of trade waste and the Applicant releases the Council absolutely from any such claim, liability or cost absolutely.

## **12. Insurance**

- 12.1 The Applicant must effect and maintain for the term of this Agreement a public risk policy of insurance for the minimum sum specified in the Annexure and must, upon request by the Council, produce evidence of such insurance to the Council. Such policy must cover the Applicant for any claim or loss or damage expense arising out of its discharge of liquid trade waste to Council's sewer.

## **13. Bond**

- 13.1 The Applicant must pay to the Council a bond in the sum specified in the Annexure.
- 13.2 The Council may at any time and without prior notice to the Applicant have recourse to the bond for the recovery of any sum due and owing by the Applicant to the Council which has not been paid on the due date.
- 13.3 Where the Applicant fails to cease discharging trade waste as directed by Council, the Council may forfeit the bond or part of it and keep the bond or the part so forfeited.
- 13.4 The Council must return the bond to the Applicant, less any amount deducted by the Council under this clause, upon termination of this Agreement.

## **14. No Assignment**

The Applicant may not assign or otherwise transfer its rights and/or obligations under this Agreement.

## **15. Notices**

- 15.1 A notice under this Agreement must be:
- (a) in writing, directed to the representative of the other party as specified in the Annexure; and

- b) forwarded to the address, facsimile number or the email address of that representative as specified in the Annexure or the address last notified by the intended recipient to the sender.

15.2 A notice under this Agreement will be deemed to be served:

- (a) in the case of delivery in person - when delivered to the recipient's address for service and a signature received as evidence of delivery.
- (b) in the case of delivery by post - within three business days of posting.
- (c) in the case of delivery by facsimile – at the time of dispatch if the sender receives a transmission report which confirms that the facsimile was sent in its entirety to the facsimile number of the recipient.
- (d) in the case of delivery by email, on receipt of confirmation by the recipient that the recipient has received the email.

15.3 Notwithstanding the preceding clause 15.2, if delivery or receipt of a communication is on a day which is not a business day in the place to which the communication is sent or is later than 5 pm (local time in that place) it will be deemed to have been duly given or made at 9 am (local time at that place) on the next business day in that place.

## **16. Variation**

16.1 If the Applicant's Approval to discharge liquid trade waste from the Premises is varied, this Agreement shall be deemed to be varied in accordance with the variation made to that approval or to the fees, by operation of this clause.

16.2 In addition to automatic variation under clause 16.1, this Agreement may be varied by written agreement of the parties, provided that a variation to this Agreement that is inconsistent with:

- (a) the Approval, including rights granted under, and conditions attached to, the Approval;
- (b) any applicable legislation; or
- (c) Council's Annual Management Plan in respect of applicable fees and charges,

shall have no force or effect.

## **17. Severability**

If any part of this Agreement is prohibited, void, voidable, illegal or unenforceable, then that part is severed from this Agreement but without affecting the continued operation, so far as possible, of the remainder of this Agreement.

## **18. Applicable Law**

18.1 This Agreement is governed by, and must be construed in accordance with, the laws in force in the State of New South Wales.

18.2 Each party submits to the exclusive jurisdiction of the courts exercising jurisdiction in the State of New South Wales and the courts of appeal there from.

## **19. Rights Cumulative**

The rights and remedies provided under this Agreement are in addition to, and not exclusive of, any other rights or remedies provided by law.

Signed for and on behalf of  
Tamworth Regional Council by

Jacqueline O'Neill for  
Paul Bennett

Print Name

A/ General Manager

Position

Signature

15.11.2021

Date

In the presence of

MICKAELA FAIRALL

Print name

Signature

Signed for and on the behalf of

Baiada Poultry Pty Ltd by

(Who warrants he/she has full authority  
to execute this agreement on behalf of

Baiada Poultry Pty Ltd)

SIMON CAMILLERI

Print name

MANAGING DIRECTOR

Position

Signature

8.11.21

Date

In the presence of

TANIA VALERIO

Print name

Signature

## **ANNEXURE**

### **A. THE COUNCIL**

1. FULL NAME OF COUNCIL: **TAMWORTH REGIONAL COUNCIL**
2. ABN: **52 631 074 450**
3. ADDRESS: **437 Peel Street Tamworth NSW 2340**
4. TELEPHONE **(02) 6755 4555**
5. EMERGENCY CONTACT:
  - 1) Liquid Trade Waste Officer **0400 489 890**
  - 2) Headworks Engineer **0400 965 604**
  - 3) Manager Water & Waste Operations **0428 297 896**

### **B. THE APPLICANT**

1. FULL NAME OF APPLICANT: **Baiada Poultry Pty Ltd**
2. ABN: **96 002 925 948**
3. BUSINESS OR TRADING NAME: **Baiada Poultry Pty Ltd**
4. ADDRESS: **PO Box 21 PENDLE HILL NSW 2145**
5. TELEPHONE: **(02) 9842 1000**
6. EMERGENCY CONTACT:
  - 1) Baiada National Environment and Sustainability Manager **0418 118 045**
  - 2) Oakburn Plant Manager **0428 118 150**
  - 3) Oakburn Administration & Compliance **0438 118 353**

### **C. THE PREMISES**

1. LOT & DP NUMBER: **Lot 100 DP: 1097471**
2. LOCATION **Gunnedah Road Tamworth NSW**
3. DESCRIPTION: **Baiada Oakburn Protein Recovery Plant**
4. NATURE OF BUSINESS: **Protein Recovery Plant for Poultry By-Products**

**D. NOTICES**

Applicant's Representative: **Grant White**

Postal address: **PO Box 21 PENDLE HILL NSW 2145**

Email: **grant\_white@baiada.com.au**

Council's Representative: **Daniel Coe**

Postal address: **PO Box 555 Tamworth NSW 2340**

Email address: **d.coe@tamworth.nsw.gov.au**

**E. PUBLIC LIABILITY INSURANCE**

Minimum cover: **\$20,000,000**

**F. BOND**

**\$ Nil**

### **SCHEDULE OF CONDITIONS**

- 1) The Applicant must comply with all applicable Acts, Regulations, by-laws, proclamations and orders and with any lawful direction or orders given by or for the Council or any other competent authority.

***(Reason: Requirement to comply with all applicable government legislation)***

- 2) The work that will be carried out under this approval must be implemented and operated in compliance with the Work Health & Safety Act 2011, Plumbing Code of Australia, Australian Standards AS3500 (Part 2, Sanitary Plumbing and Sanitary Drainage) and Council requirements.

***(Reason: Requirement for compliance with applicable standards and legislation)***

- 3) The liquid trade waste approval will commence from the date a liquid trade waste agreement is signed by Council

***(Reason: Requirement for legal considerations)***

- 4) **Term of the Approval:**

Commencement date: From the day the liquid trade waste services agreement is executed by Council

Duration: 5 Years

This approval has a duration period as specified above except where the approval is terminated by the Council or the applicant. Conditions may however be varied during this period.

***(Reason: Pursuant to section 103 of the Local Government Act)***

- 5) **Hours during which discharge is permitted:**  
24hrs per day 7 days per week

***(Reason: Department of Planning Industry & Environment (DPIE) and Council requirement to ensure acceptance capacity of the sewerage system and for auditing purposes)***

- 6) The maximum daily discharge rate shall not exceed 450 kL/d.

***(Reason: Requirement pursuant to Clause 32 of the Local Government (General) Regulation 2005)***

- 7) The maximum instantaneous discharge rate shall not exceed 7 L/s.

***(Reason: DPIE and Council requirement to prevent overflows and overloading of the sewerage system)***

- 8) The pH of the liquid trade waste shall be maintained within the range of 7.0 to 9.0 at all times. The pH of the liquid trade waste shall be checked and corrected, if necessary, before discharged to the sewerage system. The pH shall be recorded and records kept

***(Reason: Extremes of pH can adversely affect biological treatment processes and may cause the release of toxic gases in sewer. Low pH causes corrosion of sewer structures)***

- 9) Detergents and cleaning products if used shall be biodegradable and low in phosphate

***(Reason: Protection of the environment and to ensure treatability of the waste)***

- 10) The composition of the liquid trade waste shall comply with that approved. A new application shall be made if the quantity and/or quality or the activity generating liquid trade waste is to be varied.

***(Reason: Requirement pursuant to Clause 32 of the Local Government (General) Regulation 2005)***

- 11) The equipment for the treatment of the liquid trade waste and all fixtures are to be kept clean and maintained in an efficient condition to the satisfaction of the Council and must not be modified without the approval in writing of the Council. safe and unrestricted access for the maintenance and inspection of the pre-treatment equipment must be provided.

***(Reason: DPIE and Council requirement to ensure compliance with the conditions of approval)***

- 12) An inspection point suitable for taking representative samples shall be provided immediately prior to the point where the liquid trade waste enters the sewerage system and/or mixes with domestic sewerage from the premises.

***(Reason: DPIE and Council requirement to permit sampling & compliance auditing of liquid trade waste)***

- 13) If, in the opinion of the council, the liquid trade waste being discharged does not comply with the conditions contained herewith or is adversely affecting the performance of the sewage treatment plant, the sewerage system, or the ecological system in the waters, land or area receiving sewage treatment plant effluent, the discharger must forthwith, on receipt of notice in writing from Council to this effect, take remedial action by modifying the characteristics of the liquid trade waste, reducing the amount of the liquid trade waste or ceasing to discharge the liquid trade waste as directed by notice from council.

***(Reason: DPIE and Council requirement for compliance with the conditions of approval, protection of the sewerage system and the environment)***

- 14) Except as already provided for by the rest of the conditions contained in this letter, the following must not be included in the liquid trade waste:
- \* organochlorine weedicides, fungicides, pesticides, herbicides and substances of a similar nature and/or wastes arising from the preparation of these substances;
  - \* organophosphorus pesticides and/or waste arising from the preparation of these substances;
  - \* per- and poly-fluoroalkyl substances (PFAS)
  - \* any substances liable to produce noxious or poisonous vapours in the sewerage system;
  - \* organic solvents and mineral oil;\*\*
  - \* any flammable or explosive substances;\*\*
  - \* discharges chemicals and/or oil storage areas and from 'Bulk Fuel Depots';
  - \* natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions;
  - \* roof, rain, surface, seepage or ground water, unless specifically permitted (clause 137A of the Local Government (General) Regulation 2005)
  - \* solid matter;
  - \* disposable products including wet wipes, cleaning wipes and any other products marketed as flushable
  - \* any substance assessed as not suitable to be discharged to the sewerage system;
  - \* waste liquids that contain pollutants at concentrations which inhibit the sewage treatment process - refer *Australian Sewerage Quality Management Guideline, July 2012, WSAA*; and
  - \* any other substances listed in a relevant regulation.

