



# Baiada Integrated Poultry Processing Facility

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State Significant Development Assessment  
(SSD-9394)

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# Glossary

Abbreviation	Definition
<b>ABARES</b>	Australian Bureau of Agricultural and Resource Economics and Sciences
<b>Approved Methods</b>	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales
<b>Applicant</b>	Baiada (Tamworth) Pty Ltd
<b>AQR</b>	Air Quality Report
<b>AWTP</b>	Advanced Water Treatment Plan
<b>BAM</b>	Biodiversity Assessment Method
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>BDAR</b>	Biodiversity Development Assessment Report
<b>Box gum woodland</b>	White Box Yellow Box Blakely's Red Gum Woodland
<b>CASA</b>	CASA Aviation Group
<b>CIV</b>	Capital Investment Value
<b>Council</b>	Tamworth Regional Council
<b>DAF</b>	Dissolved Air Floatation
<b>DCP</b>	Development Control Plan
<b>Department</b>	Department of Planning, Industry and Environment
<b>Demolition</b>	The removal of buildings, sheds and other structures on the site
<b>Development</b>	The development as described in the EIS and RTS for Baiada Integrated Poultry Processing Facility
<b>DPI</b>	Department of Primary Industries
<b>DPI – Water</b>	DPIE – Lands, Water and Department of Primary Industries
<b>DPIE</b>	Department of Planning, Industry and Environment
<b>EES</b>	Environment, Energy and Science Group of DPIE
<b>EIS</b>	Environmental Impact Statement titled <i>Environmental Impact Statement, Oakburn Poultry Processing Plant – Tamworth NSW</i> prepared by PSA Consulting Australia dated 2 July 2019
<b>EPA</b>	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>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
<b>EPI</b>	Environmental Planning Instrument
<b>EPL</b>	Environment Protection Licence
<b>ESD</b>	Ecologically Sustainable Development
<b>FRNSW</b>	Fire and Rescue NSW
<b>GFA</b>	Gross floor area
<b>Heritage</b>	Heritage NSW, Department of Premier and Cabinet
<b>HNELH</b>	Hunter New England Local Health
<b>LEP</b>	Local Environmental Plan
<b>LGA</b>	Local government area
<b>MBR</b>	Membrane reactor
<b>Minister</b>	Minister for Planning and Public Spaces
<b>MNES</b>	Matter of national environmental significance
<b>NIA</b>	Noise Impact Assessment
<b>NPfI</b>	Noise Policy for Industry
<b>OMP</b>	Operational Management Plan
<b>Out Street</b>	1 Out Street, Tamworth
<b>PETA</b>	People for the Ethical Treatment of Animals
<b>Planning Secretary</b>	Secretary of the Department of Planning, Industry and Environment
<b>PPF</b>	Poultry Processing Facility
<b>PRP</b>	Protein Recovery Plant
<b>Regional Plan</b>	New England North West Regional Plan 2036
<b>RMS</b>	Roads and Maritime Services, TfNSW
<b>RFS</b>	NSW Rural Fire Services
<b>RO</b>	Reverse Osmosis
<b>RTS</b>	Response to Submissions titled <i>Baiada Integrated Poultry Processing Facility (SSD 9394) – Response to Submissions</i> prepared by PSA Consulting Australia dated 3 July 2020 and <i>Baiada Integrated Poultry Processing Facility (SSD-9394) – Supplementary Response to</i>

*Submissions* prepared by PSA Consulting Australia dated 18 October 2020

<b>SEARs</b>	Planning Secretary's Environmental Assessment Requirements
<b>SEPP</b>	State Environmental Planning Policy
<b>SBR</b>	Sequencing Batch Reactor
<b>SRD SEPP</b>	State Environmental Planning Policy (State and Regional Development) 2011
<b>SSD</b>	State Significant Development
<b>TfNSW</b>	Transport for NSW
<b>WWTP</b>	Wastewater treatment plant

# Executive Summary

This report details the Department of Planning, Industry and Environment's (the Department) assessment of a State significant development application (SSD-9394) for the proposed Baiada Integrated Poultry Processing Facility (the development) lodged by Baiada (Tamworth) Pty Ltd (the Applicant). The Applicant proposes to construct and operate an integrated poultry processing and rendering facility on a property known as 'Oakburn', at 1154 Gunnedah Road, Westdale in the Tamworth local government area (LGA).

A key objective of the proposal is to centralise and consolidate Baiada's Tamworth poultry processing operations onto a single and integrated site and in doing so, remove the existing processing operations from the Tamworth town centre. The consolidation of its rendering and processing operations onto the Oakburn site will see a continuation and expansion of Baiada's presence in the Tamworth region.

## The Site

The site is located in an area dominated by livestock and food processing activities and is 7.5 kilometres (km) north-west from the Tamworth central business district, covering approximately 57.6 hectares of land zoned RU1 - Primary Production under the Tamworth Regional Local Environmental Plan 2010 (LEP). The site is approximately 1.1 km from the nearest sensitive receiver located to the north of the site, on Bowlers Lane.

On 9 February 1998, Baiada was granted development consent by the then Minister for Urban Affairs and Planning for the construction and operation of an integrated poultry processing facility at the site (DA 53/97) including a protein recovery plant (rendering plant), processing plant for up to 750,000 birds per week, deboning and processing plant, and a rendering plant. Only the rendering plant was constructed at the site, which was completed in 2000 (and replaced in 2014 following a fire). Operations at the rendering facility include the processing of poultry by-products such as offal, blood and feathers to produce a range of protein-based meals and oils, such as pet food and fertiliser.

Various consents issued by Tamworth Regional Council (Council) also apply to the site, including a wastewater treatment plant (WWTP). Should development consent be granted to this application, the Applicant intends to surrender all existing consents and consolidate all operations on the site under one approval.

The Applicant also operates a processing plant at 1 Out Street, West Tamworth (Out Street), 9 km east of the site in Tamworth's town centre, and it is Baiada's intention to cease operations at this facility once the processing plant at Oakburn is developed. The development seeks to consolidate the poultry processing operations at Out Street with the rendering on the site, creating an integrated facility at 1154 Gunnedah Road, Westdale (the subject application).

## Current Proposal

The Applicant is seeking a new approval for an integrated poultry processing facility at the site to permit the processing of up to three million birds per week and an increase in the permitted rendering at the site from 840 tonnes to up to 1,680 tonnes of finished product per week. Operations would occur 24 hours per day, seven days per week.

Operations at the site will include live bird receipt, processing, chilling, rendering, cold store and distribution facilities as well as ancillary administration and staff amenities. The Applicant is also seeking to construct a new WWTP that incorporates an Advanced Water Treatment Plant (AWTP) to treat wastewater generated by the new processing plant. Wastewater from the rendering plant will continue

to be serviced by the existing WWTP. Associated improvements to existing infrastructure are required, including a new access driveway connecting the site to Armstrong Street via Workshop Lane and upgrades to existing service connections.

The proposed development has a capital investment of \$208 million and will generate approximately 323 construction jobs and provide a total of 1,176 operational jobs (comprising 15 existing jobs at the site, the transfer of 494 jobs from Out Street and 667 new jobs) in the Tamworth LGA. The development is consistent with the New England North West Regional Plan 2036 which seeks to strengthen the regional economy and support intensive agriculture and food processing.

The Applicant advises the proposal responds to the increasing demand for chicken meat in NSW noting the consumption of chicken meat per person has increased by approximately 56% between 2000 and 2018, from an average of 30 kilograms (kg) to 47 kg per person, per year. As a result, the Applicant has indicated there is a need for additional processing capacity that exceeds that permitted under the existing consent.

### Statutory Context

The development is State significant development (SSD) pursuant to section 4.36 of *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves an agricultural production industry, with a Capital Investment Value (CIV) over \$30 million which meets the criteria in Clause 3 of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP). Consequently, the Minister for Planning and Public Spaces (Minister) is the consent authority for the proposed development.

### Engagement

The Department exhibited the Development Application and accompanying Environmental Impact Statement (EIS) for the development from 24 July 2019 until 20 August 2019. A total of 15 submissions were received during the exhibition period, with an additional submission received outside of the exhibition period, from a special interest group. Of the submissions received during the public exhibition period, 12 were from NSW government agencies, one was from Council and three were from the members of the community. The submissions made by government agencies and Council provided comment on the development, however, of the three public submissions, two were in objection.

Key concerns raised related to odour, water usage, wastewater management, noise and the storage of dangerous goods. The Applicant submitted a Response to Submissions (RTS) on 3 July 2020 to address and clarify matters raised in the submissions. However, the RTS did not adequately address all issues raised in submissions, relating to, but not limited to, the mitigation of odour and noise impacts, and matters relating to the potential risks associated with the storage of hazardous materials on the site.

Between July 2020 and October 2020 on-going correspondence, including revised odour and noise impact assessment reports, were exchanged between the Applicant and the Department to address all outstanding matters. Further information, including additional detail on the development's mitigation measures relating to odour and noise impacts, and an addendum to the Applicant's preliminary hazard analysis (PHA) were submitted in September and October 2020, respectively. As a result of the findings of the PHA, the Applicant amended the development design to remove a childcare facility which formed part of the initial application.

### Assessment

The Department's assessment of the development has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable



development. The Department has identified the key issues for the development relate to odour, water usage, wastewater treatment and noise impacts.

During the assessment process, representatives of the Department visited the site to support their assessment of the development.

#### Odour

The site is close to other existing livestock and food processing facilities and careful consideration has been given to the cumulative impact of odour from the proposed expansion of this facility in this context. In response to concerns raised by the Environment Protection Authority (EPA) regarding the odour modelling, assessment of odour risks and cumulative impacts, the Applicant's odour impact assessment (OIA) was revised on two occasions. The final revised OIA was accompanied by a site-specific Odour Management Plan (OMP) which detailed a range of processes, procedures and management actions to mitigate odour.

The revised assessment confirmed all residential receptors, including Tamworth Regional Airport and Oakburn Park Raceway, surrounding the development site would not experience odour impacts, even when all odour sources are considered cumulatively. The EPA was satisfied with the revised OIA and OMP and recommended conditions relating to processing operations, which the Applicant has accepted.

