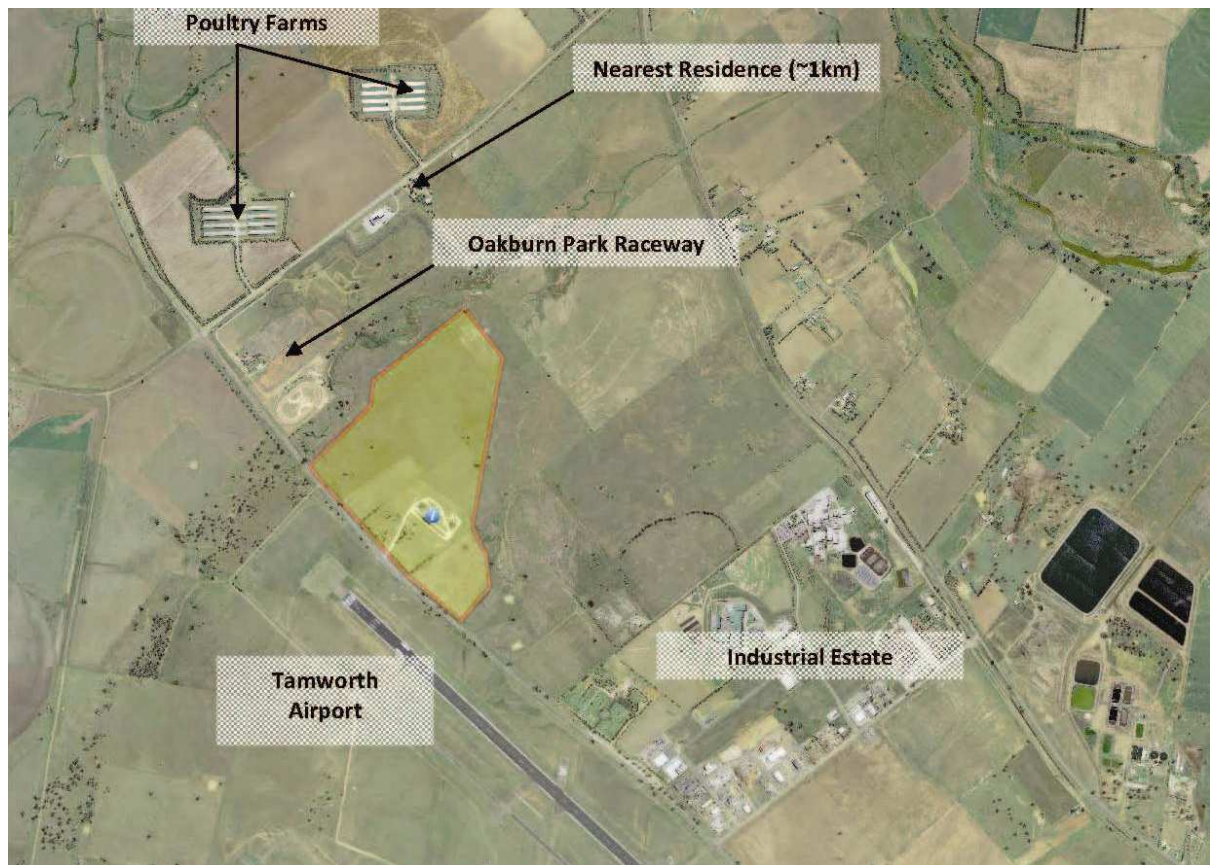


## ASSESSMENT REPORT

### Section 75W Modification Baiada Poultry Facility (DA53/97 MOD 5)

#### 1 BACKGROUND

Baiada (Tamworth) Pty Ltd (**Baiada**) operated a poultry protein rendering plant on a property known as 'Oakburn', about 9 kilometres (km) west of the centre of Tamworth in the Tamworth local government area (see **Figure 1**). The plant was recently destroyed by fire.