\*\*above the agreed limit

***(Reason: Statutory provision in Local Government Act Section 638 and DPIE and Council requirement for protection of the sewerage system, safety of workers and the environment)***

- 15) All liquid trade waste pre-treatment systems and any substance which could adversely affect the sewerage system, the environment or safety of people must be contained in bunded areas so that any leaks, spillages, and/or overflows cannot drain by gravity to the sewerage and/or stormwater systems. Wastewater collected within the bunded area shall not be directly discharged into the sewerage and/or stormwater systems by automated or mechanical means. Only leaks, spillages and overflows from a bunded pre-treatment equipment area may be pumped back to the head of the pre-treatment system.

***(Reason: DPIE and Council requirement for protection of the sewerage system and safety of workers and pursuant to Section 89 (3a) of the Local Government Act 1993 for protection of the environment)***

- 16) Measures must be taken to prevent spillage of chemicals, oil and any other product used. Any spillages must be recovered/removed by dry cleaning methods and not be discharged into the sewerage system.

***(Reason: DPIE and council requirement to protect the sewerage system and worker health and safety)***

- 17) Measures are to be taken to prevent the contamination and ingress of stormwater into the sewerage system. Areas where stormwater may become contaminated must be bunded and roofed over.  
The requirement for roofing in not applicable to the open bunded area housing the condenser

***(Reason: DPIE and Council requirement to prevent overflows and overloading of the sewerage system)***

- 18) The concentration of total oil and grease shall not exceed 100 mg/L at any time.

***(Reason: DPIE and Council requirement to prevent sewer blockages)***

- 19) All liquid trade waste shall pass through the on-site waste water treatment system as required prior to discharge to the sewerage system

***(Reason: DPIE and Council requirement to limit loading on the sewerage system)***

- 20) In relation to cooling towers and boilers. The use of products containing chromate is not permitted.

***(Reason: DPIE and Council requirement to protect the sewerage system and the environment)***

- 21) Any substance which could adversely affect the sewerage system, the environment and the health and the safety of people must be stored in a roofed and bunded area with the bund having the capacity to retain 110% of the largest container. Substances accumulated in the bunded area must not be discharged into the sewerage system.

Alternatively, other acceptable means preventing the discharge to the sewerage system/ environment in case of accident, leakage or spills must be provided (e.g. a secondary containment)

***(Reason: DPIE and council requirement to protect the sewerage system and worker health and safety)***

- 22) Any amendments to the current contingency plan and a due diligence program are to be submitted to Council for records.

***(Reason: DPIE and Council requirement to ensure that adequate contingency measures are in place to address potentially hazardous situation)***

- 23) A suitable method of restricting the flow rate to the figure stated in condition 7 shall be provided by the applicant. The maximum daily and instantaneous rate of discharge is set on the available capacity of the sewerage system.

***(Reason: DPIE and Council requirement to prevent overflows & overloading of the sewerage system)***

- 24) A magnetic flow meter shall be installed to measure the total liquid trade waste discharge from the premises and the daily flow shall be recorded.

***(Reason: Requirement for due diligence, compliance auditing, monitoring and sampling purposes)***

- 25) The BOD<sub>5</sub> concentration shall not exceed 300 mg/L at any time.

***(Reason: DPIE and Council requirement to limit loading on the sewerage system)***

- 26) The suspended solids concentration shall not exceed 300 mg/L at any time.

***(Reason: DPIE and Council requirement to limit loading on the sewerage system)***

- 27) The Chemical Oxygen Demand (COD) shall not exceed 600mg/L if the BOD<sub>5</sub> concentration is less than 150mg/L, otherwise the COD shall not exceed the BOD concentration by more than 3 times.

*(Reason: DPIE and Council requirement to prevent the discharge of non-biodegradable waste and to ensure treatability of the proposed liquid trade waste)*

28) The concentration of Total Dissolved Solids shall not exceed 1000 mg/L.

*(Reason: Requirement for effluent management options (reduces the opportunity for reuse) and protection of the receiving aquatic environment)*

29) The concentration of Ammonia (as N) shall not exceed 50 mg/L at any time.

*(Reason: Requirement for protection of the sewerage system and worker health & safety)*

30) The concentration of Total Kjeldahl Nitrogen (TKN) shall not exceed 100 mg/L at any time.

*(Reason: Requirement for protection of the sewerage system and the environment)*

31) The concentration of the following substances shall not exceed:

Sulphate (as SO <sub>4</sub> )	500 mg/L
Sulphide	1 mg/L
Total Phosphorus	35 mg/L

*(Reason: Requirement for protection of worker health & safety, the sewerage system and the environment)*

32) Representative samples of the effluent shall be collected once per week and tested with respect to;

<b>pH</b>	<b>Total Suspended Solids</b>	<b>Total Oil &amp; Greases</b>
<b>BOD<sub>5</sub></b>	<b>Total Dissolved Solids</b>	<b>Total Nitrogen</b>
<b>COD</b>	<b>Ammonia as Nitrogen</b>	<b>Sulphide*</b>
<b>Sulphate</b>	<b>Total Kjeldahl Nitrogen</b>	<b>Total Phosphorus (as P)</b>

\* Sulphide testing will be conducted at Councils discretion

*(Reason: Requirement pursuant to s. 89 (3a) of the Local Government Act 1993 and council requirement for protection of the environment, worker health and safety and to ensure treatability of the waste)*

- 33) The sample analysis tests must be carried out only by laboratories that hold National Association of Testing Authorities (NATA) registration for the class of test(s) or specific test(s) specified in trade waste approval or a laboratory acceptable to the Department. Tests shall be carried out by using analytical methods indicated in The Australian Sewerage Quality Management Guideline, June 2012, WSSA or other accredited methods acceptable to the Department. The results of the chemical analysis shall be forwarded to the Council for review as soon as available from the laboratory. The analysis records are to be retained by the discharger for the specified period of 3 years.

***(Reason: DPIE and Council requirement to ensure the integrity of any sampling analysis results are not compromised and due diligence concerns are satisfied)***

- 34) Solids and sludge resulting from treatment of the waste shall be removed from the premises by a licensed contractor where applicable

***(Reason: DPIE and Council requirement to protect the sewerage system and EPA requirement for waste disposal)***

- 35) Data shall be kept detailing the following items:

- Daily volume discharged;
- pH reading;
- Whether odour problems occurred and contingency measures taken;
- Periodical sample analysis results, when conducted;
- Treatment process monitoring check sheets to include pH, Temperature, Dissolved Oxygen and air pressure at critical points
- Other checks as required by Council, equipment manufacturer, Consultant or chemical supplier.
- Dates of pH probe cleaning, calibration of control units and other maintenance work.
- The data is to be made available to a Council and Department officer upon request.
- Sludge & solids removal - description of waste, date of removal and volume removed. Details of contractor and waste destination.

***(Reason: DPIE and the Council's requirement to protect the sewerage system, environment and health & safety of workers)***

- 36) Performance monitoring of each pre-treatment process is to be undertaken and recorded as per design specifications and/or Council requirements

***(Reason: To ensure effective working of the pre-treatment system)***

- 37) A suitable alarm system shall be installed and maintained where applicable on pre-treatment equipment to ensure timely fault notification and correction

***(Reason: To ensure effective working of the pre-treatment systems)***

- 38) All staff operating the pre-treatment system are to be competently trained in operating procedures.

***(Reason: Council requirement to ensure operational staff can effectively manage the wastewater treatment system)***

# Documentation Requiring General Manager's Signature

TRIM Record Reference: TWC006/2006

Name of Authorising Director/Manager: Daniel Coe

Signature:  Date: 11 November 2021

Name of Responsible Officer: Darryl Moore

Type of Documentation: **Legal, Delegation of Function, other** (go to section 1),  
**DA on Council's assets** (Go to section 2)

## SECTION 1

Type of Document: Legal Document

Subject Matter of Document: Liquid Trade Waste Services Agreement

Other Party: Baiada Pty Ltd Oakburn Protein Recovery Plant

Does Document requires Council's Seal: No If yes, Resolution No and Date:

Stripping attached: no

Note: Seal is to be attached in the presence of the General Manager & Mayor

Has the document been reviewed and/or prepared by Council's Solicitor: No

Does document conform with legislative requirements: Yes

Recorded in Seal Register: No

## SECTION 2

Type of Documentation: **Owner's Consent regarding development applications on Council assets**

Development Application No:

Applicant:

Proposed Development:

Location of Development:

Land Category: Operational.