The Department has considered the OIA, OMP and advice from the EPA and has recommended conditions that require the Applicant to update and implement the OMP, carry out activities indoors as much as possible and carry out an odour audit within six months of the operation of the expanded facility to validate the predictions made in the assessment. The Applicant has sufficiently demonstrated the proposed poultry farm will be designed and managed to reflect best practice and will minimise odour emissions when operational. The Department's assessment concludes the Applicant's assessment sufficiently demonstrates the odour impacts generated by the development are minor and can be appropriately managed to an acceptable level.

#### Water and Wastewater

The development requires eight million litres (mega litres, ML) of potable water per day for the processing facility. The availability of water to service the site was raised as a key issue, including by Council. To address this, the Applicant is proposing to construct an AWTP that will now recover up to 90% of wastewater from the processing plant (7.2 ML) for reuse in the plant with the shortfall sourced from Council's water supply. Council was satisfied with this and provided recommended conditions for the supply of this water which have been incorporated into the recommended instrument of consent. The Department has also recommended the Applicant implement a Water Management Plan to detail water usage and licensing requirements, amongst other aspects of water management.

The development seeks to introduce an accelerated evaporation process to manage the residual wastewater, reducing the volume of brine (salty wastewater), which would generally be disposed into Council sewers, by 90%. The EPA and Council sought clarification on where the residual 10% of concentrated brine would be disposed of to which the Applicant confirmed that it would be disposed of off-site and not discharged to sewer. The Applicant also clarified the ponds would undergo periodic cleaning to remove residual salt, likely annually. Conditions have been recommended by the EPA and the DPI – Lands, Water and Department of Primary Industries (DPI – Water) and incorporated into the recommended instrument of consent to manage the operation of the evaporation ponds. The existing WWTP will continue to process wastewater from the rendering plant and discharge to sewer.

The Department's assessment concludes that through the operation of the WWTPs and new AWTP, the site will be provided with an adequate water supply and wastewater will be suitably managed.



### Noise

The Applicant undertook a Noise Impact Assessment (NIA) as parts of its assessment. The NIA identified four nearby residential receivers, the closest located 1.1 km north of the site at Bowlers Lane. Noise generated during the operational aspect of the development was predicted to be exceeded at one residential receiver, at Bowlers Lane. The EPA sought additional information on the background noise monitoring and calculations used in the NIA. The Applicant submitted an addendum to the NIA which provided further detail on the monitoring, including a commitment to install acoustic barriers along the rendering building loop road, adjacent to the cooling towers and along the cold store distribution dock. With these barriers in place, revised modelling demonstrated the noise impacts would comply with the levels specified in the Noise Policy for Industry (NPfI).

To ensure noise impacts from the operation of the development are minimised, the Department has recommended conditions to ensure the development operates within noise limits that comply with the NPfI as well as a condition that requires the installation of the acoustic barriers. Conditions have also been recommended that require the Applicant to prepare a Construction Noise Management Plan to ensure construction noise is managed in accordance with the Interim Construction Noise Guideline. With these conditions in place, the Department's assessment concludes that noise impacts generated from the construction and operation of the development can be suitably mitigated and managed to an acceptable level.

### Existing Operations

To assist with compliance and ongoing management at the site, the Department supports the surrender of all existing development consents on the site and consolidation of the relevant conditions of those consents into a single development consent for the expanded operation. Conditions requiring the surrender of consents within 12 months of the determination of any consent granted to this application have been recommended as well as a recommendation to update existing operational management plans at the site as they relate to the rendering facility. Final management plans would then be submitted once the expanded facility has been built. This provides an opportunity to contemporise the existing plans and to ensure the existing operations can be managed under any new consent granted while detailed design and construction of the expanded facility is being carried out.

### Conclusion

Overall, the Department's assessment has concluded the development would:

- provide a range of benefits for the region and the State as a whole, including a capital investment of approximately \$208 million in the Tamworth LGA
- provide for approximately 323 construction jobs and 1,176 operational jobs (generating 667 new jobs)
- be consistent with NSW Government policies including, the New England North West Regional Plan 2036, which seeks to strengthen and diversify the region's economy and support the continued use of intensive agriculture in the area

Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions.

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# 1 Introduction

## 1.1 The Department's Assessment

This report details the Department of Planning, Industry and Environment's (the Department's) assessment of the State significant development (SSD) (SSD-9394) application for the Baiada Integrated Poultry Processing Facility. The proposed development (the development) involves the construction and 24/7 operation of a new poultry processing plant and an increase to the existing capacity of the rendering facility at the site, which processes poultry by-products. The Department's assessment considers all documentation submitted by Baiada (Tamworth) Pty Ltd (the Applicant), including the Environmental Impact Statement (EIS) and Response to Submissions (RTS), and submissions received from government authorities, stakeholders and the public. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

This report describes the development, surrounding environment, relevant strategic and statutory planning provisions and the issues raised in submissions. The report evaluates the key issues associated with the development and provides recommendations for managing any impacts during construction and operation. The Department's assessment of the Integrated Poultry Processing Facility has concluded that the development is in the public interest and should be approved, subject to conditions of consent.

## 1.2 Development Background

The Applicant is seeking development consent to construct and operate an integrated poultry processing and rendering facility at Westdale in the Tamworth Local Government Area (LGA).

The Applicant, owner and operator, Baiada, is a privately-owned Australian company which operates a range of poultry breeding and processing operations encompassing broiler and breeder farms, hatcheries, processing plants, feed milling and protein recovery. Baiada's products include the sale of live poultry, poultry feed, fertile eggs, day old chickens, primary processed chicken (raw product), and processed chicken products.

Baiada is the largest producer of poultry meat in Australia and currently supplies approximately 35% of the national demand, equating to around five million birds per week. Baiada has a current employee base of approximately 6,000 people.

As a result of the ongoing and predicted growth in demand for poultry meat products in Australia, the Applicant has identified significant expansion of the industry is required. The development is a response to this demand and the Applicant considers it will provide additional production capacity within Tamworth and the ability for further expansion of all facets of Baiada's regional operations to ensure supply meets demand.

A key objective of the proposal is to centralise and consolidate Baiada's Tamworth poultry processing operations onto a single and integrated site and in doing so, remove Baiada's existing processing operations from the Tamworth town centre.

The Applicant already has an existing development consent on the site for an integrated poultry processing facility that includes poultry processing and protein recovery (rendering) (as described further in **Section 1.5** below), however, the processing capacity is only for up to 750,000 birds per week, less than a third of what is currently being proposed. Similarly, the rendering plant, which is the only

component of that approval to have been constructed, only has a throughput capacity of 120 tonnes of finished product per day. This application seeks 240 tonnes per day.

Coupled with the proposed significant increase in processing capacity and throughput at the rendering plant as well as other material differences in design and layout between the approved and proposed development, the Applicant is seeking a new consent for all operations on the site.

### 1.3 Site Description

The 57.6 hectare (ha) site, known as 'Oakburn', at 1154 Gunnedah Road, Westdale (see **Figure 1**) is legally described as Lot 100 DP 1097471. The site is relatively flat, however, it falls away slightly from the southwestern boundary to the west towards Boltons Creek and to the north and east towards an existing overland flow path.

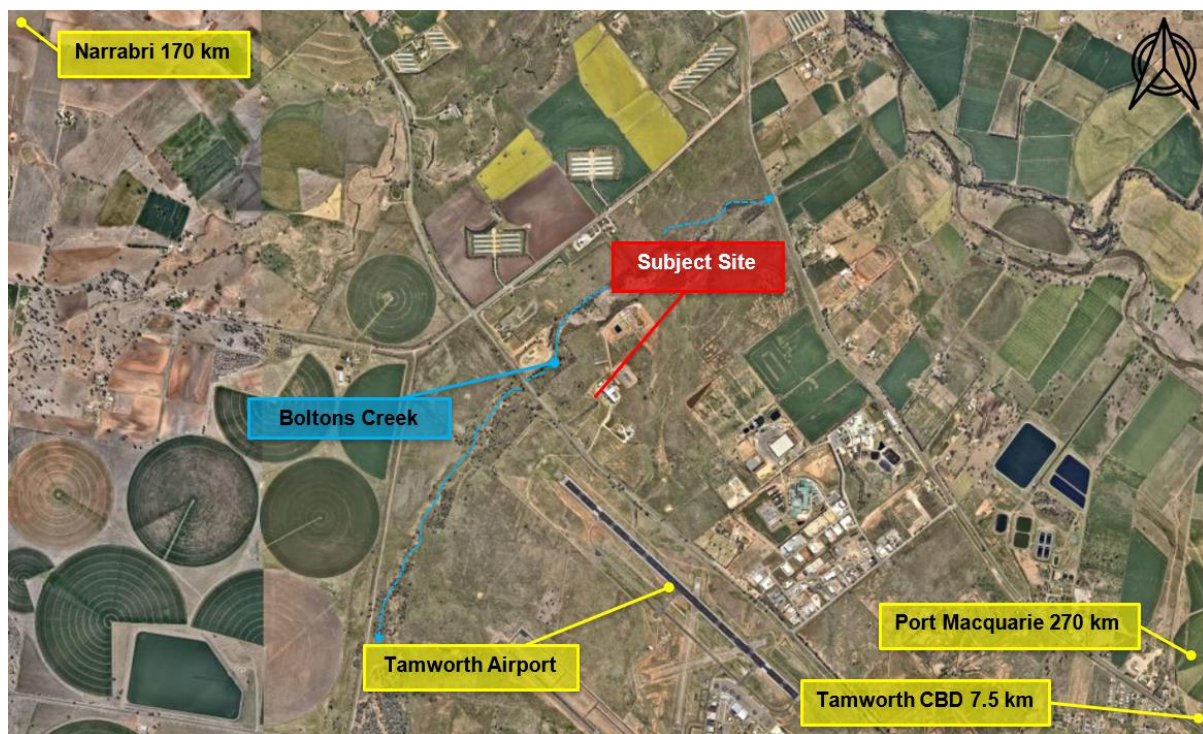


**Figure 1 | Subject site**

The site is located to the north of Tamworth Regional Airport and approximately 7.5 kilometres (km) northwest of the Tamworth Central Business District (see **Figure 2**). Access is currently gained directly off the Oxley Highway, a State Road, which in the vicinity of the site is known as Gunnedah Road.