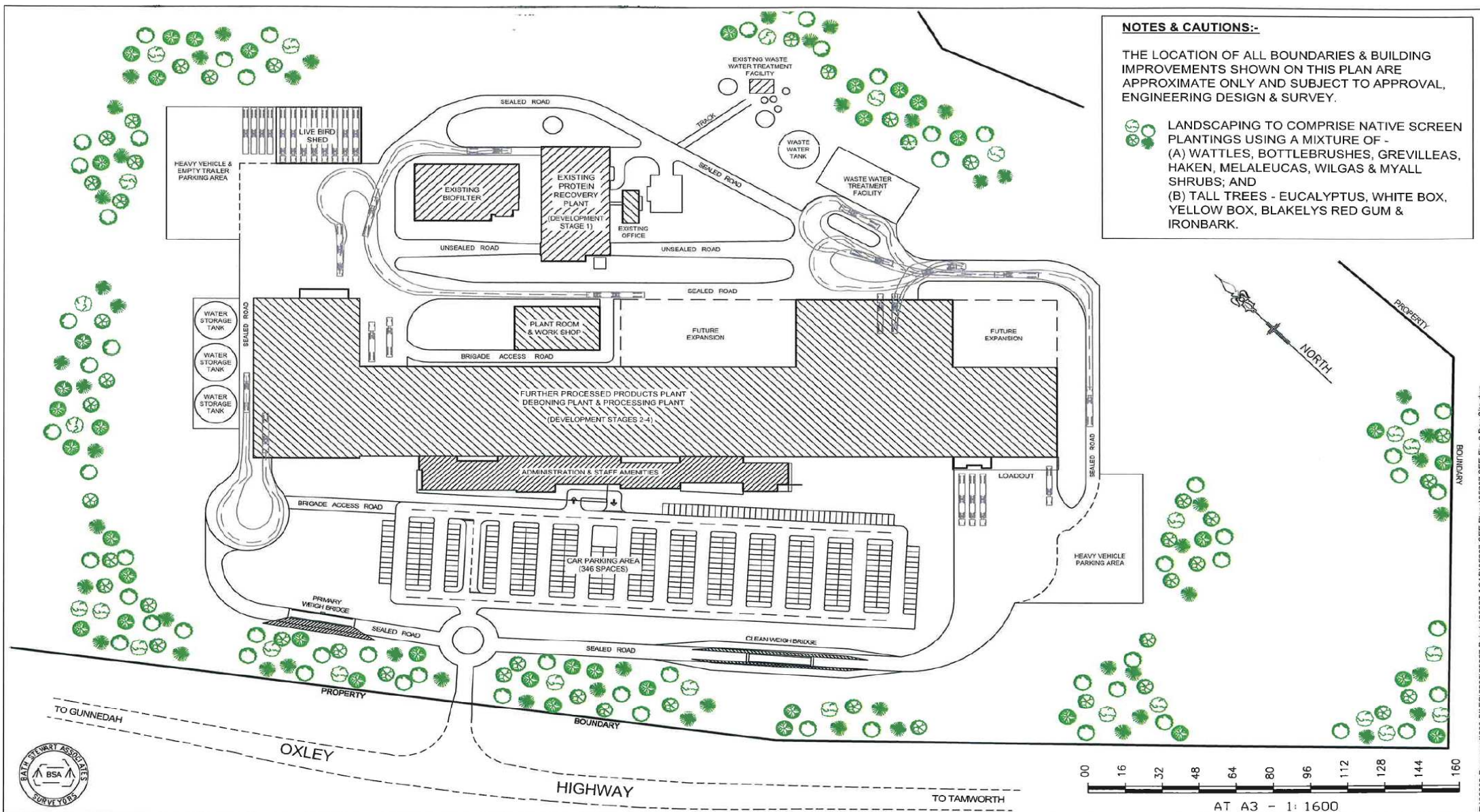


**Figure 1 – Locality map**

The destroyed plant was stage 1 in the development of a large poultry processing complex on the property, which received Ministerial consent on 9 February 1998 under (then) Part 4 of the *Environmental Planning and Assessment Act 1979* (**the Act**).

While only the protein rendering plant had been built at the time of the fire, the approved complex (shown in **Figure 2**) also included development of a deboning and processed-products plant as stage 2. Baiada's existing processing facility within Tamworth will ultimately be relocated to the 'Oakburn' property, once it is fully developed.





**BATH STEWART ASSOCIATES** Pty Ltd  
 CONSULTING SURVEYORS Inc in NSW  
 239 Marius Street, Tamworth NSW 2340  
 P.O.Box 403 Phone:02 6766 5966  
 DX 6124 Tamworth Fax:02 6766 5140  
 A.C.N. 002 745 020

CLIENT: BAIADA POULTRY PTY LIMITED  
 Project: Oakburn Processing Complex  
 Our Ref: 05287  
 Date: 11/03/2008  
 L.G.A: TAMWORTH REGIONAL

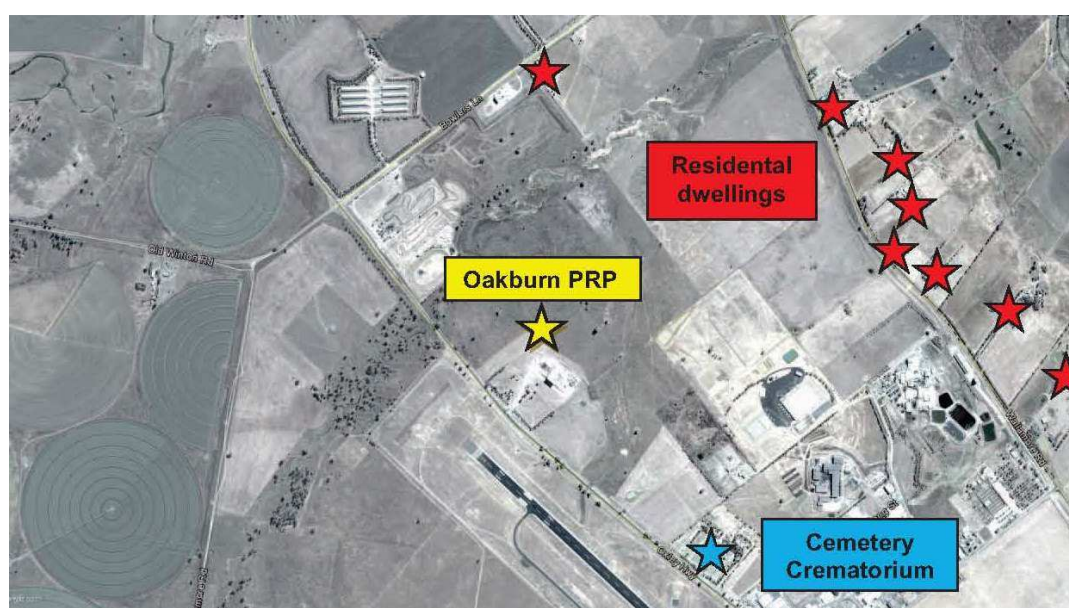
Locality: WESTDALE  
 Parish: MURROON  
 County: PARRY

## 1.1 Site and surrounding land uses

The site is legally known as Lot 100 DP 1097471. It is an irregular shape of 57.6 hectares (ha) and a former agricultural property, with few stands of remnant vegetation. Vehicular access is from the Oxley Highway and the site is zoned RU1 – Primary Production under the *Tamworth Regional Local Environmental Plan 2010*.