Proposed development has been assessed with regard to impact on future development, use and management of the asset: Yes

Users of the asset have been consulted regarding the proposal: Yes

Comments:

Proposal is consistent with relevant plans/strategies (including relevant plan of management where applicable): Yes

Comments:

Copy of DA Attached: No

Documents all in order: Yes

**FORWARD SIGNED DOCUMENT TO: RECORDS MANAGEMENT FOR  
REGISTRATION/ACTIONING**



# APPENDIX F

## Weekly Production Data

### Weekly Production Numbers During the Reporting Period

Reporting Period 19 Mar to 19 Mar	Week Ending	Raw Material Intake (T)	Finished Production (T)
2021-22	28/03/2021	1783.06	549.46
2021-22	4/04/2021	1495.48	467.63
2021-22	11/04/2021	1579.16	491.4
2021-22	18/04/2021	1750.2	548.94
2021-22	25/04/2021	1602.62	487.65
2021-22	2/05/2021	1632.44	500.46
2021-22	9/05/2021	1563.84	468.83
2021-22	16/05/2021	1550.243	483.3
2021-22	23/05/2021	1478.82	454.82
2021-22	30/05/2021	1613.9	477.06
2021-22	6/06/2021	1496.88	450.04
2021-22	13/06/2021	1778.9	526.14
2021-22	20/06/2021	1377.36	416.38
2021-22	27/06/2021	1682.66	523.56
2021-22	4/07/2021	1598.72	489.58
2021-22	11/07/2021	1793.38	539.8
2021-22	18/07/2021	1628.12	506.74
2021-22	25/07/2021	1910.34	604.66
2021-22	1/08/2021	1814.16	573.65
2021-22	8/08/2021	1904.88	597.43
2021-22	15/08/2021	1798.88	567.91
2021-22	22/08/2021	1695.74	533.09
2021-22	29/08/2021	1717.78	539.66
2021-22	5/09/2021	1661.68	534.16
2021-22	12/09/2021	1657.22	522.08
2021-22	19/09/2021	1700.58	529.67
2021-22	26/09/2021	1689.08	531.33
2021-22	3/10/2021	1774.22	563.94
2021-22	10/10/2021	1745.34	541.24
2021-22	17/10/2021	2035.56	624.58
2021-22	24/10/2021	1694.72	532.81
2021-22	31/10/2021	1762.96	555.77
2021-22	7/11/2021	1732.78	558.5
2021-22	14/11/2021	1765.88	538.36
2021-22	21/11/2021	1781.46	555.06
2021-22	28/11/2021	1878.52	585.7
2021-22	5/12/2021	1814.58	561.75
2021-22	12/12/2021	1806.7	525.27
2021-22	19/12/2021	1805.8	563.89
2021-22	26/12/2021	1771.36	548.27
2021-22	2/01/2022	1540.72	475.04

Reporting Period 19 Mar to 19 Mar	Week Ending	Raw Material Intake (T)	Finished Production (T)
2021-22	9/01/2022	1544.74	456.96
2021-22	16/01/2022	1743.88	533.46
2021-22	23/01/2022	1635.84	499.45
2021-22	30/01/2022	1542.12	472.45
2021-22	6/02/2022	1554.58	466.08
2021-22	13/02/2022	1628.58	498.46
2021-22	20/02/2022	1565.5	477.1
2021-22	27/02/2022	1562.56	482.68
2021-22	6/03/2022	1516.72	460.56
2021-22	13/03/2022	1654.58	500.78
2021-22	20/03/2022	1643.54	511.86
<b>TOTAL</b>		<b>87459.36</b>	<b>27005.45</b>

# APPENDIX G

## Compliance Table

Compliance Table for Baiada Oakburn Integrated Poultry Processing Facility SSD-9394

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	At all times	BSI Group ANZ Pty Certificate of registration EMS 14001:2015 Cert No:628301 22.01.21 IEA Report 2021 – Ramboll 02.02.22 No significant environmental incidents were found during the compliance period	Compliant
<b>TERMS OF CONSENT</b>				
A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS, Response to Submissions and Supplementary Response to Submissions; (d) in accordance with the Development Layout in Appendix 1; and (e) in accordance with the management and mitigation measures in Appendix 3.	At All times	Annual Environmental Management Report 2020/21 10.08.21 IEA Report 2021 – Ramboll 02.02.22 Based on the information supplied for this report the development is generally being carried out in accordance with the requirements of this condition. <i>It should be noted there are incorrect references to the appendix 3 and 4 in SSD9394. These errors have been presented to the DPE for correction as per email 01.02.22 to Ania Dorocinska and response email 09.02.22 Pamela Morales.</i>	Compliant
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).	At All times	<i>DPE Letter response to 2020/21 AEMR 10.08.21</i> – Requested improvements to the compliance report submitted under C18. This applies to this and future reports. In this letter DPE also requested that the 2020/21 AEMR be made publicly available in accordance with C19. This was corrected <b>16.08.21</b> . <i>DPE Letter 23.12.21 Re- Cond A12 DA Surrender:</i> requested that response letter from TRC be provided to DPE for their records – this has not yet been received.	Compliant
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict. <i>Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.</i>	At All times	No inconsistencies were encountered during the compliance period.	Not Triggered
<b>LIMITS OF CONSENT</b>				
<b>Lapsing</b>				
A5	This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.	Operation	<i>Email from DPE P Morales 08.11.21</i> states the consent had effect from 22.01.21 and that now covered under the SSD. <i>Letter to Applicant 22.01.21</i>	Compliant
<b>Protein Recovery Plant</b>				
A6	The rendering capacity cannot increase from 1,120 tonnes to 1,680 tonnes of finished rendering product per week in the protein recovery plant until such time that all works associated with the project, are complete and operational, to the satisfaction of the Planning Secretary.	Operation	<i>Production Data from 19.03.21-19.03.22</i> provided for review all production amounts during this period were well below 1120T finished product.	Compliant
<b>Poultry Processing Facility</b>				
A7	The development is limited to the following limits within the processing plant: (a) processing of up to 3 million birds per week; and (b) holding of 90,000 birds (average over 24 hour period) within the live bird area.	Operation	The development is not yet in operational stage.	Not triggered
A8	Exhaust fans on the processing areas must be designed to achieve a minimum exit velocity of 15 milliseconds.	Construction	Noted	Not Triggered
A9	The final design and operation of the plant must not preclude the ability for air pollution and odour emission controls to be retrofitted.	Operation	Noted	Not Triggered
<b>NOTIFICATION OF COMMENCEMENT</b>				

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
A10	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary: (a) construction; (b) operation; and (c) cessation of operations.	Construction	Noted	Not Triggered
A11	If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage of the date of commencement and the development to be carried out in that stage, or a timeframe otherwise agreed with the Planning Secretary.	Construction	Noted	Not triggered
<b>SURRENDER OF EXISTING CONSENTS</b>				
A12	Within 12 months of the date of determination of this development consent, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the consents specified in Appendix 3 in accordance with the EP&A Regulation.	Complete	<i>Letters sent to TRC and DPE with regards to surrender of DA's 21.12.21. Response received DPE 23.12.21</i> Regarding the receipt of the surrender and request to be forwarded the response from TRC. No response has been received from TRC. Date of Determination of the Consent 21.01.21 as per <i>letters 22.01.21 and email 08.11.21</i> <b>Note this is outside the timeframe of the compliance report.</b>	Compliant
A13	Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals as required under condition A12, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals. <i>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&amp;A Act or Part 6 of the EP&amp;A Act as applies from 1 September 2018. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.</i>	Complete	<b>Note this is outside the timeframe of the compliance report.</b>	Not triggered
<b>EVIDENCE OF CONSULTATION</b>				
A14	Where conditions of this consent require consultation with an identified party, the Applicant must: (b) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (c) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	At all times	Consultation is required in relation to the following conditions <ul style="list-style-type: none"> <li>• A18 – Owners and Service providers likely to be impacted by construction - NT (Not Triggered)</li> <li>• B27 – Engineer in relation to Construction of Evaporation Ponds - NT</li> <li>• B28 – DPI water for Water Management Plan - NT</li> <li>• B47 – TfNSW in relation to construction traffic Management plan - NT</li> <li>• B54 – FRNSW in relation to Fire Safety Study - NT</li> <li>• B63 – CASA and TRAIrport with regards to Bird life monitoring program. <i>(Completed -see evidence B63)</i></li> <li>• B65 – TRC, EPA and DPE re Emergency Disposal and Biosecurity Protocol - NT</li> <li>• B75 – TRC with regards to any signage plans - NT</li> <li>• B76 – Community Engagement, Relevant authorities, registered aboriginal parties <i>(Completed – see evidence B76)</i></li> <li>• App 4 – parties as per Aboriginal Objects Find Procedure – NT</li> <li>• Consultation has also been made to DPE with regards to several queries with regards to the SSD Requirements.</li> </ul>	Compliant
<b>STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS</b>				

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
A15	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	At all times	<b>01.12.21 Letter Seeking Staged OEMP 23.12.21 Approval of Staged OEMP and Stage 1 of the OEMP</b> OEMP has been staged into 3 stages as per the above documents provided. Stage 1 – Current rendering operation has been approved. Approval letter states timings for Stage 2 submission. Notification has also been made to DPE regarding current update of the OEMP after the findings of the IEA. <i>Notification of review 25.02.22 under condition C12. A 'No comment' response was received.</i>	Compliant
A16	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	At all times	<b>23.12.21 Approval of Staged OEMP and Stage 1 of the OEMP</b> No consultation was required for the OEMP development.	Not Triggered
A17	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	At all times	<b>23.12.21 Approval of Staged OEMP and Stage 1 of the OEMP.</b> OEMP was the only document to be updated during the compliance period under review this was approved 23.12.21.	Compliant
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>				
A18	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Planning Secretary and Council	Construction	No construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not Triggered
A19	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. <i>Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by A23 of this consent.</i>	Construction	No construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not Triggered
<b>DEMOLITION</b>				
A20	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Construction	No demolition activities have occurred during the compliance period 19.03.21-19.03.22.	Not Triggered
<b>STRUCTURAL ADEQUACY</b>				
A21	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. Note: • Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Construction	No construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not Triggered
<b>COMPLIANCE</b>				
A22	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	At all times	Contractor information sheet has been developed for the provision of information to contractors working on site. <b>2202 SSD9394 Information to contractors</b> All employees and contractors also require induction to the site. Employee's also obtain training as appropriate to their job role. Managed and tracked through the site Training Matrix <i>Oakburn Training Matrix.</i>	Compliant
<b>DEVELOPMENT CONTRIBUTIONS</b>				

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
A23	Before the issue of an occupation certificate for any part of the project a levy of 1% of the development cost, as determined by a Registered Quantity Surveyor's Detailed Cost Report, must be paid to Council to cater for the increased demand for community infrastructure resulting from the development, in accordance with Section 4.17 and Section 7.12 of the EP&A Act and the Tamworth Regional Council Section 94A (Indirect) Contributions Plan. 2013	Operation	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not triggered
<b>OPERATION OF PLANT AND EQUIPMENT</b>				
A24	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner	At all times	The site operates utilising MEX preventative maintenance system for all aspects of the sites equipment. The site monitors key aspects of the sites performance using a system of documented checks. A section of which were reviewed for this compliance report. ( <i>Various monitoring forms</i> ). The site has had limited incidents recorded for the compliance period 19.03.21-19.03.22. Each incident was investigated and corrective and preventative actions put in place with root cause analysis. Training records commensurate with the job roles are available for each staff member.	Compliant
<b>EXTERNAL WALLS AND CLADDING</b>				
A25	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not triggered
A26	Before the issue of: (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and (b) an Occupation Certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA	Construction	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not triggered
A27	The Applicant must provide a copy of the documentation given to the Certifier under condition A26 to the Planning Secretary within seven days after the Certifier accepts it.	Construction	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not triggered
<b>UTILITIES AND SERVICES</b>				
A28	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Construction	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not triggered
A29	Before the issue of a Subdivision Works Certificate or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for: (a) the installation of fibre-ready facilities to the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to the development demonstrated through an agreement with a carrier.	Construction	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not triggered
A30	Before the issue of an Occupation Certificate, the Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Construction	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not triggered
<b>WORKS AS EXECUTED PLANS</b>				
A31	Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.	Operation	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22.	Not triggered
<b>APPLICABILITY OF GUIDELINES</b>				
A32	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	At all times	Condition is noted	Compliant