The site is currently operated as a poultry rendering facility including the processing of by-products generated by poultry processing which consist of offal, blood and feathers (see **Figure 3**, **Figure 4** and **Figure 5**). These products are then processed into a range of protein-based meals and oils, such as pet food and fertiliser. In order to facilitate the rendering plant, the site also incorporates a wastewater treatment plant (WWTP) consisting of sequence batch reactors (tanks that allow aeration, settling and decanting of wastewater sludge), covered anaerobic lagoons and maturation ponds.





**Figure 2 | Regional Context Map**



**Figure 3 | Existing rendering plant and WWTP**



**Figure 4 | Existing rendering plant on site**



**Figure 5 | Existing rendering plant on site**

### **1.4 Surrounding Land Uses**

The surrounding land uses comprise predominately of livestock and food processing activities (see **Figure 6**). Surrounding land uses include the following:

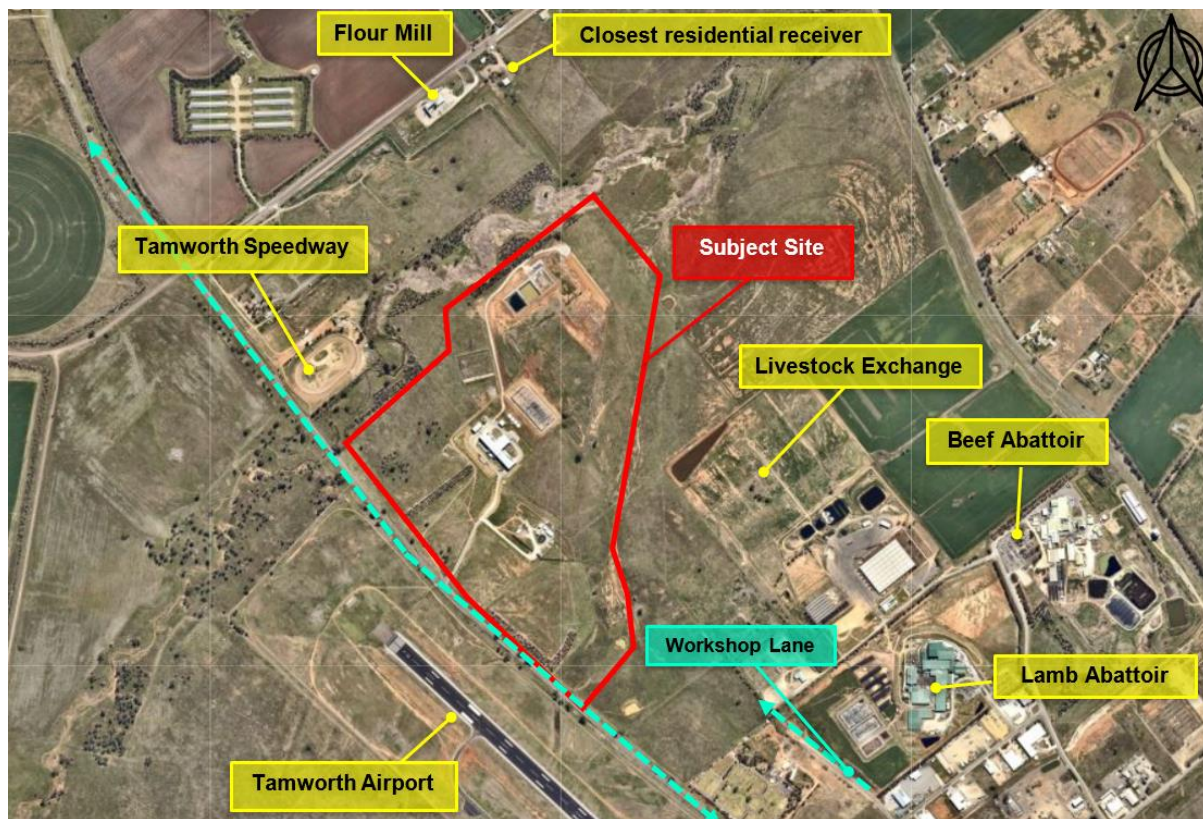
- to the east is the Tamworth Regional Livestock Exchange, further east is TEYS Beef Abattoir
- to the southeast is Thomas Foods International Lamb Abattoir
- to the north is Bellata Gold Pasta Flour Mill, further north is Baiada's Bowlers Lane Poultry Broiler Farms
- to the northwest is Tamworth Speedway
- on the southern side of Oxley Highway is Tamworth Regional Airport.

The closest residential dwelling is located approximately 1 km north of the existing facility on site, adjacent to Bellata Gold Pasta Flour Mill.

The site fronts the Oxley Highway which is classified as a State Road. The Oxley Highway provides a road link between Port Macquarie to the east and Nevertire to the west, via Tamworth, Gunnedah and Coonabarabran. In the vicinity of the site the Oxley Highway is known as Gunnedah Road, which is a single travel lane road in each direction.

Baiada currently operate a processing plant at 1 Out Street, Tamworth (Out Street), 9 km east of the site which has a processing capacity of 840,000 birds per week. The development seeks to consolidate the poultry processing operations of Out Street with the rendering on the Oakburn site, creating an integrated facility at 1154 Gunnedah Road, Westdale (the subject application) and terminating operations at Out Street.





**Figure 6 | Local Context Map**

### 1.5 Other Development Approvals

On 9 February 1998, the then Minister for Urban Affairs and Planning granted development consent to a State significant development for the construction and operation of a poultry processing complex on the site. The project was approved with four stages to be constructed over an approximate 10 year period and included:

- a protein recovery (rendering) plant with a capacity of 120 tonnes of finished product per day
- poultry processing plant for up to 750,000 birds per week
- deboning plant
- processed products plant (further processing).

Only Stage 1, the rendering plant, has been commenced at the site.

The consent has been modified on six occasions and which are described further in **Table 1**. It includes a modification in 2013 which facilitated the rebuild of the rendering plant in a new location on the site after it was destroyed by a fire (DA 53/97 MOD 5). Other consents also apply to the site, which are summarised in **Table 2**, including a Tamworth Regional Council (Council) approval dated 20 June 2018 (DA2018-0443), which permitted the construction of a new WWTP on site.

The Applicant has proposed to surrender all existing consents which apply to the site (as described in **Table 2**), to assist with compliance and ongoing management at the site. To facilitate this, the Department has recommended several conditions be imposed as part of any consent granted for the subject application. This includes surrender of all existing consents within 12 months of any approval, incorporation of all relevant conditions of the existing consents into the recommended instrument, as well as a recommendation to update existing operational management plans at the site as they relate to the rendering facility. Final management plans would then be submitted once the expanded facility

has been built. This provides an opportunity to contemporise the existing plans and to ensure the existing operations can be managed under any new consent granted while detailed design and construction of the expanded facility is being carried out.

**Table 1 | Summary of Modifications**

Mod No.	Summary of modification	Consent Authority	Type	Approval Date
<b>MOD 1</b>	Revisions to site plan	Minister	S96(2)	22 February 1999
<b>MOD 2</b>	Revisions to site plan	Minister	S96(1A)	13 August 2001
<b>MOD 3</b>	<ul style="list-style-type: none"> <li>Revisions to site plan</li> <li>Processing capacity increased to 1 million birds per week</li> </ul>	Minister	S96(2)	27 February 2009
<b>MOD 4</b>	Removal of unlawful conditions	Minister	S96(1A)	2 December 2009
<b>MOD 5</b>	Construction of a replacement rendering plant after fire	Minister	75W	16 January 2014
<b>MOD 6</b>	Processing volume increased to an average of 160 tonnes per day, with a daily maximum of 180 tonnes.	Minister	4.55(1A)	10 April 2019

**Table 2 | Summary of Existing Development Consents**

Application #	Description	Consent Authority	Status	Approval Date
<b>DA53/97(6)</b>	Poultry Processing Complex to be development in four stages (as modified)	Minister	Stage 1 rendering plant completed	9 February 1998
<b>DA0775/2008</b>	WWTP and extensions to existing industrial shed	Council	Works completed, will be made redundant	10 September 2009
<b>DA0080/2010</b>	Construction of new equipment/storage shed	Council	Works not completed	4 July 2009
<b>DA0571/2010</b>	Additions to Rendering Plant	Council	Works completed, however, destroyed in fire	12 August 2010
<b>DA2016/0551</b>	Alterations and additions to the WWTP	Council	Partially completed, will be made redundant	29 July 2016

Application #	Description	Consent Authority	Status	Approval Date
DA2017/0278	Entrance Sign	Council	Works completed	23 January 2017
DA2017/0282	Alterations to WWTP	Council	Works completed, will be made redundant	13 February 2017
DA2018/0443	WWTP	Council	Works completed, this WWTP will be retained on site for the treatment of wastewater from the rendering plant	20 July 2018

## 2 Development

### 2.1 Description of the Development

The Applicant is seeking development consent for the construction and 24/7 operation of an integrated poultry processing facility at 1154 Gunnedah Road, Westdale. The development includes a new poultry processing facility (PPF) which involves live bird storage, processing, chilling, cold store and distribution facilities, as well as ancillary administration and staff amenities. A new wastewater treatment plant (WWTP) and advanced water treatment plant (AWTP) will treat the wastewater generated by the processing plant to a standard that will enable its reuse on the site.

The Applicant also seeks to increase the processing capacity of the existing protein recovery (rendering) facility on the site from 840 tonnes to up to 1,680 tonnes of finished product per week. No physical change to the existing rendering plant building is required to achieve the increase in rendering volumes. The only change to the rendering facility will be the provision of infrastructure (e.g. pipelines) to automatically deliver by-products from the proposed processing plant to the rendering facility. The rendering plant will continue to use the existing WWTP that services this facility.

In order to facilitate the development onsite, associated improvements to existing infrastructure are also required, including a new access driveway connecting the site to Armstrong Street via Workshop Lane and upgrades to existing service connections.

As part of the original application, the Applicant sought approval to have a childcare centre on site which was to be located adjoining the office and amenities complex (see **Error! Reference source not found.**). During exhibition of the DA and EIS, concerns were raised in relation to odour and noise impacts from the facility on the childcare as well as concerns regarding the proximity of the Liquefied Natural Gas (LNG) tanks and dangerous goods storage to the childcare (which would have been 170 m south of the storage area). As a result of further analysis undertaken, the Applicant elected to withdraw this component of the development. However, for completeness and to give context to the Department's evaluation, impacts on the childcare centre are discussed further, as required, in **section 6** of this report.