The site is located within a cluster of agricultural processing industries in the area. The Cargill beef abattoir is located 1.3 km to the southeast, the Peel Valley lamb abattoir is 1.1 km to the southeast, the Bellata flour mill is 1.1 km to the north and Baiada's own poultry broiler farms are 1.3 km to the northwest.

Nearer to the site, the Tamworth Regional Airport is located immediately to the southwest, while the Tamworth City Speedway (a motor racing circuit) is immediately to the northwest. The nearest residential receivers are located in Bowlers Lane, 1.2km to the north and Wallamore Road, 1.5 km to the northeast (see **Figure 3**).



**Figure 3** – Location of nearest residential receivers

## 2 PROPOSED MODIFICATION

The proposed modification is described in detail in the Proponent's Environmental Assessment (EA), which is attached at **Appendix B**. The modification essentially involves re-developing stage 1 of the approved poultry processing complex to replace the rendering plant that was damaged by fire.

The replacement plant would be located about 200 metres (m) northwest of the destroyed building and it is shown in **Figures 4, 5** and **6**. The replacement plant includes:

- a new building up to 16.5m high and with 6,496m<sup>2</sup> of floor area, housing:
  - 1,332m<sup>2</sup> for enclosed raw material storage with surge capacity for when the rendering line is temporarily down for maintenance;
  - 2,308m<sup>2</sup> for processing and meal milling including processes for cooking raw material, and separating and refining tallow;
  - 2 x 333m<sup>2</sup> for poultry meal storage and load out;
- 324m<sup>2</sup> tallow storage and evaporation tank;
- boiler house running natural gas boilers;
- a new bio-filter replacing the destroyed bio-filter to filter odours from extracted air;
- use of the existing wastewater treatment plant (which was not destroyed by fire); and
- new office and parking area.



OXLEY HIGHWAY  
TAMWORTH NSW 2340

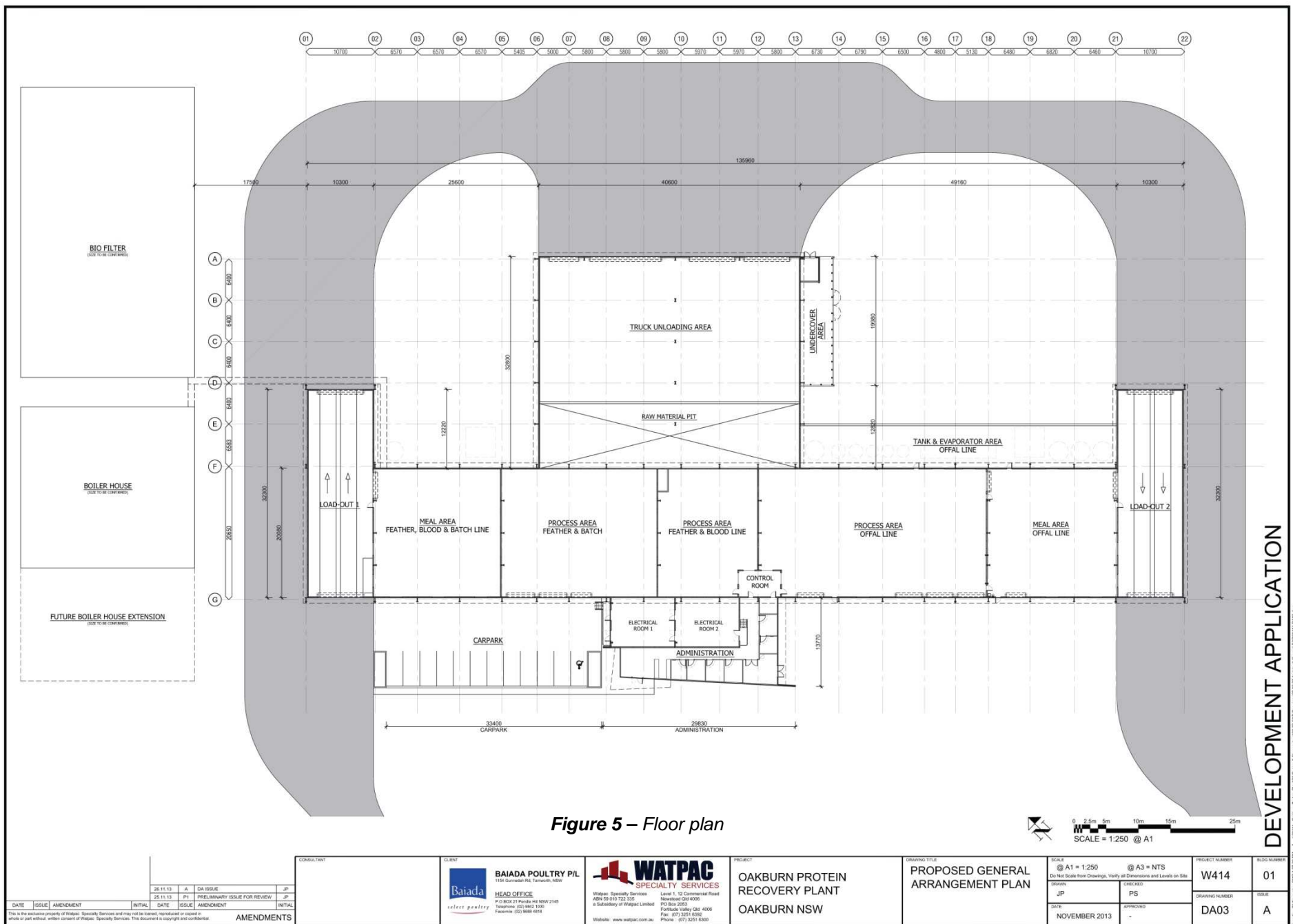
LOT 100 ON DP1097471  
(TOTAL LAND PARCEL 57.64ha)

