

# Modification of Minister's Approval

## Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning under delegation executed on 16 February 2015, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Chris Ritchie  
**Director**  
**Industry Assessments**

Sydney **13 JANUARY**

2016

File:15/13470

### SCHEDULE 1

- Development Application:** DA 220-07-2002-i granted by the Minister for Planning on 27 February 2003.
- For the following:** The upgrade and expansion of the existing abattoir at Dampier Road, Bomen, in the Wagga Wagga Local Government Area.
- Modification:** DA 220-07-2002-i MOD 7 involving:
- construction of a new biofilter to manage air emissions; and
  - demolition of the existing biofilter located on-site.

### SCHEDULE 2

The development consent is modified as follows:

1. Delete Condition 1.2a) and replace with the following:
  - 1.2 The Applicant shall carry out the development in accordance with:
    - a) Development Application No. 220-07-2002-i, lodged with the Department of Planning on 15 July 2002, as amended by MOD-61-7-2003-i, MOD-4-1-2004-i, DA No. 220-07-2002-i – Mod 3, DA 220-07-2002-i – Mod 4, DA 220-07-2002-i – Mod 5, DA 220-07-2002-i MOD 6, and DA 220-07-2002-i MOD 7.
2. Delete Condition 1.2 w) and insert new Condition 1.2 w) and 1.2 x) as follows:
  - w) Environmental Assessment Report entitled 'Environmental Assessment – Biofilter, Teys Australia Beef Processing Facility', prepared by Claus Environmental Engineering, October 2015; and
  - x) the conditions of this consent.
3. Delete Condition 1.3 and replace with the following:

- 1.3 If there is any inconsistency between the documents contained in Condition 1.2 above, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.

4. Insert new condition 7.5 as follows:

**Replacement Biofilter**

- 7.5 To ensure that nearby residents are made aware of the potential for increased odour emissions whilst the new biofilter approved under DA 220-07-2002-i MOD 7, the Applicant shall notify the properties located on both sides of the roads bounded by East Street, Cooramin Street, Hampden Avenue and Old Bomen Road in writing, no less than five days prior to commissioning the new biofilter.

This notification shall detail the potential for increased odours from the abattoir and contain relevant contacts for the properties that are notified.

5. Insert new condition 7.6 as follows:

- 7.6 Within three months of the commencement of operation of the replacement biofilter approved under DA 220-07-2002-i MOD 7, or as otherwise agreed by the Secretary, the Applicant shall commission and pay the full cost of an Independent Odour Audit on the site to confirm the odour performance of the replacement biofilter. The audit shall:

- a) be undertaken no less than three months following the commissioning of the replacement biofilter;
- b) be prepared by a suitably experienced and qualified person or persons whose appointment has been approved by the Secretary;
- c) assess the effectiveness of the odour controls on site;
- d) verify the odour performance of the replacement biofilter;
- e) make recommendations of any measures or actions to improve and/or ensure the odour performance of the replacement biofilter complies with this consent.

Within 1 month of commissioning the audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the odour audit report required by this condition.

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**END OF MODIFICATION (DA 220-07-2002-i MOD 7)**