The main components of the development (excluding the childcare) are summarised in **Table 3** and shown in **Error! Reference source not found.**, **Figure 8** and **Figure 9**, and described in full in the EIS and RTS report included in **Appendix B**.

**Table 3 | Main Components of the Development**

Aspect	Description
Development Summary	<p>Construction and operation of an integrated poultry processing facility comprised of:</p> <ul style="list-style-type: none"><li>• a processing plant with a maximum capacity of three million birds per week which includes live bird storage, processing, chilling, cold store and distribution facilities, as well as ancillary administration and staff amenities</li><li>• a wastewater treatment plant (WWTP) and advanced water treatment plant (AWTP) to service the PPF</li><li>• an increase to the capacity of the existing protein recovery (rendering) facility from 160 tonnes of finished product per day to 240 tonnes.</li></ul>

Aspect	Description
Site area and development footprint	<ul style="list-style-type: none"> <li>site is approximately 57.6 hectares in area</li> <li>development footprint of 44,932 m<sup>2</sup> in gross floor area (GFA)</li> </ul>
Operation	<p><u>Processing plant (proposed facility)</u></p> <ul style="list-style-type: none"> <li>30,273 m<sup>2</sup> GFA for live bird storage, processing, chilling, cold store and distribution facilities</li> <li>fresh and value add poultry products</li> <li>process up to 3 million birds per week</li> </ul> <p><u>Rendering plant (existing facility)</u></p> <ul style="list-style-type: none"> <li>increase in finished product, from a maximum of 120 tonnes per day to 240 tonnes per day, equating to 1,680 tonnes of finished product per week</li> <li>5,482 m<sup>2</sup> GFA for the processing of by-products generated in the processing plant, including offal, blood and feathers</li> <li>render materials to product protein-based products including meal and tallow</li> </ul>
Ancillary facilities	<p><u>Administration and staff amenities</u></p> <ul style="list-style-type: none"> <li>4,834 m<sup>2</sup> GFA</li> <li>staff amenities including, lockers, change rooms, uniform collection area, storage space and canteen</li> <li>office and administration including, reception, meeting rooms, offices and storage space</li> </ul> <p><u>Ancillary structures and WWTP</u></p> <ul style="list-style-type: none"> <li>4,343 m<sup>2</sup> GFA</li> </ul>
Demolition	No major demolition work is proposed
Earthworks, civil works and services / infrastructure	<ul style="list-style-type: none"> <li>earthworks to create a building pad for the processing facility</li> <li>extension of water supply, sewer discharge and high voltage electricity connections</li> <li>new WWTP and AWTP, including three evaporation ponds.</li> </ul>
Construction	<ul style="list-style-type: none"> <li>detailed design (from commissioning to construction certificate): approximately 37 weeks</li> <li>construction (from commissioning builder to completion): approximately 101 weeks</li> </ul>
Traffic	2,374 trips per day comprising 1,966 car trips and 408 heavy vehicle trips for the operation of the development
Access and car parking	<ul style="list-style-type: none"> <li>staff and operational vehicles: Armstrong street via Workshop Lane</li> <li>visitors and emergency vehicles: Oxley Highway</li> <li>820 car parking spaces</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>parallel to both access driveways</li> <li>amongst the car parking areas</li> <li>along the frontage of the new processing facility</li> </ul>

Aspect	Description
Hours of operation	<ul style="list-style-type: none"> <li>24 hours, seven days per week (including poultry processing and rendering, and truck movements)</li> </ul>
Capital investment value	\$208,545,901
Employment	323 full-time equivalent construction jobs and 1,176 operational jobs (including 15 existing jobs at the rendering plant, 494 from the poultry processing facility at Out Street and 667 new jobs)

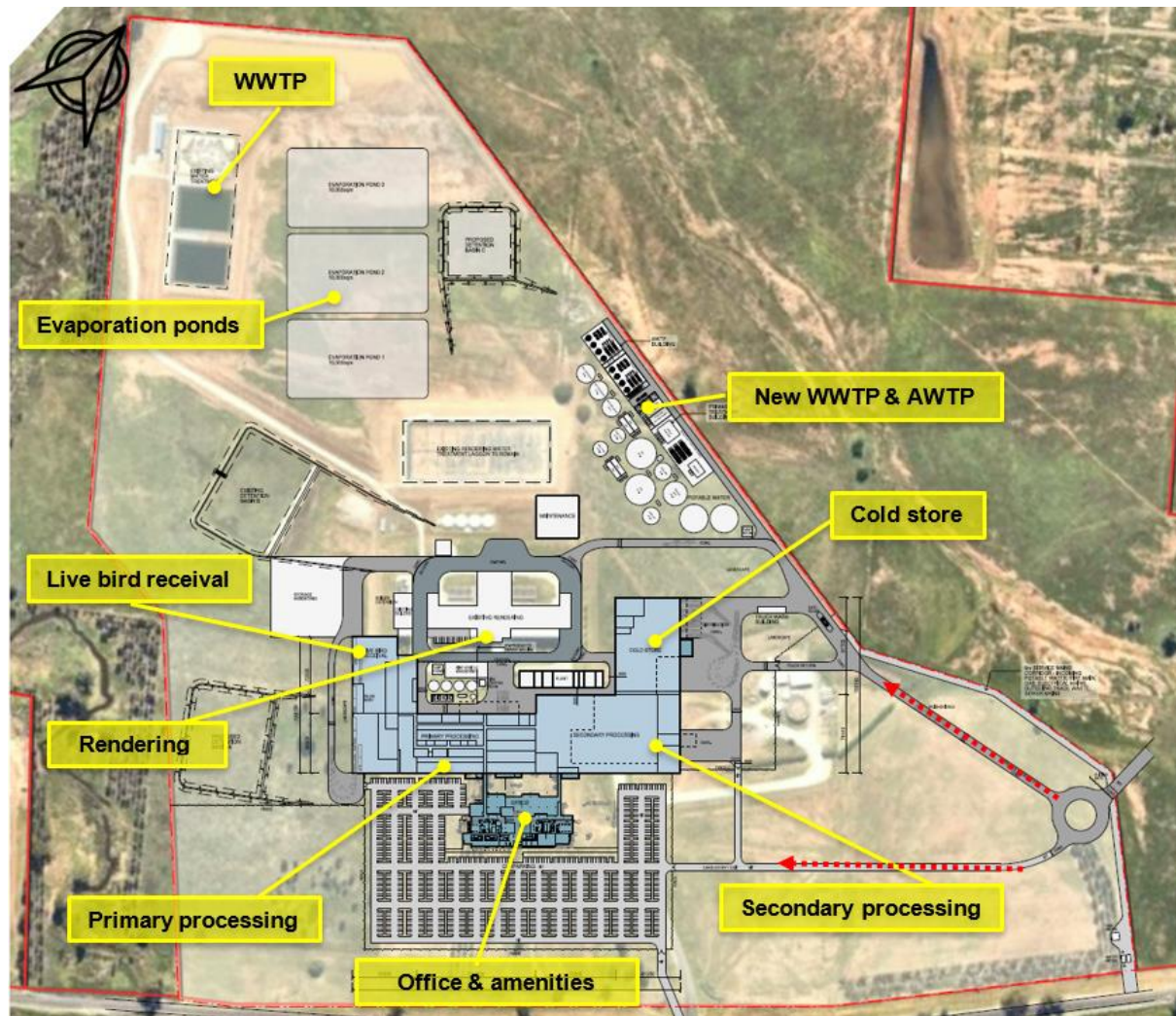
## 2.2 Physical Layout and Design

The development seeks to retain the existing rendering plant, and to construct a new modern industrial building to the front of it to facilitate the development (refer to **Error! Reference source not found.**). The processing plant is approximately 311 m in length, 166 m wide and a maximum of 27 m in height (refer to **Figure 8** and **Figure 9**).

The existing rendering plant comprises of a meal area (feather, blood and batch line), process areas, raw material pit and a covered truck unloading area to bring in off-site by-products. Products from the onsite facility will be transferred automatically through new infrastructure, piping, connected between the buildings. The existing WWTP that services the rendering plant is located to the rear of the site, comprising of wastewater treatment ponds, anaerobic lagoons and sequence batch reactors.

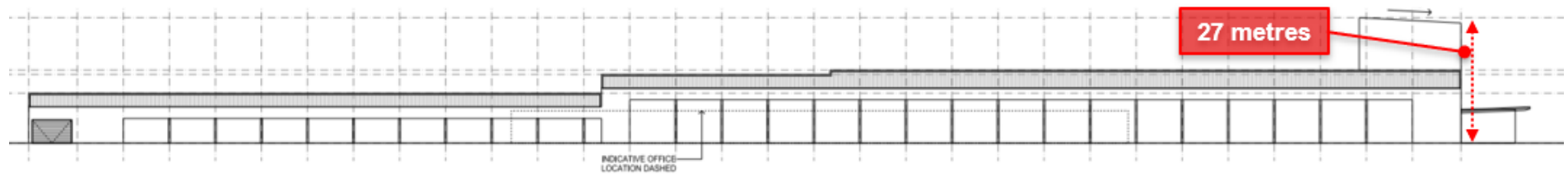
The proposed PPF comprises of live bird handling, primary processing, secondary processing, distribution, as well as ancillary facilities inclusive of office, administration areas, gym and canteen. The development also includes the construction of a new WWTP and AWTP to treat wastewater from the processing plant.