LOCAL GOVNT: TAMWORTH REGIONAL COUNCIL



25m  
DEVELOPMENT APPLICATION

<table><tr><td colspan="2">26.11.13</td><td>A</td><td>DA ISSUE</td><td>JP</td></tr><tr><td colspan="2">25.11.13</td><td>P1</td><td>PRELIMINARY ISSUE FOR REVIEW</td><td>JP</td></tr></table>										26.11.13		A	DA ISSUE	JP	25.11.13		P1	PRELIMINARY ISSUE FOR REVIEW	JP	<table><tr><td colspan="2">DATE</td><td>ISSUE</td><td>AMENDMENT</td><td>INITIAL</td><td>DATE</td><td>ISSUE</td><td>AMENDMENT</td><td>INITIAL</td></tr></table>										DATE		ISSUE	AMENDMENT	INITIAL	DATE	ISSUE	AMENDMENT	INITIAL	<p>This is the exclusive property of Watpac. Specialty Services and may not be loaned, reproduced or copied in whole or part without written consent of Watpac. Specialty Services. This document is copyright and confidential.</p> <p>AMENDMENTS</p>																											
26.11.13		A	DA ISSUE	JP																																																														
25.11.13		P1	PRELIMINARY ISSUE FOR REVIEW	JP																																																														
DATE		ISSUE	AMENDMENT	INITIAL	DATE	ISSUE	AMENDMENT	INITIAL																																																										
<table><tr><td colspan="2">CONSULTANT</td><td colspan="2">CLIENT</td><td colspan="2">PROJECT</td><td colspan="2">DRAWING TITLE</td><td colspan="2">SCALE</td><td colspan="2">PROJECT NUMBER</td><td colspan="2">BLOCK NUMBER</td></tr><tr><td colspan="2"> <b>BAIADA POULTRY P/L</b> 1094 Corporation Rd, Tamworth NSW</td><td colspan="2"> <b>WATPAC</b> SPECIALTY SERVICES Specialty Services ADN to 010 722 335 P.O BOX 21 Ponds Hill NSW 2145 Telephone (02) 9842 1002 Facsimile (02) 9848 4108 Website: www.watpac.com.au</td><td colspan="2"><b>OAKBURN PROTEIN RECOVERY PLANT</b>  <b>OAKBURN NSW</b></td><td colspan="2"><b>PROPOSED SITE PLAN</b></td><td colspan="2">@ A1 = 1:1250 @ A3 = NTS Do Not Scale from Drawings. Verify all Dimensions and Levels on Site.</td><td colspan="2"><b>W414</b></td><td colspan="2"><b>01</b></td></tr><tr><td colspan="2"> <b>BAIADA</b> select poultry</td><td colspan="2"> <b>WATPAC</b> SPECIALTY SERVICES Specialty Services ADN to 010 722 335 P.O BOX 21 Ponds Hill NSW 2145 Telephone (02) 9842 1002 Facsimile (02) 9848 4108 Website: www.watpac.com.au</td><td colspan="2"><b>OAKBURN PROTEIN RECOVERY PLANT</b>  <b>OAKBURN NSW</b></td><td colspan="2"><b>PROPOSED SITE PLAN</b></td><td colspan="2">@ A1 = 1:1250 @ A3 = NTS Do Not Scale from Drawings. Verify all Dimensions and Levels on Site.</td><td colspan="2"><b>W414</b></td><td colspan="2"><b>01</b></td></tr><tr><td colspan="2">DATE</td><td>ISSUE</td><td>AMENDMENT</td><td>INITIAL</td><td>DATE</td><td>ISSUE</td><td>AMENDMENT</td><td>INITIAL</td><td colspan="2">DATE NOVEMBER 2013</td><td colspan="2">ISSUE DA02</td><td colspan="2">BLOCK NUMBER A</td></tr></table>										CONSULTANT		CLIENT		PROJECT		DRAWING TITLE		SCALE		PROJECT NUMBER		BLOCK NUMBER		 <b>BAIADA POULTRY P/L</b> 1094 Corporation Rd, Tamworth NSW		 <b>WATPAC</b> SPECIALTY SERVICES Specialty Services ADN to 010 722 335 P.O BOX 21 Ponds Hill NSW 2145 Telephone (02) 9842 1002 Facsimile (02) 9848 4108 Website: www.watpac.com.au		<b>OAKBURN PROTEIN RECOVERY PLANT</b>  <b>OAKBURN NSW</b>		<b>PROPOSED SITE PLAN</b>		@ A1 = 1:1250 @ A3 = NTS Do Not Scale from Drawings. Verify all Dimensions and Levels on Site.		<b>W414</b>		<b>01</b>		 <b>BAIADA</b> select poultry		 <b>WATPAC</b> SPECIALTY SERVICES Specialty Services ADN to 010 722 335 P.O BOX 21 Ponds Hill NSW 2145 Telephone (02) 9842 1002 Facsimile (02) 9848 4108 Website: www.watpac.com.au		<b>OAKBURN PROTEIN RECOVERY PLANT</b>  <b>OAKBURN NSW</b>		<b>PROPOSED SITE PLAN</b>		@ A1 = 1:1250 @ A3 = NTS Do Not Scale from Drawings. Verify all Dimensions and Levels on Site.		<b>W414</b>		<b>01</b>		DATE		ISSUE	AMENDMENT	INITIAL	DATE	ISSUE	AMENDMENT	INITIAL	DATE NOVEMBER 2013		ISSUE DA02		BLOCK NUMBER A	
CONSULTANT		CLIENT		PROJECT		DRAWING TITLE		SCALE		PROJECT NUMBER		BLOCK NUMBER																																																						
 <b>BAIADA POULTRY P/L</b> 1094 Corporation Rd, Tamworth NSW		 <b>WATPAC</b> SPECIALTY SERVICES Specialty Services ADN to 010 722 335 P.O BOX 21 Ponds Hill NSW 2145 Telephone (02) 9842 1002 Facsimile (02) 9848 4108 Website: www.watpac.com.au		<b>OAKBURN PROTEIN RECOVERY PLANT</b>  <b>OAKBURN NSW</b>		<b>PROPOSED SITE PLAN</b>		@ A1 = 1:1250 @ A3 = NTS Do Not Scale from Drawings. Verify all Dimensions and Levels on Site.		<b>W414</b>		<b>01</b>																																																						
 <b>BAIADA</b> select poultry		 <b>WATPAC</b> SPECIALTY SERVICES Specialty Services ADN to 010 722 335 P.O BOX 21 Ponds Hill NSW 2145 Telephone (02) 9842 1002 Facsimile (02) 9848 4108 Website: www.watpac.com.au		<b>OAKBURN PROTEIN RECOVERY PLANT</b>  <b>OAKBURN NSW</b>		<b>PROPOSED SITE PLAN</b>		@ A1 = 1:1250 @ A3 = NTS Do Not Scale from Drawings. Verify all Dimensions and Levels on Site.		<b>W414</b>		<b>01</b>																																																						
DATE		ISSUE	AMENDMENT	INITIAL	DATE	ISSUE	AMENDMENT	INITIAL	DATE NOVEMBER 2013		ISSUE DA02		BLOCK NUMBER A																																																					