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status											
A33	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	At all times	10.08.21 Response letter to 20/21 AEMR Compliance report referenced updated document "Compliance Reporting Post Approval Requirements (2020)"	Compliant											
<b>ADVISORY NOTES</b>															
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	At all times	Site maintains a Register of Compliance obligations and their appropriate conditions affecting the site on the <i>Oakburn EMS Hub</i> .	Compliant											
<b>NOISE</b>															
<b>Hours Of Work</b>															
B1	<p>The Applicant must comply with the hours detailed in Table 1.</p> <p>Table 1: Hours of Work</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Earthworks and construction</td> <td>Monday – Friday</td> <td>7am to 6pm</td> </tr> <tr> <td>Saturday</td> <td>8am to 1pm</td> </tr> <tr> <td>Operation (general)</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> </tbody> </table>	Activity	Day	Time	Earthworks and construction	Monday – Friday	7am to 6pm	Saturday	8am to 1pm	Operation (general)	Monday – Sunday	24 hours	At all times	<p>No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22</p> <p>Minor Earthworks for the preparation of small slab for installation of the CAL Flare were completed 8-4.30pm weekdays 03.03.22-19.03.22</p> <p>Operation hours are unrestricted and therefore conditions have been met.</p>	Compliant
Activity	Day	Time													
Earthworks and construction	Monday – Friday	7am to 6pm													
	Saturday	8am to 1pm													
Operation (general)	Monday – Sunday	24 hours													
B2	<p>Works outside of the hours identified in condition B1 may be undertaken in the following circumstances:</p> <p>(a) works that are inaudible at the nearest sensitive receivers; or</p> <p>(b) works agreed to in writing by the Planning Secretary; or</p> <p>(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.</p>	At all times	No out of hours work has been required during the compliance period 19.03.21 – 19.03.22	Compliant											
<b>Construction Noise Limits</b>															
B3	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 3.	Construction	<p>No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22.</p> <p>DECC Guideline has been obtained for the site for review.</p>	Not triggered											
B4	<p>The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must</p> <p>(a) be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) be approved by the Planning Secretary prior to the commencement of construction of the project</p> <p>(c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time);</p> <p>(d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</p> <p>(e) include a complaints management system that would be implemented for the duration of the development.</p>	Construction	<p>No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22</p> <p>CEMP has yet to be prepared.</p>	Not triggered											
B5	<p>The Applicant must:</p> <p>(a) not commence construction of any relevant stage of the project until the Construction Noise Management Plan required by condition B4 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.</p>	Construction	<p>No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22</p> <p>CEMP has yet to be prepared.</p>	Not triggered											
<b>Operational Noise Limits</b>															

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status																														
B6	<p>The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.</p> <p>Table 2: Noise Limits (dB(A))</p> <table border="1"> <thead> <tr> <th>Locality</th> <th>Location</th> <th>Day L<sub>Aeq</sub>(15 minute)</th> <th>Evening L<sub>Aeq</sub>(15 minute)</th> <th>Night L<sub>Aeq</sub>(15 minute)</th> <th>Night L<sub>AFmax</sub></th> </tr> </thead> <tbody> <tr> <td>R1</td> <td>Girraween</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> <tr> <td>R2</td> <td>Abbeylands</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> <tr> <td>R3</td> <td>The Billabong</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> <tr> <td>R4</td> <td>Airport South</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> </tbody> </table> <p><i>Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for the location of residential sensitive receivers.</i></p>	Locality	Location	Day L <sub>Aeq</sub> (15 minute)	Evening L <sub>Aeq</sub> (15 minute)	Night L <sub>Aeq</sub> (15 minute)	Night L <sub>AFmax</sub>	R1	Girraween	40	35	35	52	R2	Abbeylands	40	35	35	52	R3	The Billabong	40	35	35	52	R4	Airport South	40	35	35	52	At all times	<p>No noise complaints have been generated by the site in the audit period 19.03.21-19.03.22 or at any time since the commencement of the existing rendering plant in April 2015.</p> <p>Noise limits for the site include those laid out in this condition and also those in the Sites EPL 7566.</p>	Compliant
Locality	Location	Day L <sub>Aeq</sub> (15 minute)	Evening L <sub>Aeq</sub> (15 minute)	Night L <sub>Aeq</sub> (15 minute)	Night L <sub>AFmax</sub>																													
R1	Girraween	40	35	35	52																													
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R3	The Billabong	40	35	35	52																													
R4	Airport South	40	35	35	52																													
<b>Noise Walls</b>																																		
B7	The Applicant must construct the noise walls shown on page 32 of the Revised Noise Impact Assessment – Oakburn Processing Facility & Rendering Plant dated August 2020, prior to the commencement of operation of the project. If construction of noise walls is to be staged, the Applicant must submit a noise verification study to the satisfaction of the Planning Secretary to demonstrate the development will comply with the noise limits in condition B6 at all times.	Construction	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22	Not triggered																														
<b>AIR QUALITY</b>																																		
<b>Operational odour impact management</b>																																		
B8	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined under the POEO Act) beyond the boundary of the site	At all times	<p>One odour complaint was received by a nearby business for odour generated from the site 04.04.21. <i>(04.04.21 Odour Complaint Oakburn Raceway)</i> This was linked to the odour from gas vented at the CAL.</p> <p>The site is non-compliant under this condition as this location is outside the boundary of the site. Capital has been invested to correct this issue.</p>	Non-Compliant																														
B9	The site must be maintained in a condition which minimises or prevents the emission of air pollution (including odour and dust) from the site.	At all times	<p>No dust complaints have been received from the site. Odour complaint listed above in Cond B8 has not been duplicated in this condition.</p> <p>IEA noted that dust mitigation measures were not included in the sites OEMP. This is being included in the review that is currently underway.</p> <p>Rendering site has been designed with sealed and cement roadways on exit from the main highway for heavy vehicles entering the site. Road to WWTP is maintained in good condition, speeds are limited on site to minimise the potential for Dust generation when attending the WWTP.</p>	Compliant																														
B10	The bird processing buildings must be designed and operated as to contain dust and odour, operating under negative pressure where possible.	Operation	Processing plant has yet to be constructed.	Not triggered																														
B11	All bird handling and associated cleaning activities are to be carried out so as to contain dust and odour, and where possible contained indoors.	Operation	Processing plant has yet to be constructed.	Not triggered																														
<b>Odour management plan</b>																																		

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B12	<p>Within 6 months of the date of this consent, the Applicant must prepare an updated Odour Management Plan for the existing development to the satisfaction of the Planning Secretary. The Odour Management Plan must form part of the OEMP required by condition C5. The Odour Management Plan must be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary and include:</p> <ul style="list-style-type: none"> <li>(j) objectives and targets;</li> <li>(k) an odour risk assessment;</li> <li>(l) proactive and reactive mitigation measures of all significant and potentially significant emissions sources;</li> <li>(m) key performance indicators;</li> <li>(n) monitoring method(s);</li> <li>(o) location, frequency and duration of monitoring;</li> <li>(p) record keeping;</li> <li>(q) response mechanisms and contingency measures;</li> <li>(r) responsibilities; and</li> <li>(s) compliance reporting.</li> </ul>	Operation	<p>The site commissioned the Odour Management Plan and it was approved by the DPE within the required timeframe.</p> <p>SLR consulting was used for the generation of this report and they were approved by the DPE for this purpose. <i>(15.03.21 Request for Endorsement of SLR for OMP, 24.03.21 Approval of Air quality experts).</i></p> <p>Odour Management plan was <i>approved by DPE 22.06.21</i>. Via letter and the site directed to place the approved plan on the company website. This was completed July 2021.</p> <p>IEA completed Nov 2021 (Ramboll) reviewed odour management plan and found it to be compliant although a number of opportunities for improvement were identified for the plan. These will be considered when next the document is reviewed.</p>	Non-Compliant
B13	<p>Prior to commencement of operation of the project, the Applicant must update the Odour Management Plan as required by condition B12 to incorporate the project and its management to the satisfaction of the Planning Secretary. The updated plan must be prepared in accordance with the requirements of condition B12 and must incorporate the following:</p> <ul style="list-style-type: none"> <li>(a) details of emissions from all sources of the Development;</li> <li>(b) description of the air quality monitoring to measure the performance of the Development against this consent and the EPL; and</li> <li>(c) description of any additional measures that would be implemented to ensure the Development complies with this consent and the EPL.</li> </ul>	Operation	Integrated Processing plant not yet in operation	Not triggered.
B14	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence operation until the Odour Management Plan required by condition B12 is approved by the Planning Secretary; and</li> <li>(b) implement the most recent version of the Odour Management Plan approved by the Planning Secretary for the duration of the development.</li> </ul>	Operation	<p>Operation of the existing development continued without operation following the approval of the SSD and the site has obtained clarification regarding "the development" <i>(17.12.21 Letter requesting Clarification. 22.12.21 Email Response to request for clarification).</i></p> <p>Revised OMP has been implemented since its approval within the stated timeline – this condition is as such considered compliant.</p>	Compliant
<b>Odour audit</b>				
B15	<p>The Applicant must carry out an Odour Audit of the development no later than six months after the commencement of operation of the development. The audit must: NSW Government 11 Baiada Integrated Poultry Processing Facility Department of Planning, Industry and Environment (SSD-9394)</p> <ul style="list-style-type: none"> <li>(a) be carried out by a suitably qualified, experienced and independent person(s);</li> <li>(b) audit the development in full operation;</li> <li>(c) include a summary of odour complaints and any actions that were carried out to address the complaints;</li> <li>(d) assess the operation against odour impact predictions in the EIS;</li> <li>(e) review design and management practices in the development against industry best practice for odour management; and</li> <li>(f) include an action plan that identifies and prioritises any odour mitigation measures that may be necessary to reduce odour emissions.</li> </ul> <p>Note: The Odour Audit may be prepared so that it addresses the requirements of this consent and the EPL for the development.</p>	Operation	<p>The site has obtained clarification regarding wording "the development" <i>(17.12.21 Letter requesting Clarification. 22.12.21 Email Response to request for clarification).</i></p> <p>As the Integrated Poultry Facility is not yet constructed this condition is deemed to be 'Not Triggered'</p>	Not triggered
B16	<p>Within six months of commissioning of the Odour Audit required by condition B15, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the Odour Audit report to the satisfaction of the Planning Secretary, together with the Applicant's response to any recommendations contained in the Odour Audit report.</p>	Operation	In accordance with B15.	Not triggered
<b>Dust Minimisation</b>				