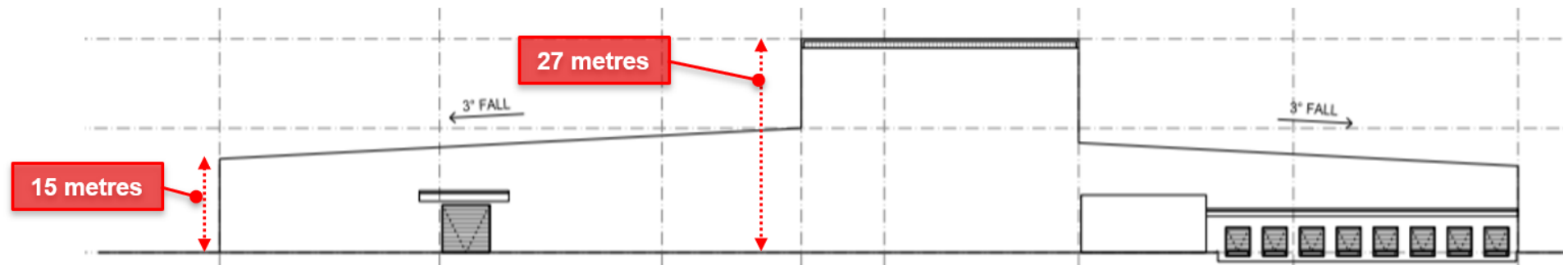


**Figure 7 | Site Plan**





**Figure 8** | Southern elevation of the PPF



**Figure 9** | Eastern elevation of the PPF

## 2.3 Process Description

The operation of the proposed PPF involves the delivery of live birds to the site, where they are dressed (organs removed) and processed to produce fresh and value-adding poultry products. The finished products are packaged and moved into refrigerated storage areas, to then be distributed by road transport and made available in supermarkets, restaurants and food outlets. Once at full capacity, the processing plant will have the capacity to process up to three million birds per week.

The rendering plant will continue to process poultry generated by-products, including offal, blood and feathers. Through the provision of new infrastructure, between the proposed processing facility and the existing rendering plant, by-products will be automatically transferred for rendering through internal pipes. The rendering plant renders materials to produce a range of protein-based products, including various meals and tallow, such as pet food. Rendering materials are sourced both from onsite as well as offsite facilities, with the ultimate capacity producing 240 tonnes of finished product per day. The increase in production volume can be achieved in the existing rendering plant building.

## 2.4 Applicant's Need and Justification for the Development

Baiada is the largest producer of poultry meat in Australia, supplying 35% of national demand, equating to around five million birds per week. Chicken consumption in Australia represents 45% of total meat consumption, with the Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) predicting this figure is set to increase by 5% on average, per annum, over the next ten years. Consumption of chicken meat per person has increased by approximately 56% between 2000 and 2018, from an average of 30 kilograms (kg) to 47 kg per person, per year. This increase is considered to be the result of the product's versatility, convenience and lower price point when compared to beef, lamb and pork.

As a result of the ongoing and predicted demand for poultry meat, the Applicant seeks to take advantage of this opportunity to expand and integrate operations onsite. The Applicant considered alternatives to the development, which included:

- maintaining the existing operation at the Out Street Processing Plant and Oakburn Rendering with no increase in processing capacity in the Tamworth region
- construction and operation of the smaller processing plant in accordance with the existing approval (DA 53/97)
- construction of the processing plant in an alternative location within the Tamworth region
- expanding operations in a different region or state.

Following a comparison of these options, the Applicant considers the development of an integrated poultry processing facility on the site, incorporating the existing rendering plant and introduction of the new processing facility, is the most suitable option as the site is:

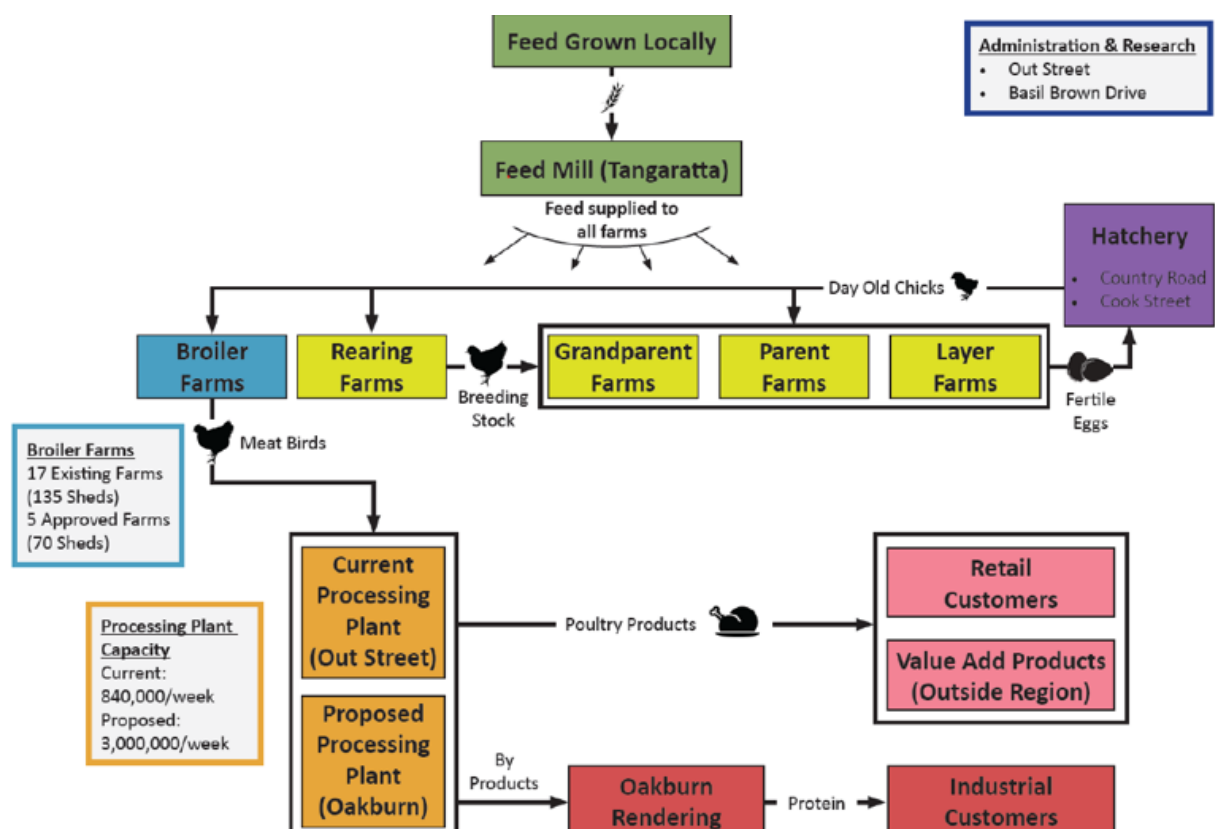
- in an area with necessary access to large quantities of locally grown grain, in close proximity to key NSW markets as well as efficient connectivity to South East Queensland
- within an existing, and evolving, livestock and food processing hub, which has been recognised by the New England North West Regional Plan as a Future Industrial Investigation Area
- connected to all necessary infrastructure including, water supply, wastewater disposal, power and road networks
- not constrained by any biophysical, cultural or operational elements.

Furthermore, the Applicant considers the development can operate without generating any adverse impacts associated with noise, odour, social and economic aspects.

## 2.5 Applicant's Operations within Tamworth Region

**Figure 10** demonstrates the integrated relationship Baiada's current and proposed operations have with each other within the Tamworth region. Baiada's operations encompass broiler and breeder farms, hatcheries, processing plants, feed milling and protein recovery. Products include the sale of live poultry, poultry feed, fertile eggs, day old chickens, primary processed chicken (raw product), processing and chicken products.

The consolidation of its rendering and processing operations onto the Oakburn site will see a continuation and expansion of Baiada's presence in the Tamworth region.



**Figure 10 | Tamworth Poultry Cluster Flow Chart**

## 3 Strategic context

### 3.1 New England North West Regional Plan 2036

The development represents a capital investment of \$208 million into the agricultural produce industry, which would generate direct and indirect employment in the Tamworth region by providing 323 new construction and 667 new operational jobs, in addition to 15 existing jobs on site, and 494 jobs proposed to be transferred from the existing facility in the Tamworth LGA.

The development aligns with the vision for the region contained within the *New England North West Regional Plan 2036* (Regional Plan), which supports:

- growth in agriculture, agribusiness, livestock meat production, mineral resource development, renewable energy, health and education is providing jobs and supporting thriving local communities
- primary production, intensive agriculture and food processing sectors take advantage of the rich soils and climate
- industry investment due to the sites strategic location, with close links between some of Australia's fastest growing areas – South East Queensland, Newcastle and Sydney.

In addition, the Regional Plan identifies the food processing sector within the region as a sector of significant growth and a strong economic driver to support job growth in the region. The plan seeks to achieve overall vision for the region through four specific goals:

- Goal 1 – A strong and dynamic regional economy
- Goal 2 – A healthy environment with pristine waters
- Goal 3 – Strong infrastructure and transport networks for a connected future
- Goal 4 – Attractive and thriving communities.

The Regional Plan acknowledges the region is the highest value producer for livestock meat in NSW, with the Plan supporting expansion of intensive agriculture and food processing to ensure the long-term viability of existing operations, facilitating expansions of development in this sector. The development seeks to integrate two existing operations, the rendering and processing of poultry, onto one site. The site is appropriately situated in an existing area of livestock and food processing activities, ensuring the development is compatible with surrounding land uses and the future development of the area.

Consistency with Goal 1 is achieved as the development will add value to the regional economy. The integrated processing will provide the basis for a significant increase to the poultry cluster in the region, the entire supply chain from grain production to transport and logistics will be directly and indirectly advantaged by the expansion of the poultry cluster.

## 4 Statutory Context

### 4.1 State Significance

The development is State significant development (SSD) pursuant to section 4.36 of *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves an agricultural production industry with a CIV over \$30 million which meets the criteria in Clause 3 of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP). Consequently, the Minister for Planning and Public Spaces (Minister) is the consent authority for the proposed development.

### 4.2 Permissibility

The site is zoned RU1 – Primary Production pursuant to the Tamworth Regional Local Environmental Plan 2010 (LEP). Development for the purpose of livestock processing industry may be carried out by any person with consent on land in a RU1 zone.

### 4.3 Consent Authority

The Minister is the consent authority for the development under section 4.5 of the EP&A Act. On 9 March 2020, the Minister delegated the functions to determine SSD applications to the Executive Director – Key Sites and Regional Assessment where:

- the relevant local council has not made an objection and
- there are less than 50 unique public submissions in the nature of objections and
- a political disclosure statement has not been made.

Fifteen submissions were received in response to the public exhibition of the application. Of these, 12 were received from government agencies and Council, who provided comments or sought additional information. Two of the three submissions received from the public were in objection.