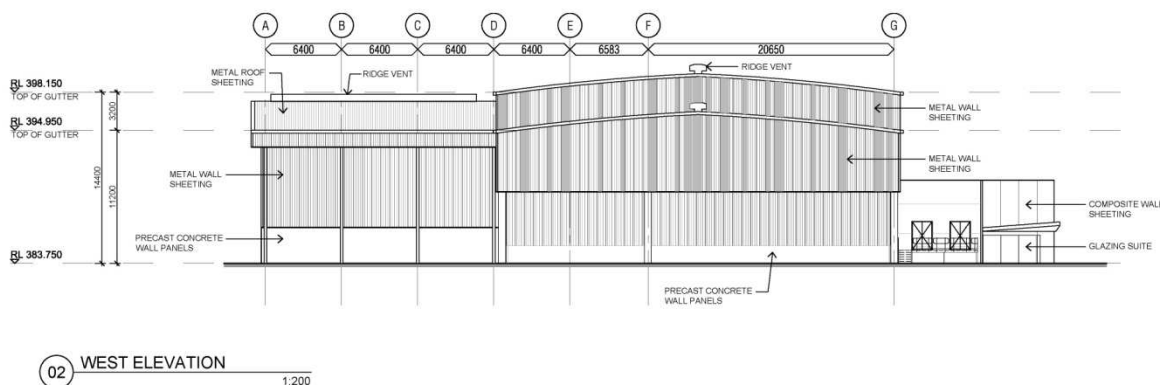
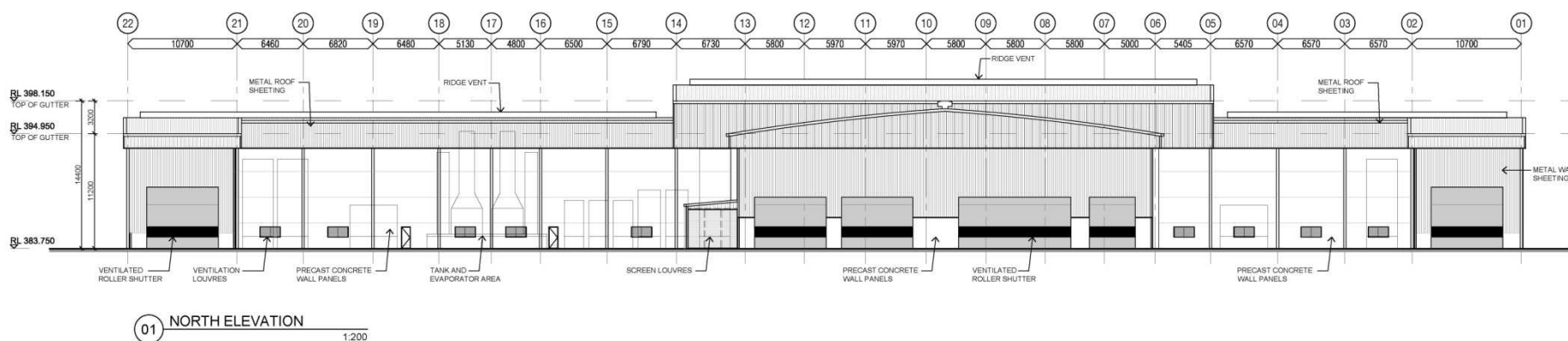