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B17	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	At all times	Roads on the existing rendering site are sealed with the exception of the WWTP roads which are compacted gravel. Risk of dust emission with this system is deemed very low. No dust complaints have been received by the rendering site since its design and operation in April 2015.	Compliant
B18	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering or alternate suppression methods; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Construction	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22 Site is aware of the requirements of this condition.	Compliant
<b>Air Quality Discharges</b>				
B19	The Applicant must install and operate equipment to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.	At all times	<b>EPL7566</b> There are no load limits or air quality criteria or monitoring requirements in the Sites EPL. The exception being in relation to offensive odours and dust emissions. This condition is deemed compliant.	Compliant
<b>SOILS, WATER QUALITY AND HYDROLOGY</b>				
<b>Imported Soil</b>				
B20	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Department upon request.	At all times	Fill brought in for CAL Flare Pad. Clean fill declarations sighted, dated 07.03.2022, 09.03.2022 and 16.03.2022.	Compliant
<b>Erosion and Sediment Control</b>				
B21	Prior to the commencement of any construction the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.	Construction	No relevant construction activities have occurred during the compliance period 19.03.21-19.03.22 .	Not triggered
<b>Discharge Limits</b>				
B22	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL	At all times	<b>EPL7566</b> There are no set specific discharge limits on the sites EPL <b>TRC Trade Waste Agreement 2021-2026</b> – All treated waste water is discharged from the site through TRC Sewer in accordance with the sites TWA. Although there are some non-conformances with the agreement the site is charged additional fees for the excess mass that is discharged. The site has had no compliances requiring reporting in the <i>Annual EPL return 21-22</i> .	Compliant
<b>Stormwater Management System</b>				
B23	Prior to the commencement of operation of the project, the Applicant must design, install and operate a stormwater management system for the development. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) be generally in accordance with the conceptual design in the EIS; (c) mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities; (d) be consistent with the Stormwater Management Plan for the catchment; (e) be in accordance with applicable Australian Standards; (f) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines.	Operation	Integrated Processing plant not yet constructed  The Stormwater Management Plan was updated for existing development 03.06.19 to support the development allocation for the Integrated Processing Plant.	Not triggered
<b>Evaporation Ponds</b>				

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B24	The evaporation ponds must have liners installed and maintained to achieve a hydraulic conductivity of 1x10 <sup>-9</sup> metres per second or less via a constructed clay liner of at least 1000 mm thickness (or a geosynthetic liner providing equivalent or better protection) or otherwise agreed with the EPA or the Planning Secretary.	Operation	Evaporation ponds have not been installed	Not triggered
B25	The evaporation ponds must be designed to include, and maintain, a freeboard level of at least 500mm to meet the 7-day rare design rainfall depth for a 1 in 2,000 year-event of 480 mm.	Operation	Evaporation ponds design has not been finalised. The company is aware of the requirements of this condition.	Not triggered
B26	Prior to the commencement of operation of the project, the Applicant must prepare an Evaporation Pond Management Plan to the satisfaction of the Planning Secretary. The Evaporation Pond Management Plan must form part of the OEMP required by condition C5. The Evaporation Pond Management Plan must: <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified and experienced engineer;</li> <li>(b) provide an updated water balance and risk mitigation measures to demonstrate that the design freeboard capacity of the evaporation ponds is restored as soon as practical after significant rainfall events and there is no cumulative storage above the freeboard;</li> <li>(c) identify contingency measures to prevent managed overflows; and</li> <li>(d) describe operational measures to be implemented for salt removal, maintaining liner integrity and maintaining the leak detection system performance.</li> </ul>	Operation	Integrated Processing plant not yet constructed	Not triggered
B27	Prior to the commencement of operation of the project, the Applicant must submit an Evaporation Ponds Commissioning Report to the Department and EPA that: <ul style="list-style-type: none"> <li>(a) demonstrates the evaporation ponds have been constructed in consultation with a suitably qualified and experienced engineer;</li> <li>(b) demonstrates the liner achieves the specified hydraulic conductivity described in condition B24;</li> <li>(c) addresses the increased risk to groundwater contamination due to high salinity wastewater potentially reacting with the liner; and</li> <li>(d) includes groundwater monitoring requirements to detect potential pond leakage.</li> </ul>	Operation	Integrated Processing plant not yet constructed	Not triggered
<b>Water Management Plan</b>				
B28	Prior to the commencement of operation of the project, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The Water Management Plan must form part of the OEMP required by condition C5. The Water Management Plan must: <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;</li> <li>(b) be prepared in consultation with DPI – Water;</li> <li>(c) detail water use, metering, disposal and management on-site;</li> <li>(d) detail the number and location of piezometers on-site;</li> <li>(e) detail the water licence requirements for the development;</li> <li>(f) detail the management of wastewater streams on-site;</li> <li>(g) include an incident response plan with triggers for the National Water Quality Management Strategy (NWQMS) guidelines (ANZECC/ARMCANZ latest issue) should the lagoons be found to be leaking;</li> <li>(h) contain a Groundwater Management Plan, including: <ul style="list-style-type: none"> <li>(i) the installation of groundwater monitoring bores around the evaporation basins and the existing rendering water treatment lagoon</li> <li>(ii) (baseline data on groundwater levels and quality;</li> <li>(iii) a program to monitor groundwater levels and quality;</li> <li>(iv) groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts; and</li> <li>(v) a protocol for the investigation and mitigation of impacts where the groundwater impact assessment criteria has been exceeded.</li> </ul> </li> </ul>	Operation	Integrated Processing plant not yet constructed.  The company is aware of the requirements of this condition.	Not triggered

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B29	The Applicant must: (a) not commence operation of the project until the Water Management Plan required by condition B28 is approved by the Planning Secretary; and (b) implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development	Operation	Integrated Processing plant not yet constructed.  The company is aware of the requirements of this condition.	Not triggered
<b>Water Management</b>				
B30	A Compliance Certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the Local Water Supply Authority) prior to the issue of an Occupation Certificate. All contribution payments, or a formal Agreement with Council for payment of contributions, must be made prior to issue of any Construction Certificate. Council requires the following to be undertaken prior to the issue of a Compliance Certificate.	Operation	Integrated Processing plant not yet constructed.  The company is aware of the requirements of this condition.	Not triggered
B31	Any additional demand for water over the daily limit of 1.6 ML to the site will be subject to an agreement with Council.	At all times	This condition has been designed to accommodate water use of the Integrated Processing plant. The existing rendering plant uses 1.5ML to 2.5ML a week. Well below the daily limit specified under this condition.	Compliant
B32	Unless otherwise agreed with the Local Water Supply Authority, a single water service with appropriate metering and backflow prevention device shall be provided to service the development. The existing water service off Gunnedah Road may be utilised if it is adequate.	At all times	Existing water service off Gunnedah Road remains in use.	Compliant
B33	The Applicant must engage a hydraulic engineer to determine the fire fighting and other demands and determine an appropriate water service size for the development.	Operation	Fire services have been deemed suitable for the existing rendering plant as per Sites Fire Safety Schedule. This is deemed to be relating to the Integrated Processing Plant as refers to 'the development'.	Compliant
B34	Works required for water servicing must be undertaken in accordance with Council's Engineering Design Minimum Standards for Subdivisions & Developments.	Operation	Water services have been deemed suitable for the existing rendering plant, This is deemed to be relating to the Integrated Processing Plant as refers to 'Development'.	Compliant
B35	Work on live water mains is to be undertaken by Council at full cost to the Applicant.	At all times	Noted. No work on live water mains have been completed during the compliance period 19.03.21-19.03.22.	Not triggered
<b>WASTE MANAGEMENT</b>				
<b>Sewage</b>				
B36	The existing point of discharge to Council's sewerage system on Gunnedah Road is to be utilised for the discharge of sewage.	At all times	Existing point of discharge to TRC Sewer remains in use for the existing rendering plant.	Compliant
B37	Sewage streams must remain separate from the WWTP/AWTP system at all times.	At all times	Existing points of discharge to TRC Sewer remains in use for the existing rendering plant. Sewage streams separate to the trade waste system	Compliant
B38	Works shall be undertaken in accordance with Council's Engineering Design Minimum Standards for Subdivisions & Developments.	At all times	Noted. No work on sewage systems have been completed during the compliance period 19.03.21-19.03.22.	Not triggered
B39	Work on live sewer mains is to be undertaken by Council at full cost to the Applicant	At all times	Noted. No work on live sewer mains have been completed during the compliance period 19.03.21-19.03.22.	Not triggered
B40	Should any details of trade waste treatment or discharge to Council's sewer differ from the existing Trade Waste Application or Agreement, a Trade Waste Application is to be submitted to Council. Note: A Trade Waste Agreement is in place for the existing development on the site	At all times	Sites TWA – <i>Liquid Trade Waste Services Agreement 21-26</i> . There have been two TWA in force for the site during the compliance period 19.03.21-19.03.22. These have been made in agreeance with the Tamworth Regional Council.	Compliant
B41	The reverse osmosis concentrate is not to be discharged to Council's sewerage system (directly or indirectly).	Operation	The reverse osmosis plant has not been installed. The company is aware of the requirements of this condition	Not Triggered
B42	The Applicant must: (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.  Note: For the purposes of this condition, priority weeds are those species subject to an order declared under the Biosecurity Act 1915.	At all times	The sites OEMP Issue 5 10.12.21 Approved by the DPE addresses the application of pesticides, the management of noxious weeds and Pest control methods employed by the site. Monitoring and training records are available to support implementation of the OEMP.  The 2021 IEA raised several opportunities for improvement for the OEMP and these are being considered in the review currently underway.	Compliant