Council did not object to the development. No reportable political donations were made by the Applicant in the last two years and no reportable political donations were made by any persons who lodged a submission.

Accordingly, the application can be determined by the Executive Director – Key Sites and Regional Assessment under delegation.

### 4.4 Other Approvals

Section 4.42 of the EP&A Act requires further approvals to be obtained, considered or determined in a manner that is consistent with any Part 4 approval for SSD projects under the EP&A Act. In the case of the development, the existing Environment Protection Licence (EPL) will need to be revised. The Applicant will need to submit a licence variation application to make changes to the EPL rather than seeking a new one, this revision will be issued by the Environment Protection Authority (EPA) under the *Protection of the Environment Operations Act 1997*. Transport for NSW (TfNSW) also noted the construction of the driveway access point to Workshop Lane would require an application in accordance with section 138 of the *Roads Act 1993*.

### 4.5 Mandatory Matters for Consideration

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is set out in **Section 5** and **Appendix G**. In summary, the Department is satisfied the development is consistent with the requirements of section 4.15 of the EP&A Act.

Under section 4.15 of the EP&A Act, the consent authority, when determining a development application, must take into consideration the provisions of any environmental planning instrument (EPI) and draft EPI (that has been subject to public consultation and notified under the EP&A Act) that apply to the development.

The Department has considered the development against the relevant provisions of several key EPIs including:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)
- State Environmental Planning Policy (Primary Production and Rural Development) 2019
- Tamworth Regional Local Environmental Plan 2010.

Development Control Plans (DCPs) do not apply to SSD under Clause 11 of the SRD SEPP.

Detailed consideration of the provisions of all EPIs that apply to the development is provided in **Appendix D**. The Department is satisfied the proposed development complies with the relevant provisions of these EPIs.

#### 4.6 Public Exhibition and Notification

In accordance with section 2.22 and Schedule 1 to the EP&A Act, the development application and any accompanying information of an SSD application are required to be made publicly exhibited for at least 28 days. The application was on public exhibition from **24 July 2019** until **20 August 2019**. Details of the exhibition process and notifications are provided in **Section 5.1**.

#### 4.7 Objects of the EP&A Act

In determining the application, the consent authority must consider whether the development is consistent with the relevant objects of the EP&A Act. These objects are detailed in section 1.3 of the EP&A Act. The Department has fully considered the objects of the EP&A Act, including the encouragement of Ecologically Sustainable Development (ESD), in its assessment of the development (see Error! Reference source not found.).

**Table 4|** Considerations against the relevant objects of the EP&A Act

Object	Consideration
1.3 (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	<p>The development would:</p> <ul style="list-style-type: none"> <li>• ensure the proper management and development of suitably zoned land for the economic welfare of the Tamworth LGA and the State</li> <li>• promote social and economic welfare in the community through the provision of an additional 323 construction jobs and up to 1,176 operational jobs in the area</li> <li>• reduce the development's dependency on water resources, through recycling water and developing a treatment plant on site</li> <li>• promote a better environment through the planting of native vegetation.</li> </ul>

Object	Consideration
<p><b>1.3 (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</b></p>	<p>The development would align with the principles of ESD through:</p> <ul style="list-style-type: none"> <li>• the retention of approximately 1.52 ha of existing native vegetation at the site</li> <li>• the installation of landscaping throughout the development, particularly along the frontage of the site</li> <li>• the installation of an advanced water treatment facility to recycle up to 90% of water, reducing the generation of wastewater being discharged to sewer</li> <li>• the provision of up to 1,176 operational jobs within the Tamworth LGA.</li> </ul>
<p><b>1.3 (c) to promote the orderly and economic use and development of land,</b></p>	<p>The development proposes an intensification of an agricultural production industry on the land, is located on suitably zoned primary production land and would be used economically to provide direct and indirect employment and support the increasing demand for chicken meat in Australia.</p>
<p><b>1.3 (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</b></p>	<p>The Department's assessment in <b>Section 6</b> of this report demonstrates that with the implementation of the recommended conditions of consent, the impacts of the development can be mitigated and/or managed to ensure the environment is protected.</p>
<p><b>1.3 (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</b></p>	<p>The development is located on land that has seen extensive historical agricultural use for grazing and cropping, and currently operates as a rendering facility. It is not anticipated to result in any significant impacts upon built and cultural heritage, including Aboriginal cultural heritage (see <b>Section 6</b>).</p>
<p><b>1.3 (g) to promote good design and amenity of the built environment,</b></p>	<p>The development has been designed to operate and align with industry best practice with respect to disease and biosecurity management, emergency management and animal welfare. The building design meets the requirements for an intensive livestock processing facility, and through appropriate siting and the incorporation of landscaping does not detract from the amenity of the local area.</p>
<p><b>1.3 (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</b></p>	<p>The Department has assessed the development and has recommended a number of conditions of consent to ensure construction and maintenance of each processing facility is undertaken in accordance with applicable legislation,</p>



Object	Consideration
	guidelines, policies and procedures (refer to Error! Reference source not found.).
<b>1.3 (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</b>	The Department publicly exhibited the development as outlined in <b>Section 5.1</b> , which included consultation with Council and other relevant public authorities and subsequent consideration of their responses.
<b>1.3 (j) to provide increased opportunity for community participation in environmental planning and assessment.</b>	The Department publicly exhibited the development as outlined in <b>Section 5.1</b> which included notifying adjoining landowners, placing a notice in the local paper, and displaying the SSD application on the Department's website, at the Department's Sydney office, at the Council office and electronically at all Service NSW Centres.

#### 4.8 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes, and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The potential environmental impacts of the development have been assessed and environmental safeguards have been recommended for potential impacts. Several ESD initiatives and sustainability measures are proposed to be incorporated into the design of the development, including:

- the treatment of eight million litres of water per day to allow recovery of up to 7.2 million litres (90%) for use as potable water, for internal reuse
- landscaping which has been designed to support native flora and fauna

As demonstrated by the Department's assessment in **Section 4.9** of this report, the development is not anticipated to have any significant impacts on native flora or fauna, including threatened species, populations and ecological communities, and their habitats. Around 0.31 ha of the approximate 1.19 ha of Threatened Ecological Community White Box Yellow Box Blakely's Red Gum Woodland (Box Gum Woodland) on the site and around 0.68 ha of the approximately 1.45 ha of planted natives on the site will be removed under the proposed development. The vegetation which is being removed is being replaced with native landscaping with stock germinated from within the same bioregion determined under the Commonwealth Government's Interim Biogeographic Regionalisation for Australia (IBRA).

As such, the Department considers that the development would not adversely impact on the environment and is consistent with the objectives of the EP&A Act and the principles of ESD.

#### **4.9 Biodiversity Development Assessment Report**

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all applications for SSD to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

A BDAR was prepared in accordance with the Biodiversity Assessment Method (BAM) and submitted with the EIS. Native vegetation was calculated to occupy approximately 4.8% of the specific subject land and includes a single plant community type in two broad condition states that align to PCT 599 - Box Gum Woodland grassy tall woodland on flats and hills in the Brigalow Belt South Bioregion and Nandewar Bioregion. The remaining land within the subject land comprises exotic dominated pasture, garden beds and cleared land. The remnant and regrowth portion of PCT 599 was assessed as conforming to the Box Gum Woodland listed under the BC Act. **Section 6** of this report further details the assessment undertaken.

#### **4.10 Commonwealth matters**

Under the EPBC Act, assessment and approval is required from the Commonwealth Government if a development is likely to impact on a matter of national environmental significance (MNES), as it is considered to be a 'controlled action'. The Applicant provided a request for a BDAR waiver which concluded that the proposed works are not likely to have significant impact on biodiversity values with the site having already been cleared under the BRBH approval. Consequently, the proposed development would not have any impacts on MNES and the Applicant determined a referral to the Commonwealth Government was not required.

## 5 Engagement

### 5.1 Consultation

The Applicant, as required by the Planning Secretary's Environmental Assessment Requirements (SEARs), undertook consultation with relevant local and State authorities as well as the community and affected landowners. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

### 5.2 Consultation by the Applicant

The Applicant undertook a range of consultation activities throughout preparation of the EIS including:

- on 21 November 2018, a letter and flyer were sent to 14 immediate neighbours and sensitive receivers. The letter provided project information, contact details and an offer to meet with the project team
- on 22 November 2018, a media release was provided to the Northern Daily Leader and ABC New England. The media release included project information and contact details
- on 24 November 2018, a print advertisement was placed in the Northern Daily Leader. The advertisement provided project information and contact details.
- on 26 November 2018, a flyer was distributed to approximately 1800 properties, providing project information and contact details.

### 5.3 Consultation by the Department

On 21 June 2018, a Planning Focus Meeting was held in Tamworth with the Department, the Applicant, Council, EPA and the Department of Primary Industries (DPI). Following on from the meeting a formal request was made by the Applicant for SEARs, during which the Department consulted with all relevant public authorities.

After accepting the DA and EIS for the application, the Department:

- made it publicly available from **Wednesday 24 July 2019** until **Tuesday 20 August 2019**:
  - on the Department's website
  - at the Department's former Pitt Street office
  - at Tamworth City Library
  - at Tamworth Regional Council
  - at Service NSW centres
- notified landowners in the vicinity of the site about the exhibition period by letter
- notified and invited comment from relevant State government authorities and Council by letter
- advertised the exhibition in the Tamworth Northern Daily Newspaper.

On 14 August 2019, Planning Assessment and Compliance officers undertook a site inspection of the existing Baiada operations.

### 5.4 Submissions

During the exhibition period, the Department received a total of 15 submissions on the development. An additional submission was received outside of the exhibition period, from a special interest group. Of the submissions received during the public exhibition period, 11 were from NSW Government agencies, one was from council and three were from the members of the public. The submissions made by government agencies and Council provided comment on the development, however, of the three

public submissions, two were in objection. A summary of the submissions is provided below, and a link to the full copy of the submissions is provided in **Appendix A**.

#### **5.4.1 Public Authorities**

**Council** did not object to the development, however, did request further detail on the following:

- evidence to demonstrate the development would have an adequate water supply without dependence on the water reticulation network
- contingency measures for the provision of water should the water recycling system fail
- greater detail on the management of the brine concentrate, generated by the reverse osmosis process, as the volume proposed cannot be accommodated in Council's sewerage system
- identification of the final point of discharge for the disposal of secondary effluent, and assessment of the impact of the discharge on the receiving environment
- identification of each sludge stream, expected volumes and final disposal points for each stream
- demonstration that trade waste and domestic sewage waste streams are separated
- details on volumes of recyclable and non-recyclable waste generation and the disposal methods.