Figure 6 – Building elevations

										<div>CONSULTANT</div> <div><div></div><div>BAIADA POULTRY PL 1184 Gonswode Rd, Temora, NSW</div></div>		<div>CLIENT</div> <div><div></div><div>WATPAC SPECIALTY SERVICES</div><div>Watpac Specialty Services ABN 59 010 722 535 Level 1, 12 Commercial Road Newcastle NSW 1590 a Subsidiary of Watpac Limited PO Box 2035 Fortitude Valley QLD 4006 Fax: (07) 3251 6302 Website: www.watpac.com.au</div></div>		<div>PROJECT</div> <div>OAKBURN PROTEIN RECOVERY PLANT  OAKBURN NSW</div>		<div>DRAWING TITLE</div> <div>PROPOSED ELEVATIONS</div>		<div>SCALE</div> <div>@ A1 = 1:200 @ A3 = NTS Do Not Scale from Drawings. Verify all Dimensions and Levels on Site.</div>		<div>PROJECT NUMBER</div> <div>W414</div>		<div>DWG. NO.</div> <div>01</div>																	
<div><table><tr><td>28.11.13</td><td>A</td><td>DA ISSUE</td><td>JP</td></tr><tr><td>25.11.13</td><td>P1</td><td>PRELIMINARY ISSUE FOR REVIEW</td><td>JP</td></tr><tr><td>DATE</td><td>ISSUE</td><td>AMENDMENT</td><td>INITIAL</td></tr></table></div>										28.11.13	A	DA ISSUE	JP	25.11.13	P1	PRELIMINARY ISSUE FOR REVIEW	JP	DATE	ISSUE	AMENDMENT	INITIAL	<div><table><tr><td>28.11.13</td><td>P1</td><td>PRELIMINARY ISSUE FOR REVIEW</td><td>JP</td></tr><tr><td>DATE</td><td>ISSUE</td><td>AMENDMENT</td><td>INITIAL</td></tr></table></div>		28.11.13	P1	PRELIMINARY ISSUE FOR REVIEW	JP	DATE	ISSUE	AMENDMENT	INITIAL								
28.11.13	A	DA ISSUE	JP																																				
25.11.13	P1	PRELIMINARY ISSUE FOR REVIEW	JP																																				
DATE	ISSUE	AMENDMENT	INITIAL																																				
28.11.13	P1	PRELIMINARY ISSUE FOR REVIEW	JP																																				
DATE	ISSUE	AMENDMENT	INITIAL																																				
<div>This is the exclusive property of Watpac Specialty Services and may not be loaned, reproduced or copied whole or in part without written consent of Watpac Specialty Services. This document is copyright and confidential.</div>										<div>AMENDMENTS</div>																													

DEVELOPMENT APPLICATION

The replacement plant would be somewhat larger than the destroyed plant (which was about 1750m<sup>2</sup> in area) because the new plant would have duplicate rendering lines for high and low grade products. However, the modification does not propose to change the overall production capacity, which is around 90,000 birds (or 120 tonnes) per day, and there would be no change to employee numbers, traffic generation or operating hours.

Baiada is currently transporting raw material to Sydney for processing, which is adding considerably to the company's transportation costs. Baiada has sought approval for the replacement rendering plant with some urgency, so as to reinstate processing capacity and employment in close proximity to its wider poultry operations near Tamworth.

### 3 STATUTORY CONTEXT

#### 3.1 Approval Authority

The development consent for the Baiada Poultry Processing Complex was granted under Part 4 of the *Environmental Planning and Assessment Act 1979* (**the Act**). Clause 8J(8) of the *Environmental Planning and Assessment Regulation 2000* requires modifications of such development consents to be carried out under section 75W of the Act. The effect of section 75W is continued for such consents by clause 12 of schedule 6A of the Act.

Consequently, the Minister for Planning and Infrastructure is the approval authority for the modification application. However, under the Minister's delegation of 14 September 2011, the Director – Industry, Key Sites & Social Projects may determine the modification application as Council did not object, the Proponent has not disclosed any political donations, and there were no public submissions by way of objection.

#### 3.2 Modification

The Department is satisfied that the application can properly be characterised as a modification to the original development consent, and can therefore be assessed and determined under Section 75W of the Act.

In this respect, the Department notes that there is no change to the approved processing capacity of the protein rendering plant and consequently no material change to the impacts of the development. In some aspects, such as odour capture, energy and water efficiency, and stormwater water management, the modification proposal will benefit from improved technology and actually reduce impacts.

#### 3.3 Consultation

The EA for the modification was made publicly available on the Department's website. The Department also invited submissions from the Environment Protection Authority (**EPA**), Office of Environment and Heritage (**OEH**), Roads and Maritime Services (**RMS**) and Tamworth Regional Council (**Council**). Consultation with other agencies and adjoining landowners was considered to be un-necessary owing to the limited reach of predicted impacts associated with the proposed modification.

The **EPA** raised no objections to the proposal and advised that the impacts, including construction impacts, would be able to be managed within the existing Environment Protection Licence (**EPL**) for the site. The EPA requested some clarification on the features and specifications of the Stormwater Management Plan that was submitted with the EIS. The Department has included a condition that requires the Stormwater Management to plan to be revised in consultation with the EPA so that these matters can be addressed.