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>Statutory Requirements</b>				
B43	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	At all times	Waste Classification is completed and recorded in the sites <i>Oakburn EMS Hub</i> . This classification includes assessment on the disposal facilities. <i>OEMP Iss 6. March 2022 (Draft)</i> – is currently under review and OFI from the IEA have now been built into this current draft. The OEMP also contains specific direction that all materials must be taken to a facility that is lawfully able to receive the waste.	Compliant
B44	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.	At all times	Waste Classification is completed and recorded in the sites EMS hub. This classification includes assessment on the disposal facilities. <i>OEMP Iss 6. March 2022</i> – is currently under review and OFI from the IEA have now been built into this current draft. The OEMP also contains specific direction that all materials must be taken to a facility that is lawfully able to receive the waste.	Compliant
B45	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.	At all times	The site does not receive waste materials generated outside of the site. Taken that the by-products of chicken that are received by the site are not a “waste material” but an ingredient of the process. OFI identified in the IEA 2021 that this be expressly stated in the OEMP. This has been completed and will be available in the next issue. <i>OEMP Iss 6. March 2022 (Draft)</i>	Compliant
B46	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.	At all times	Waste Classification data is retained in the Sites <i>Oakburn EMS Hub</i> . This requirement has been built into the OEMP after OFI was identified in the 2021 IEA. <i>OEMP Iss 6. March 2022 (Draft)</i>	Compliant
<b>TRAFFIC AND ACCESS</b>				
<b>Construction Traffic Management Plan</b>				
B47	Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with TfNSW; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.	Construction	No relevant construction activities on the development have occurred during the compliance period 19.03.21-19.03.22	Not Triggered
B48	The Applicant must: (a) not commence construction until the Construction Traffic Management Plan required by condition B47 is approved by the Planning Secretary; and (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.	Construction	No relevant construction activities on the development have occurred during the compliance period 19.03.21-19.03.22	Not Triggered
<b>Roadworks and Access</b>				
B49	Prior to the commencement of operation of project, the Applicant must complete the construction of Workshop Lane to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.	Operation	Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition.	Not triggered
B50	Prior to the commencement of operation of project, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the accesses to the site are designed to accommodate the turning path of a 26 m B-Double vehicle.	Operation	Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition.	Not triggered

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>Parking</b>				
B51	The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.	At all times	Parking on site is sufficient for heavy vehicles and staffing. Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition.	Compliant
<b>Operating Conditions</b>				
B52	The Applicant must ensure: <ul style="list-style-type: none"> <li>(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002);</li> <li>(b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;</li> <li>(c) the development does not result in any vehicles queuing on the public road network;</li> <li>(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;</li> <li>(e) all vehicles are wholly contained on site before being required to stop;</li> <li>(f) all loading and unloading of materials is to be carried out on-site;</li> <li>(g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and</li> <li>(h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.</li> </ul>	At all times	Site maintains the <i>Oakburn – Traffic Management Plan (IMS-MAN-1000-OAK)</i> . This lists the requirements of maintenance of the existing road structures within the plant. OEMP also contains some details of Traffic Management as applicable to this condition. Additional details has been added into the <i>OEMP Iss 6. March 2022 (Draft)</i> . After OFI was identified in the <i>2021 IEA</i> .	Compliant
<b>HAZARDS AND RISK</b>				
B53	The Applicant must implement all control and safeguards from the Preliminary Hazard Analysis, comprising of the following documents, in a timely and appropriate manner: <ul style="list-style-type: none"> <li>(a) SEPP 33 Preliminary Risk Screening &amp; Hazard Analysis, Proposed Baiada Oakburn Poultry Processing Facility, 1154 Gunnedah Road, Westdale NSW 2340, SSD-9394 (document number 6.10.19171-R02, version -v1.2, dated 18 September 2020, prepared by SLR Consulting); and</li> <li>(b) Risk Assessment, 1154 Gunnedah Road, Westdale, NSW 2340 (document number 370593-LoteRABaiadaPoultryPlant-RevB, revision B, dated 17 September 2020, prepared by Lote Consulting).</li> </ul>	Operation	It is our understanding that this condition doesn't apply until after the commencement of the operation of the project.  The rendering site maintains an accredited workplace health and safety system under AS4801:2001.	Not Triggered
<b>Pre-construction</b>				
B54	The Applicant must prepare a Fire Safety Study for the project construction, other than of preliminary works that are outside the scope of hazard studies and must not commence construction until study recommendations have been considered and, where appropriate, acted upon. The Applicant must submit the study to the Planning Secretary no later than one month prior to commencement of construction of the project, other than preliminary works, or within such further period as the Planning Secretary may agree. The study must cover the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems, and be prepared in consultation with Fire and Rescue NSW.	Construction	No construction activities on the development have occurred during the compliance period 19.03.21-19.03.22	Not Triggered
<b>Pre-commissioning</b>				
B55	Prior to commissioning, the Applicant must develop and implement the plans and systems set in B53 (a) and (b). The Applicant must submit to the Planning Secretary documentation describing the plans and systems no later than two months prior to the commencement of commissioning of the project, or within such further period as the Secretary may agree.	Operation	No construction activities on the development have occurred during the compliance period 19.03.21-19.03.22	Not Triggered
<b>Emergency Plan</b>				
B56	Prior to commissioning, a comprehensive Emergency Plan and detailed emergency procedures for the development. The Emergency Plan must include consideration of the safety of all people outside of the development who may be at risk from the development. The plan must be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.	Operation	No construction activities on the development have occurred during the compliance period 19.03.21-19.03.22	Not Triggered
<b>Safety Management System</b>				

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status																																												
B57	Prior to commissioning, a document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials. The document must clearly specify all safety related procedures, responsibilities and policies along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by Planning Secretary upon request. The Safety Management System must be developed in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.	Operation	No construction activities on the development have occurred during the compliance period 19.03.21-19.03.22	Not Triggered																																												
<b>Hazard Audit</b>																																																
B58	Twelve months after the commencement of operations of the development and every five years thereafter or at such intervals as the Planning Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of the development and within one month of each audit submit a report to the satisfaction of the Planning Secretary. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development and approved by the Planning Secretary prior to commencement of the audit. Hazard Audits must be carried out in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit'. The audit must include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.	Operation	No construction activities on the development have occurred during the compliance period 19.03.21-19.03.22  This was further confirmed in <i>letter lodged to portal 17.12.21 RE Cond 58</i> . Regarding clarity with this condition and others worded similarly. A response was received 22.12.21 from DPE. In agreement that "commencement of operations of the development means commencement of the operations of the integrated processing facility along with the existing rendering facility"	Not Triggered																																												
<b>Further Requirements</b>																																																
B59	The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B53 to B58 inclusive, within such time as the Planning Secretary may agree	Operation	No reports have been submitted during the compliance period 19.03.21-19.03.22 with regards to Conditions B53-B58	Not Triggered																																												
<b>Dangerous Goods</b>																																																
B60	The storage of dangerous goods within the development must not exceed the maximum storage quantities listed in Table 3.	At all times	The site stores in excess of the listed quantities of Sodium Hydroxide Packing Group II and LPG on site.  DPE has been contacted via email as to the best method of correction. A response was received from PM DPE.  Information has been provided to PSA Consulting who is doing the next modification for the development. <i>Email 15.03.22</i>	Non-Compliant																																												
	<table border="1"> <thead> <tr> <th>Description</th> <th>Dangerous Goods Class</th> <th>Packing Group</th> <th>Maximum Storage Quantity</th> </tr> </thead> <tbody> <tr> <td>Liquified natural gas (LNG)</td> <td>2.1</td> <td>n/a</td> <td>240,000 L</td> </tr> <tr> <td>Liquified petroleum gas (LPG)</td> <td>2.1</td> <td>n/a</td> <td>480 kg</td> </tr> <tr> <td>Nitrogen</td> <td>2.2</td> <td>n/a</td> <td>10,000 L</td> </tr> <tr> <td>Liquified oxygen gas (LOX)</td> <td>2.2 (5.1)</td> <td>n/a</td> <td>10,000 L</td> </tr> <tr> <td>Carbon dioxide</td> <td>2.2</td> <td>n/a</td> <td>10,000 L</td> </tr> <tr> <td>Anhydrous ammonia refrigerant</td> <td>2.3</td> <td>n/a</td> <td>7 tonnes</td> </tr> <tr> <td>Ferric sulphate</td> <td>8</td> <td>III</td> <td>15,000 L</td> </tr> <tr> <td>Hypochlorite solution</td> <td>8</td> <td>III</td> <td>13,800 L</td> </tr> <tr> <td>Sodium hydroxide solution</td> <td>8</td> <td>III</td> <td>5,400 L</td> </tr> <tr> <td>Sulfuric acid (35%)</td> <td>8</td> <td>II</td> <td>4,000 L</td> </tr> </tbody> </table>				Description	Dangerous Goods Class	Packing Group	Maximum Storage Quantity	Liquified natural gas (LNG)	2.1	n/a	240,000 L	Liquified petroleum gas (LPG)	2.1	n/a	480 kg	Nitrogen	2.2	n/a	10,000 L	Liquified oxygen gas (LOX)	2.2 (5.1)	n/a	10,000 L	Carbon dioxide	2.2	n/a	10,000 L	Anhydrous ammonia refrigerant	2.3	n/a	7 tonnes	Ferric sulphate	8	III	15,000 L	Hypochlorite solution	8	III	13,800 L	Sodium hydroxide solution	8	III	5,400 L	Sulfuric acid (35%)	8	II	4,000 L
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Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B61	<p>The Applicant must store and handle all chemicals, fuels and oils in accordance with:</p> <ul style="list-style-type: none"> <li>(a) the requirements of all relevant Australian Standards, including and not limited to Australian Standards 1894 The storage and handling of non-flammable cryogenic and refrigerated liquids; and</li> <li>(b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.</li> </ul> <p>In the event of an inconsistency between the requirements in (a) and (b), the most stringent requirement shall prevail to the extent of the inconsistency.</p>	At all times	The standards and guidelines referred to in this condition are available on site. Bunding is available for the storage of all liquids on the site.	Compliant
<b>AIRPORT</b>				
B62	The external materials and finishes of the buildings must be non-reflective to the satisfaction of the Planning Secretary, to avoid distraction to air crews.	At all times	This was assessed at the 2019 IEA and deemed to be compliant. No significant changes have occurred during the compliance period 19.03.21-19.03.22 with regards to external finishes to the buildings.	Compliant
<b>Wildlife monitoring program</b>				
B63	<p>Within six months of the date of determination of this development consent, the Applicant must establish a site wide bird life monitoring program, in consultation with Civil Aviation Safety Authority (CASA). The monitoring program is to include:</p> <ul style="list-style-type: none"> <li>(a) details of bird life that may trigger the need for mitigation measures to manage potential interactions with Tamworth Regional Airport. These triggers and measures should be established in consultation with CASA and the Tamworth Regional Airport;</li> <li>(b) be prepared by a suitably qualified consultant;</li> <li>(c) identify areas of potential bird attraction;</li> <li>(d) details of mitigation measures such as bird netting and other deterrents; and</li> <li>(e) procedures for the implementation of any mitigation measures. A copy of the monitoring program is to be provided to the Planning Secretary.</li> </ul>	At all times	<p>The <b>bird life monitoring program</b> was completed May 2021.</p> <p>A proposal is being developed for the annual report and additional monitoring as required in the initial report.</p>	Compliant
<b>ANIMAL WELFARE AND BIOSECURITY</b>				
<b>Animal Welfare</b>				
B64	<p>The Applicant must ensure the development complies with the relevant requirements for the welfare of livestock, particularly health, housing, watering, feeding, handling and transport, including but not limited to those contained within the latest version of:</p> <ul style="list-style-type: none"> <li>(a) National Animal Welfare Standards for Livestock Processing Establishments 2<sup>nd</sup> edition (Meat and Livestock Australia, 2009);</li> <li>(b) Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock (Animal Health Australia, 2012);</li> <li>(c) National Animal Welfare Standards for the Chicken Meat Industry (Barnett et al. 2008)</li> <li>(d) NSW DPI Best Practice Management for Meat Chicken Production in NSW – Manual 2 (2012);</li> <li>(e) Model Code of Practice for the Welfare of Animals – Domestic Poultry, 4<sup>th</sup> Edition (PISC, 2002);</li> <li>(f) any other relevant document that supersedes the above; and</li> <li>(g) Management and Mitigation Measures described in Appendix 4 of this consent.</li> </ul>	Operation	<p>Integrated Processing plant not yet constructed.</p> <p>The company is aware of the requirements of this condition.</p> <p>Livestock will not be brought to site for processing until the Development has commenced operation.</p>	Not triggered
<b>Emergency Disposal and Biosecurity</b>				