**EPA** requested the Applicant provide additional information on the following:

- detail on the background noise monitoring and noise monitoring calculations
- detail on the impacts and disposal of the brine stream from the water treatment process
- assessment of odour impacts of the development based on the proposed bird capacity and operating hours
- potential odour and noise impacts upon the proposed onsite childcare centre
- odour impacts of the development in the context of existing developments in the area, and the potential cumulative impacts.

**TfNSW** did not provide comment on the development at the time of exhibition, stating Roads and Maritime Services (**RMS**) would provide a separate response. However, legislation came into effect on 1 December 2019, amalgamating RMS and TfNSW.

**RMS** requested the Applicant consider including the following elements into the development:

- restricted access off Oxley Highway for the visitors and emergency vehicles
- streetlight and way finding for users of the site.

**Environment, Energy and Science Group (EES)** reviewed the submitted BDAR and advised the development would generate an offset requirement of 15 ecosystem credits, in accordance with the BAM.

EES also concurred with the Applicant's assessment of cultural heritage undertaken of the site, confirming no aboriginal heritage sites or objects in the vicinity of the development. EES provided comment on the proposed landscaping for the development, recommending locally sourced vegetation be included.

**CASA Aviation Group (CASA)** requested the Applicant consider the National Airports Safeguarding Framework and assess the potential impacts, particularly relating to bird strikes, of the development upon the Tamworth Regional Airport, located south of the site.

**DPI** requested the Applicant provide additional information on the following:

- whether the development would produce meat for human consumption, and to determine the maximum risk versus residual risk of spreading zoonotic pathogens to human consumers
- whether recycled water will be used to wash poultry transport vehicles and determine the risk of contamination through this.

**DPI – Lands, Water and Department of Primary Industries (DPI – Water)** requested the Applicant:

- prepare a groundwater monitoring plan to manage the risk of leakage from the wastewater treatment lagoons
- confirm the source and annual water volumes required for the development, and confirm an adequate water supply can be provided
- reassess the stormwater rainfall runoff model.

**Hunter New England Local Health (HNELH)** did not request any further information, however, did comment on the requirement for the development to ensure water recycling is managed appropriately and does not create environmental and health risks. HNELH recommended the Department obtain comments from DPI on matters relating to water recycling.

**NSW Rural Fire Services (RFS)** stated the subject land is not mapped as bush fire prone land, as such RFS had no objection or recommendations.

**Water NSW** stated that as the development is not located near any WaterNSW land, assets or infrastructure, they would not comment on the development.

As part of seeking a response to the issues raised in submissions, the Department also requested the Applicant to:

- confirm the gas medium which is currently used on site for the rendering plant
- provide additional details relating to the storage of LNG on site
- confirm whether the processing plant would be constructed on top of an existing gas supply valve or whether the gas line and gas supply valve would be relocated.

#### **5.4.2 Special interest groups**

**People for the Ethical Treatment of Animals (PETA)** objected to the development primarily on the grounds of animal cruelty, the exposure of the poultry to inhumane conditions and the potential for environmental impacts generated from the development.

#### **5.4.3 Public submissions**

The Department received three submissions from the public, of which one was in objection to the development. The concerns raised in the submission included:

- the generation of odour
- impacts on water demand
- visual impact
- impacts associated with noise and vibration
- the impacts of the development upon native vegetation.

### **5.5 Response to Submissions**

On 3 July 2020, the Applicant provided a Response to Submissions (RTS) responding to the issues raised during the exhibition of the development (see **Appendix B**). The RTS included further detailed

design, which resulted in an amended development layout. Additional documentation was also provided to address the concerns raised by Council and the relevant public authorities, including:

- revised plans
- an addendum traffic assessment, which provided greater assessment of traffic movements associated with the development and review of the car parking provision
- a revised BDAR
- a revised stormwater management plan
- an odour management plan
- a revised odour impact assessment, including an assessment of the odour impacts of the development based on the proposed bird capacity and operating hours
- a revised acoustic report, including greater detail on the background noise monitoring and noise monitoring calculations
- a wind shear and wake turbulence impact assessment
- a concept process design report on the proposed wastewater treatment plant and the advanced water treatment plant
- updated landscape plans
- a preliminary hazard analysis (PHA).

During preparation of the RTS, the Applicant met with the Department and the EPA to discuss both the amendments proposed to the design of the development and the results of its additional noise and air quality studies.

The RTS was made publicly available on the Department's website and was provided to key government authorities to consider whether it adequately addressed the issues raised. A summary of the government authority responses is provided below.

CASA, DPI, DPI – Water and HNELH confirmed the RTS had addressed their concerns and recommended conditions, where relevant. However, EPA, Council and TfNSW requested additional information, as follows:

- confirmation on the effectiveness of all noise mitigation measures and revision of noise levels
- provision of a noise contour graph showing noise levels at each receiver and associated effect of physical noise control
- a waste management plan for the management of brine generated by the WWTP
- revaluation of the odour risks generation by the development, including appropriate mitigation measures for the management of odour generated from the development
- consideration of potential odour generation from the WWTP into the assessment
- detail on the management of the evaporation ponds
- more detailed breakdown of the CIV for the development
- detail on the types of vehicles proposed to be used to dispatch finished rendered products and requested clarification on staff start and end times.

The Department reviewed the PHA and requested the Applicant clarify several matters and requested the Applicant revise the location of the LNG tanks or childcare facility to reduce the potential exposure at the childcare facility. The Applicant was also requested to verify the cumulative risk assessment had been performed as the sum of the risks associated with all dangerous goods (anhydrous ammonia, LNG, oxygen gas and liquid oxygen).

Between July 2020 and October 2020 on-going correspondence, including revised odour and noise impact assessment reports, were exchanged between the Applicant, EPA and the Department to address all outstanding matters relating to odour and noise. The EPA subsequently reviewed the revised assessments provided and confirmed the matters raised in its submissions had been adequately addressed and recommended conditions. The EPA also noted the Applicant would be required to seek a licence variation to the existing EPL which applies to the site.

During this time, the Applicant also provided further detail to address concerns raised by TfNSW and Council. TfNSW reviewed the additional information and confirmed the Applicant had clarified the matters adequately, and recommended conditions relating to vehicular movements, parking and operational aspects of the development. Council confirmed it had no objection to the development and recommended conditions relating to payment of developer contributions, water management and waste management (including sewage and liquid trade waste).

To consolidate all the correspondence since the RTS, on 19 October 2020, the Applicant submitted a Supplementary RTS inclusive of the following:

- removal of the childcare centre component, including revised plans
- copies of all correspondence and revised odour and noise impact assessments
- a response to all outstanding matters raised by the Department in relation to hazards
- revised mitigation and management measures for the development.

The Department reviewed the Supplementary RTS and concluded the removal of the childcare centre component would alleviate any risks associated with the storage of hazardous materials on site. Issues relating to hazards are discussed further in **Section 6**.

The Department has considered the issues raised in submissions, the RTS and Supplementary RTS in its assessment of the development.



## 6 Assessment

The Department has considered the EIS, the issues raised in the submissions, the Applicant's RTS and Supplementary RTS in its assessment of the development. The Department considers the key assessment issues are:

- odour impacts
- water usage and wastewater treatment
- noise impacts.

A number of other issues have also been considered. These issues are considered minor and are addressed in **Table 6** in **Section 6.4**.

### 6.1 Odour Impacts

Poultry processing and rendering is inherently a process which produces odour from various components of the operation. The Tamworth region, where the site is located, includes several existing livestock processing operations. As such, appropriate siting, design and operational management practices are critical to ensure odour emissions do not create standalone or cumulative adverse impacts on the amenity of surrounding sensitive receivers.

To evaluate the odour impacts of the proposed operations, the Applicant undertook a quantitative Odour Impact Assessment (OIA) in accordance with the EPA's 'Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales' (Approved Methods) and the 'Technical framework (and notes): assessment and management of odour from stationary sources in NSW'. The main odour sources during operation of the development are from:

- live bird handling ventilation
- primary processing lines ventilation
- WWTP, including the evaporation ponds
- protein recovery (rendering) plant ventilation.

The closest residences are ten dwellings located along the eastern side of Wallamore Road to the northeast of the development and one on Bowlers Lane to the north.

#### Amendments to OIA

The OIA was revised on two occasions in response to issues raised by the EPA. The EPA initially considered the modelling provided in the EIS had not assessed the worst-case emission scenarios for the poultry processing facility (PPF) and rendering facility. The EPA also raised the modelling had assumed unrealistic ventilation rates for the PPF, excluded emissions from the existing and proposed boilers, had not assessed the cumulative impacts of the existing poultry farms in the area and had not appropriately considered the proposed onsite childcare centre (subsequently removed from the proposal).

As part of the RTS, the Applicant submitted a revised OIA to address the EPA's concerns. A site-specific Odour Management Plan (OMP) was also prepared to supplement the OIA which described the odour management and mitigation measures to be implemented as part of the development.

The EPA acknowledged most issues had been addressed in the revised OIA and OMP, however, as the RTS included several design changes to the WWTP and amendments to the development layout, additional information was required to assess odour impacts. This included a re-evaluation of the odour

risk of the project, specifically addressing uncertainty in the modelling and identifying additional feasible odour mitigation measures that could be implemented, if required.