The **OEH** stated that additional survey work in respect of *Bothriochloa biloba* (Blue Lobed grass) should be carried out for the proposed location of the new rendering plant, as it is likely to occur on the new site. The OEH referred to the 1997 Environmental Impact

Statement (**EIS**) for the original development application, which found the grass present on the site of the old rendering plant.

However, the Department notes that this particular grass species was removed from *Threatened Species Conservation Act 1997* by the NSW Scientific Committee in 2004. The Committee found in its final determination that the species is no longer likely to become endangered owing to its abundance and distribution being far greater than was previously thought. Therefore, the Department does not consider an additional targeted survey for the grass to be necessary.

The **OEH** also stated that additional survey and consultation work in respect of Aboriginal Cultural heritage should be carried out for the proposed location of the new rendering plant. The OEH referred again to the 1997 EIS, which identified 2 isolated artefacts on the site. These artefacts were collected by representatives of the Local Aboriginal Land Council before construction began on the original rendering plant.

However, the whole site is a former farm with a significant history of agricultural modifications. The Department is satisfied that the likelihood of any artefacts or places of cultural significance occurring on the proposed site of the new rendering plant is relatively minor. Notwithstanding, the Department notes that the existing 'unexpected finds' protocol in the approval would be sufficient to trigger the OEH's Aboriginal Heritage Impact Permit (**AHIP**) requirements in the event that cultural material is uncovered during construction.

**RMS** raised only the concern that the proposed modification should not result in increased heavy vehicle traffic from the site. The Department is satisfied that there would be no additional traffic because the processing capacity of the replacement plant would be unchanged from the original plant that was destroyed.

**Council** raised no objections to the modification and recommended the Stormwater Management Plan be revised to reflect Council stormwater specifications. The Department has included an appropriate approval condition so that the plan is appropriately revised.

#### 4. ASSESSMENT

In its assessment of the modification application, the Department has considered the following:

- the EA for the proposed modification (see **Appendix B**);
- all submissions received by the Department (see **Appendix C**); and
- the Director-General's assessment reports for the original project application and earlier modification approvals.

The Department assessment of the proposed modification is outlined in Table 2 below.

**Table 2: Assessment of issues**

Issue	Consideration	Recommendation
Odour	<ul style="list-style-type: none"><li>• The EA included an Odour Impact Assessment prepared by The Odour Unit (QLD) Pty Ltd. It was based on empirical odour emissions data from a similar plant located in Hanwood, NSW.</li><li>• In the new plant, a point source air-extraction system would capture foul air directly from sources such as rendering, feather processing, cookers, blood drying and raw material storage, and direct it for treatment to a bio-filter.</li><li>• The modification does not include a capture system for building ventilation, as it would be un-necessary to</li></ul>	Require applicant to: <ul style="list-style-type: none"><li>• update the existing Odour Management Plan to reflect the new rendering plant.</li></ul>



Issue	Consideration	Recommendation
	<p>achieve odour control targets. However, a low level of residual fugitive odours may result from the natural ventilation of the building.</p> <ul style="list-style-type: none"> <li>• The modelled odour predictions show that odour impacts greater than 5.2 Odour Units (<b>OU</b>) are fully contained well within the site boundaries, and do not extend to any private residential receivers. This complies with the EPA's <i>Approved Methods</i>.</li> <li>• Both the Department and the EPA are satisfied that the odour control technology in the new plant would be sufficient to minimise odour impacts.</li> <li>• The Department is unaware of any recent odour problems at the site (before it was destroyed). In addition, there are safeguards in the existing approval to capture and remedy any future odour concerns through independent auditing and review.</li> <li>• The existing Odour Management Plan for the facility would need to be updated to reflect the new rendering plant (along with a number of other management plans), and the Department has included an appropriate condition in the approval to achieve this.</li> </ul>	
Wastewater	<ul style="list-style-type: none"> <li>• The new plant would continue to utilise the existing wastewater treatment system, which was not damaged by the fire.</li> <li>• The EA included a verification statement from the designer of the system, which stated that the expected loads would be similar to those from the old rendering plant, and that the system is adequately sized.</li> <li>• The Department is unaware of any recent problems with the wastewater treatment plant on the site. In addition, there are safeguards in the existing approval to capture and remedy any future problems with the system through independent auditing and review.</li> <li>• Both the Department and the EPA are satisfied that the plant could adequately service the new rendering plant. The existing Wastewater Management Plan would need to be updated to reflect the new plant and the Department has included an appropriate condition.</li> </ul>	<p>Require applicant to:</p> <ul style="list-style-type: none"> <li>• update the existing Wastewater Management Plan to reflect the new rendering plant.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• The noise conditions in the existing approval were established in 2009 under the <i>Industrial Noise Policy (INP)</i> following the Department's assessment of modification 3.</li> <li>• The nearest sensitive receivers to the proposed rendering plant are 1.2 to 1.6km away. In some cases, ambient noise levels at these receivers are already quite high because of the airport, speedway, local roads and other agricultural processing industries.</li> <li>• The noise predictions in the 2009 assessment showed that noise impacts from the whole complex would be at least 5dB below the lowest INP criterion, and probably completely inaudible at most receivers.</li> <li>• Both the Department and the EPA are satisfied that the new rendering plant, despite being located 200m away from the old rendering plant, is highly unlikely to result in either an exceedance of the lowest INP noise criteria, or a material change in noise impacts from the site.</li> <li>• The Department is unaware of any recent noise problems at the plant (before it was destroyed). In</li> </ul>	<p>Require applicant to:</p> <ul style="list-style-type: none"> <li>• update the existing Noise Management Plan to reflect the new rendering plant.</li> </ul>