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B65	<p>Prior to the commencement of operation of the project, the Applicant must prepare an Emergency Disposal and Bio-security Protocol, detailing the procedures for a biosecurity emergency including a mass mortality event, to the satisfaction of the Planning Secretary. The protocol must form part of the OEMP required by condition C5 and must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with Council, EPA and the Department;</li> <li>(b) be consistent with the relevant AUSTVETPLAN manuals and supporting documents;</li> <li>(c) describe the notification procedures;</li> <li>(d) include a Hazard Analysis and Critical Control Points Plan;</li> <li>(e) detail all transport routes to be used in a mass mortality event;</li> <li>(f) detail any requirements to stage the mass disposal of dead livestock;</li> <li>(g) detail the burial location(s) for the disposal of dead livestock, including plans and drawings;</li> <li>(h) detail the measures to maintain quarantine control;</li> <li>(i) detail measures to prevent ground water contamination; and</li> <li>(j) detail the mass mortality disposal procedures and options.</li> </ul>	Operation	<p>Integrated Processing plant not yet constructed.</p> <p>The company is aware of the requirements of this condition.</p> <p>Livestock will not be brought to site for processing until the Development has commenced operation.</p>	Not triggered
<b>ABORIGINAL HERITAGE</b>				
<b>Unexpected Finds Protocol</b>				
B66	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence operation of the project until the Emergency Disposal and Biosecurity Protocol required by condition B65 is approved by the Planning Secretary; and</li> <li>(b) implement the most recent version of the Emergency Disposal and Biosecurity Protocol approved by the Planning Secretary for the duration of the development.</li> </ul>	Operation	<p>Integrated Processing plant not yet constructed.</p> <p>The company is aware of the requirements of this condition.</p>	Not triggered
B67	<p>If any item or object of Aboriginal heritage significance is identified on site:</p> <ul style="list-style-type: none"> <li>(a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;</li> <li>(b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and</li> <li>(c) Heritage NSW must be contacted immediately.</li> </ul>	At all times	No items or objects have been found. The requirements of this condition are considered in the OEMP and also the CEMP.	Not triggered
B68	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.	At all times	This condition has not been triggered.	Not Triggered
<b>BIODIVERSITY</b>				
B69	Prior to any clearing or Construction works the Applicant must purchase and retire 5 ecosystem credits of PCT 599 to offset the removal of native vegetation at the site. The ecosystem credits must be retired in accordance with the requirements of the EES Group's Biodiversity Offsets Scheme and the Biodiversity Conservation Act 2016.	Construction	<p>Integrated Processing plant not yet constructed.</p> <p>The company is aware of the requirements of this condition.</p>	Not triggered
B70	The requirement to retire ecosystem credits (see condition B69) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of 5 ecosystem credits, as calculated by the EES Group's Biodiversity Offsets Payment Calculator.	Construction	<p>Integrated Processing plant not yet constructed.</p> <p>The company is aware of the requirements of this condition.</p>	Not triggered
B71	<p>The Applicant must provide the Planning Secretary with evidence that:</p> <ul style="list-style-type: none"> <li>(a) the retirement of ecosystem credits has been completed (see condition B69); or</li> <li>(b) a payment has been made to the Biodiversity Conservation Fund (see condition B70),</li> </ul> <p>prior to undertaking any clearing of native vegetation, or activities that have the potential to impact upon this native vegetation</p>	Construction	<p>Integrated Processing plant not yet constructed.</p> <p>The company is aware of the requirements of this condition.</p>	Not triggered
<b>VISUAL AMENITY</b>				
<b>Landscaping</b>				
B72	<p>Prior to the commencement of operation of the project, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP in accordance with conditions C5. The plan must:</p> <ul style="list-style-type: none"> <li>(a) detail the species to be planted on-site;</li> <li>(b) incorporate plant species that form part of PCT 599 and be stock germinated from within the same IBRA region;</li> <li>(c) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and</li> <li>(d) be consistent with the Applicant's Management and Mitigation Measures at Appendix 3.</li> </ul>	Operation	<p>Integrated Processing plant not yet constructed.</p> <p>The company is aware of the requirements of this condition.</p>	Not triggered

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B73	The Applicant must: (a) not commence operation of the project until the Landscape Management Plan is approved by the Planning Secretary. (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B72 for the life of the development.	Operation	Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition.	Not triggered
<b>Lighting</b>				
B74	The Applicant must ensure the lighting associated with the development: (a) complies with the latest version of AS 4282-1997 – Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	At all times	Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition. Rendering plant lighting was assessed as part of the 2019 and 2021 IEA and was found to be compliant	Compliant
<b>Signage and Fencing</b>				
B75	The Applicant must not install any signage, advertising or fencing, except for signage and advertising that is exempt development, without the written approval of the Planning Secretary. In seeking this approval, the Applicant must: (a) submit detailed plans of the proposed signage, advertising or fencing, which have been prepared in consultation with Council; and (b) demonstrate that the proposed signage, advertising or fencing is consistent with the relevant requirements in the DCP.	At all times	No new signage has been installed during the Compliance period 19.03.21-19.03.22.	Not triggered
<b>COMMUNITY ENGAGEMENT</b>				
B76	The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified on Figure 2: Appendix 2, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	At all times	Community Consultation is detailed in the OEMP and necessary information is provided on the company website. A monthly call around is performed with the <i>Oakburn – Neighbour Call Register</i> . Liasing with neighbours in the sensitive receiver areas. This has been updated after OFI highlighted in <i>2021 IEA</i> .	Compliant
<b>ENVIRONMENTAL MANAGEMENT</b>				
<b>Management Plan Requirements</b>				

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> <li>(i) detailed baseline data;</li> <li>(j) details of: <ul style="list-style-type: none"> <li>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>(ii) any relevant limits or performance measures and criteria; and</li> <li>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</li> </ul> </li> <li>(k) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</li> <li>(l) a program to monitor and report on the: <ul style="list-style-type: none"> <li>(i) impacts and environmental performance of the development;</li> <li>(ii) effectiveness of the management measures set out pursuant to paragraph © above;</li> </ul> </li> <li>(m) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</li> <li>(n) a program to investigate and implement ways to improve the environmental performance of the development over time;</li> <li>(o) a protocol for managing and reporting any: <ul style="list-style-type: none"> <li>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</li> <li>(ii) complaint;</li> <li>(iii) failure to comply with statutory requirements; and</li> </ul> </li> <li>(p) a protocol for periodic review of the plan.</li> </ul> <p>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</p>	At all times	<p>During the compliance period 19.03.21-19.03.22 the <i>OEMP Issue (5) 10.12.21</i> was prepared as was the OMP (<i>Odour Management Plan 19.05.21</i>). Bird Life Monitoring report (19.05.21) was also prepared in this period.</p> <p>A number of OFI were highlighted during the <i>2021 IEA</i>. The DPE has approved all of these documents (<i>approval letters saved as evidence</i>). OFI have been considered with the review of relevant documents being performed in March 2022.</p> <p>OFI Identified in the IEA are being built into the next review of the <i>OEMP Issue (7) 7 April 2022</i>.</p>	Non-Compliant
<b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b>				
C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Construction	Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition.	Not triggered
C3	As part of the CEMP required under condition C2 of this consent, the Applicant must include the following: <ul style="list-style-type: none"> <li>(a) Erosion and Sediment Control Plan;</li> <li>(b) Construction Noise Management Plan (see condition B4);</li> <li>(c) Construction Traffic Management Plan (see condition B47); and</li> <li>(d) Community Consultation and Complaints Handling.</li> </ul>	Construction	Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition.	Not triggered
C4	The Applicant must: <ul style="list-style-type: none"> <li>(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and</li> <li>(b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.</li> </ul>	Construction	Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition.	Not triggered
<b>OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN</b>				
C5	Within 9 months of the date of this consent, the Applicant must prepare an Operational Environmental Management Plan (OEMP) for the existing development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Operation	<p>During the compliance period 19.03.21-19.03.22 the <i>OEMP Iss (3) 02.11.22</i> which was within 9 months of the issue of the SSD (classed as 21.01.22) Several amendments were made to this document and <i>OEMP Issue (5) 10.12.21</i> was approved by DPE.</p> <p>This condition was classed as non-compliant on the IEA as there were a number of items that were not fully covered in the Plan.</p> <p>OFI Identified in the IEA are being built into the next review of the <i>OEMP Issue (7) 7 April 2022</i>.</p>	Non-Compliant