Issue	Consideration	Recommendation
	<p>addition, there are safeguards in the existing approval to capture and remedy any future noise concerns through independent auditing and review.</p> <ul style="list-style-type: none"> <li>The existing Noise Management Plan for the facility would need to be updated to reflect the new rendering plant, and the Department has included an appropriate condition in the approval to achieve this.</li> </ul>	
Waste	<ul style="list-style-type: none"> <li>There is no change to the maximum production capacity and therefore no change to rates of waste generation.</li> <li>The existing Waste Management Plan would need to be updated to reflect the location and layout of the new rendering plant.</li> </ul>	<p>Require applicant to:</p> <ul style="list-style-type: none"> <li>update the existing Waste Management Plan to reflect the new rendering plant.</li> </ul>
Surface water	<ul style="list-style-type: none"> <li>The EA included a Stormwater Management Plan for the new rendering plant prepared by J Wyndham Prince Pty Ltd.</li> <li>Both EPA and Council have reviewed the plan. While generally satisfied with its contents, they require revisions to include: <ul style="list-style-type: none"> <li>clean and dirty catchment separation;</li> <li>identification of the dirty water discharge point; and</li> <li>stormwater control for 1 in 100 year rainfall.</li> </ul> </li> <li>The Department is satisfied that with these revisions, stormwater can be managed appropriately on the site and it has included an appropriate condition in the recommendation.</li> </ul>	<p>Require applicant to:</p> <ul style="list-style-type: none"> <li>revise the Stormwater Management Plan to meet EPA and Council specifications.</li> </ul>
Traffic	<ul style="list-style-type: none"> <li>There is no change to the processing capacity of the rendering plant and consequently no change to the expected traffic generation of the site.</li> <li>The existing approval includes a suite of road upgrade requirements that need to be completed before Stage 2 of the complex is commenced (i.e the deboning and further processing plants), and these requirements would continue to apply.</li> <li>The Department's standard condition regarding the Australian Standard for internal roads and parking is already in the existing approval, and would apply to the new rendering plant.</li> </ul>	<p>No additional conditions necessary.</p>
Ecology	<ul style="list-style-type: none"> <li>The EIS for the original development application identified the presence of Blue Lobed grass on the site, then a listed vulnerable species.</li> <li>The OEH recommended that additional survey work be carried out to determine whether this species occurs on the site of the new rendering plant.</li> <li>However, the Department notes that the species was removed from the list of vulnerable species by the scientific committee in 2004, because it was much more widespread than originally thought.</li> <li>The grass is no longer thought to be at risk of becoming endangered and does not have the protection of threatened species legislation.</li> <li>Consequently, the Department does not believe additional survey work is required.</li> </ul>	<p>No additional conditions necessary.</p>
Heritage	<ul style="list-style-type: none"> <li>The EIS for the original development application identified 2 isolated artefacts on the site of the proposed processing complex, which were collected by representatives from the Local Aboriginal Land Council before work commenced on the original rendering plant.</li> </ul>	<p>No additional conditions necessary.</p>

Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> <li>The OEH recommended additional survey and consultation work be carried out for the modification proposal.</li> <li>However, given the high level of agricultural modifications to the whole site, and the relatively few occurrences of isolated artefacts in surveys for the original EIS, the Department considers the overall likelihood of encountering additional significant artefacts on the site of the new rendering plant to be quite low.</li> <li>Notwithstanding, the existing approval includes the Department's unexpected finds protocol, which requires construction work to stop in the event that additional artefacts are uncovered during construction.</li> </ul>	
	<ul style="list-style-type: none"> <li>The Department is satisfied that this condition is an adequate trigger for the OEH's assessment and permit requirements (i.e. AHIP) should additional material be discovered during construction for the new rendering plant.</li> </ul>	

## 5. CONCLUSION

The Department has assessed the proposed modification in accordance with the requirements of the Act. This assessment has found that the replacement rendering plant can be carried out with minimal additional environmental impact and in particular without exceeding the relevant residential amenity criteria at the nearest sensitive receivers.

In addition, approval of the modification would allow Baiada to swiftly replace the protein rendering plant which was recently destroyed by fire, and provide for continued employment and other economic benefits in the Tamworth area. The company has sought approval with some urgency due to the prohibitive cost of transporting its raw material to Sydney for processing.

The existing suite of approval conditions include a range of ongoing impact mitigation and auditing requirements, which would apply to the new rendering plant in much the same way as they applied to the old rendering plant. All existing relevant management plans could readily be updated to reflect the location and specifications of the new rendering plant.

Consequently the Department believes the proposed modification is in the public interest should be approved subject to some minor changes to the existing conditions of approval (as set out in the recommended notice of modification at **Appendix A**).

## 6. RECOMMENDATION

Under delegation of the Minister, it is RECOMMENDED that the Director – Industry, Key Sites & Social Projects:

- approve of the proposed modification under Section 75W of the Act; and
- sign the attached instrument (Appendix A).

David Mooney  
A/ Team Leader

  
Chris Ritchie  
A/Director  
Industry, Key Sites & Social Projects

16/1/14.



## **APPENDIX A – NOTICE OF MODIFICATION**

## **APPENDIX B – ENVIRONMENTAL ASSESSMENT**

## **APPENDIX C – SUBMISSIONS**