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
C6	As part of the OEMP required under condition C5 of this consent, the Applicant must include the following: (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (d) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; (v) respond to emergencies; and (d) include the following environmental management plans: (i) Evaporation Pond Management Plan (see condition B26); (ii) Water Management Plan (see condition B28); (iii) Emergency disposal and Biosecurity protocol (see condition B65); and (iv) Landscape Management Plan (see condition B72).	Operation	During the compliance period 19.03.21-19.03.22 the <i>OEMP Iss (3) 02.11.22</i> which was within 9 months of the issue of the SSD (classed as 21.01.22) Several amendments were made to this document and <i>OEMP Issue (5) 10.12.21</i> was approved by DPE.  This condition was classed as non-compliant on the IEA as there were a number of items that were not fully covered in the Plan.  OFI Identified in the IEA are being built into the next review of the <i>OEMP Issue (7) 7 April 2022</i> .	Non-Compliant
C7	The Applicant must operate the existing development in accordance with the OEMP approved by the Planning Secretary, unless otherwise agreed by the Planning Secretary.	Operation	The site has been operating as per the approved OEMP. The site has been operating with very few incidents or complaints for the reporting period 19.03.21-19.03.22.	Compliant
C8	Prior to commencement of operation of the project, the Applicant must update the OEMP required under condition C5 to incorporate the project and its management to the satisfaction of the Planning Secretary. The updated plan must be prepared in accordance with the requirements of condition C5, and must incorporate the following: (a) procedures, roles and responsibilities of key personnel involved in the environmental management of the Development; (b) community consultation requirements for the Development; and (c) updates to the environmental management sub-plans listed under condition C6.	Operation	Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition.	Not triggered
C9	The Applicant must not commence operation of the project until the updated OEMP as required by condition C6 is approved by the Secretary.	Operation	Integrated Processing plant not yet constructed. The company is aware of the requirements of this condition.	Not triggered
C10	The Applicant must implement the most recent version of the OEMP approved by the Planning Secretary for the duration of the Development's operation	At all times	Integrated Processing plant not yet constructed. Site Currently operating against <i>OEMP Iss: (5) 10.12.21</i> OEMP is currently under notified review.	Compliant
<b>REVISION OF STRATEGIES, PLANS AND PROGRAMS</b>				
C11	Within three months of: (a) the submission of an incident report under condition C14; (b) the submission of an Independent Environmental Audit under condition C12; (c) the approval of any modification of the conditions of this consent; or (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,	At all times	<i>IEA 2021</i> was issued Jan 2022. No triggers have occurred during the compliance period 19.03.21-19.03.22 for (a), (c) or (d).	Compliant
C12	The strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	At all times	DPE has been notified of review of the OEMP and associated Management plans. <i>220225 Notification of review 220303 Email response "no comment"</i>	Compliant
C13	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.  Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.:	At all times	Documents under review not yet finalised. Site is aware of the requirement to submit to the planning secretary within 6 weeks of review. ( <i>Review to be completed by 30 March 2022 – Review submission by 16.05.22</i> )	Compliant
<b>REPORTING AND AUDITING</b>				

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>Incident Notification, Reporting and Response</b>				
C14	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 5.	At all times	There have been <b>2 incidents and 1 complaint</b> received for the site within the compliance period 19.03.21-19.03.22. None of these required reporting as non-conformances for the site.	Compliant
<b>Non-Compliance Notification</b>				
C15	The Planning Secretary must be notified in writing to the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	At all times	IEA highlighted that the site had not submitted a non-conformance for the 10.08.21 Notification from DPE that Site had not complied with C23 Access to information in making the 2021AEMR available along with some additional documents. This notification was completed <b>25.02.22 C16 Notification of Non-Compliance</b> and the site has received a “no further action” response from the department. <b>(Response 03.03.22)</b>	Non-Compliant
C16	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	At all times	The site has notified appropriately of the above stated non-compliance.	Non-Compliant
C17	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	At all times	No non-compliances for the compliance period 19.03.21-19.03.22 were notified as incidents.	Not Triggered.
<b>Compliance Reporting</b>				
C18	Within twelve months of the date of this consent, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also: <ul style="list-style-type: none"> <li>(c) identify any trends in the monitoring data over the life of the development;</li> <li>(d) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</li> <li>(e) describe what measures will be implemented over the next year to improve the environmental performance of the development</li> </ul>	At all times	2021 AEMR/ Compliance report was submitted in May 2021. A request was sent to DPE to change this to APRIL Submission for 2022 ( <b>25.02.22 C18 Lodgement of Compliance report</b> ). This request was accepted. The department also requests that the report period be maintained as 19.03.21 to 18.03.22. <b>(03.03.22 Response to C18 lodgement of compliance report)</b>  Reference was made by the DPE in acceptance of the 2021 AEMR (10.08.21 DPE that the reporting of the 2022 CR should be made in accordance with the “Compliance Reporting Post Approval Requirements (2020)”. The 2022 report is being prepared with this in mind.  2021 IEA regarded classed this condition as Non-compliant due to a number of issues with regards to the formatting of the report as noted above. This was a combined report AEMR / CR. Items noted will be corrected in this <b>2022 CR</b> .	Non-Compliant
C19	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.	At all times	2021 AEMR/CR was uploaded to the company website 16.08.21 after submission to the secretary on 05.07.21. This is in excess of 60days. Notification to the secretary 7 days prior was also not performed.	Non-Compliant
<b>Independent Audit</b>				
C20	Within twelve months of the date of this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must: <ul style="list-style-type: none"> <li>(a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)</li> <li>(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and</li> <li>(c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).</li> </ul>	At all times	2021 IEA was commissioned 04.11.21 (The date of the site audit) within 12 months of the date of the SSD-9394 as evidenced by the site visit. Report was submitted 25.02.22 to the DPE Portal.  Audit was completed by suitably qualified, experienced and approved auditors. Audit was prepared in accordance with the “Independent Audit Post approval Requirements (Department 2020)”.	Compliant

Consent No.	SSD-9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
C21	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:</p> <ul style="list-style-type: none"> <li>(a) review and respond to each Independent Audit Report prepared under condition C20 Error! Reference source not found of this consent;</li> <li>(b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;</li> <li>(c) implement the recommendations to the satisfaction of the Planning Secretary; and</li> <li>(d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.</li> </ul>	At all times	<p>A response to the IEA was submitted to the DPE. No other authority has requested this report be provided.</p> <p>The report was uploaded with the responses to the Baiada Website after a 7 day notice was issued to the DPE of Baiada intention to upload. (25.02.22 C21 <i>Notification to make publicly available</i>). A “no comment” response was received from the DPE with regards to this notification.</p> <p>A response from DPE to the submission of the 2021 IEA was received on 21.04.22 (see <b>Appendix A</b>).</p>	Compliant
<b>Monitoring and Environmental Audits</b>				
C22	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&amp;A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p>Note: For the purposes of this condition, as set out in the EP&amp;A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</p>	At all times	Noted	Compliant
<b>ACCESS TO INFORMATION</b>				
C23	<p>Within six months of the date of this consent and for the life of the development, the Applicant must:</p> <ul style="list-style-type: none"> <li>(b) make the following information and documents (as they are obtained or approved) publicly available on its website: <ul style="list-style-type: none"> <li>(i) the documents referred to in condition A2 of this consent;</li> <li>(ii) all current statutory approvals for the development;</li> <li>(iii) all approved strategies, plans and programs required under the conditions of this consent;</li> <li>(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</li> <li>(v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</li> <li>(vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>(vii) a summary of the current stage and progress of the development;</li> <li>(viii) contact details to enquire about the development or to make a complaint;</li> <li>(ix) a complaints register, updated monthly;</li> <li>(x) the Compliance Report of the development;</li> <li>(xi) audit reports prepared as part of any Independent Audit of the development and the Applicant’s response to the recommendations in any audit report;</li> <li>(xii) any other matter required by the Planning Secretary; and</li> </ul> </li> <li>(c) keep such information up to date, to the satisfaction of the Planning Secretary.</li> </ul>	At all times	<p>A number of items were not available on the Website within 6 months of the date of SSD-9394.</p> <p>Systems have since been improved to capture the requirements of this condition on the company website.</p> <p>The site has been compliant since late 2021.</p>	Non-Compliant

# APPENDIX H

## Compliance Report Declaration Form

## Compliance Report Declaration Form

**Project Name:** Baiada Integrated Poultry Processing Facility

**Project ApplicationNumber:** SSD-9394

**Description of Project:**

Construction and operation of Baiada Integrated Poultry Processing Facility, including:

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

**Project Address:** 1154 Gunnedah Road, Westdale

**Proponent:** Baiada Poultry Pty Ltd

**Title of Compliance Report:**

Compliance Report 2021-2022, Oakburn Poultry Rendering Plant SSD 9394, 19 March 2021 to 18 March 2022

**Date:** 03.05.2022

I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:

- i. the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- ii. the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;
- iii. the findings of the Compliance Report are reported truthfully, accurately and completely;
- iv. due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- v. the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

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

**Name of Authorised Reporting Officer:** Sherilee Stewart

**Title:** Oakburn Compliance

**Signature:**



**Qualification:** Bach Bus – Logistics and Operations Management, B App Sc – Food Technology, Cert IV Environmental Management and Sustainability.

**Company:** Baiada Poultry Pty Ltd

**Company Address:** PO Box 21, Pendle Hill NSW 2145

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