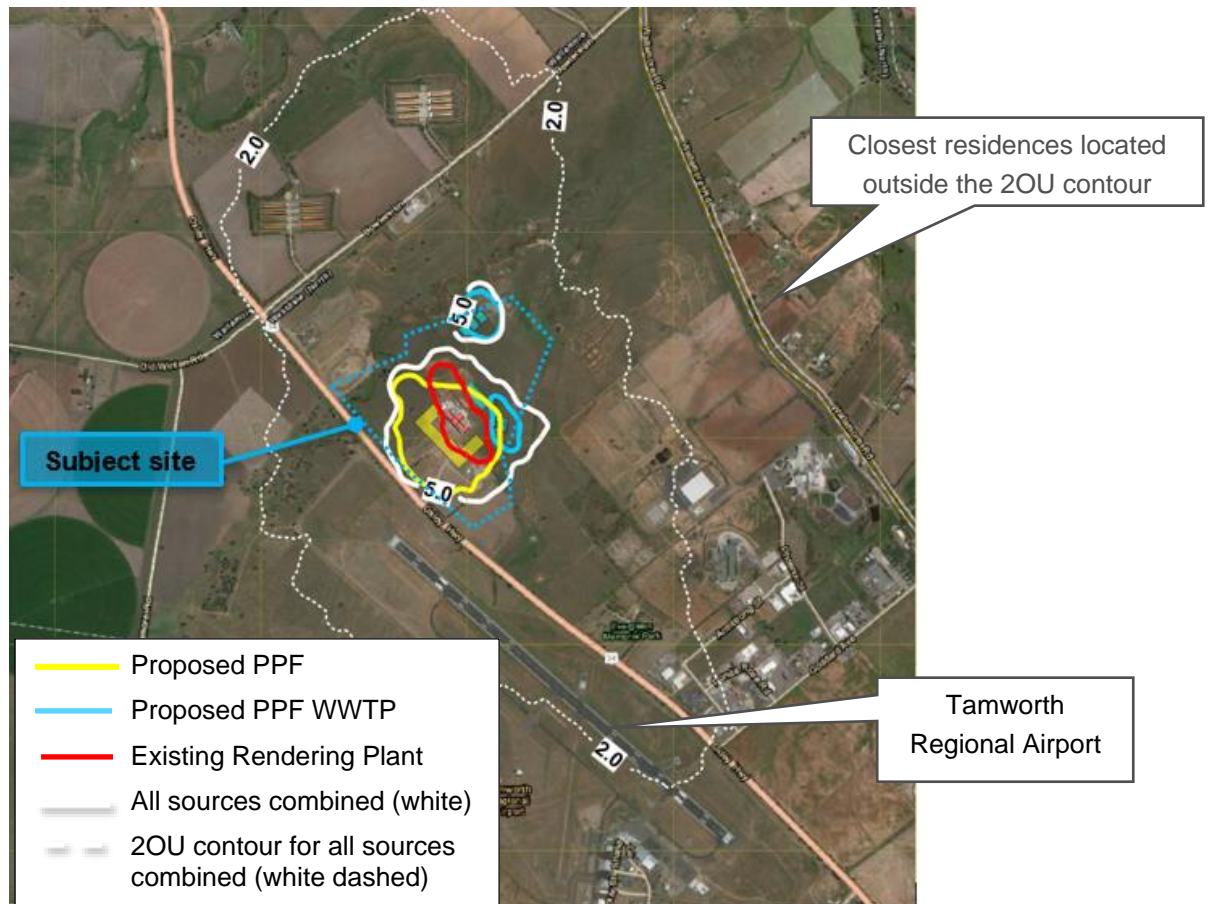
The findings and recommendations of the Applicant's final revised OIA and OMP are described below. As the Applicant has subsequently removed the childcare centre component from the development (in response to issues regarding the storage of hazardous materials on site), the odour impacts on the childcare centre have not been considered further in the Department's assessment.

#### *Applicant's Assessment*

The OIA assessment was carried out using the CALPUFF dispersion model using odour emissions estimates based upon measurements collected at Baiada's existing Oakburn rendering plant, Hanwood Processing Plant and the Out Street processing facility.

The Applicant modelled all aspects of the development operating concurrently to present a worst-case odour outcome. This included modelling the odour emitted from the rendering plant through biofilters, emissions from the PPF live bird ventilation, emissions from the ventilation of the PPF and emissions from the WWTP, including the uncovered anaerobic ponds. The combined odour impacts from the proposed PPF were assessed by combining all odour sources into one grouped impact and separately by origin. In accordance with the Approved Methods, the Applicant adopted an odour criterion of 5 odour units (OU) at sensitive receivers.

**Figure 11** shows the cumulative 5 OU contour marginally encroaches beyond the site boundary to the north and to the south but does not impact the closest residences to the northeast or north. The revised assessment confirmed all residential receptors, including Tamworth Regional Airport and Oakburn Park Raceway, surrounding the development site are predicted to experience odour concentrations below the 5 OU criterion.

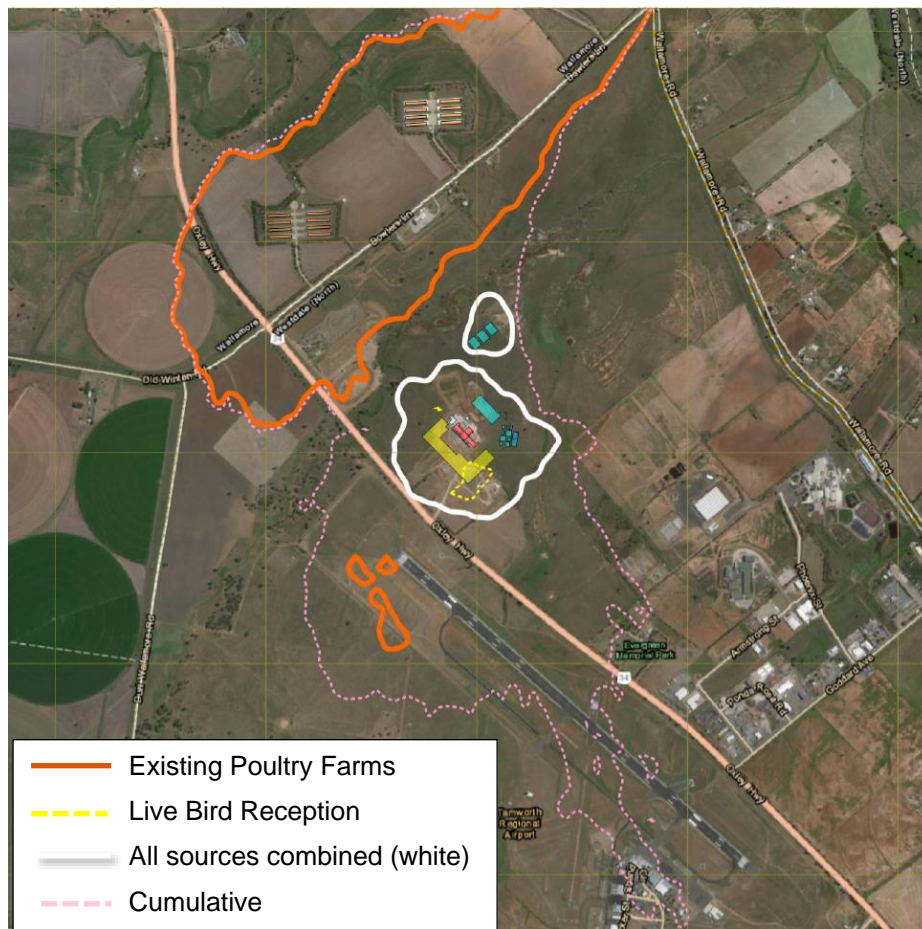


**Figure 11 | Odour Contours**

The 2 OU contour was included to demonstrate the OIA used the correct odour assessment criteria for the potential affected population, as requested by the EPA. The sensitive residences along Wallamore Road are not within the 2 OU contour and are therefore unaffected by the proposal. The final revised OIA included the following conservative assumptions in its modelling:

- live bird receival hall odour emissions based upon a peak capacity of 90,000 birds, 20 hours per day, seven days per week where the average capacity equates to approximately 21,500 birds, 20 hours per day, seven days per week
- the proposed PPF WWTP area sources modelled with odour emissions from a sequencing batch reactor WWTP system despite using a more advanced membrane bioreactor (MBR) technology that will most likely result in lower odour emissions
- inclusion of treated air from biofilters and other proven odour control systems as part of the modelled odour impact.

The Applicant also considered the cumulative impacts of the odour generated from the proposed PPF, existing rendering plant and WWTP in the context of odour generated by the three other existing poultry farm developments to the northwest of the site (see **Error! Reference source not found.**). The assessment demonstrates the cumulative odour impacts of all facilities combined do not extend to the residential areas.



**Figure 12 | Cumulative Odour Impacts with Existing Poultry Farms**

The final revised OMP detailed the processes to monitor the facility and the implementation of management protocols and operating procedures of the development, the procedures and protocols include:

- installation of a dilution and dispersion system in the PPF
- implementation of a preventative maintenance schedule
- installation of an onsite weather station
- an odour complaints protocol and response strategy
- installation of roof ventilation plans in the PPF, and the preparation of a contingency plan in the event of a failure.

The Applicant's assessment concluded that with the implementation of the proposed management practices and controls documented in the associated OMP, the residual odour impact risks for the proposed PPF operations will be minimised to the degree that odour impacts would be unlikely.

The EPA reviewed the revised OIA and OMP and confirmed the development has a low risk profile and the OMP would be the best tool to significantly minimise residual odour impact risks for the proposed PPF operations. However, the EPA noted the model conservatism does not completely resolve potential odour risk of the project and recommended several conditions regarding processing operations, including recommendations regarding ventilation and process building design, and a requirement to ensure air pollution and odour emission controls can be retrofitted, if required. The EPA also noted the Applicant will need to submit a license variation application to vary the existing EPL.



### Department's Assessment

The Department has carefully considered the information submitted by the Applicant and the submissions received, including advice provided by the EPA, and is satisfied the proposed development would be operated in accordance with industry best practice. The Department considers the conservative assumptions made in the final revised OIA provide assurance that through the implementation of the OMP and proposed odour management design, the development would result in minimal odour impacts. The Department is satisfied odour impacts can be adequately managed and has recommended the following conditions to require the Applicant to:

- prepare, implement and maintain an updated OMP for the existing rendering plant and subsequently update the OMP for proposed new PPF and expansion of the rendering plant
- carry out an odour audit within six months of the operation of the expanded facility to validate the predictions made in the OIA
- operate the bird processing buildings under negative pressure to contain odour
- carry out all bird handling and associated cleaning activities indoors where possible
- a requirement for the final design of the PPF to allow for additional air pollution and odour emission controls to be retrofitted, if required.

The Department's assessment concludes the final revised OIA demonstrates the odour impacts generated by the development will not extend significantly beyond the site boundary and can be appropriately managed. The impact on the closest residences is expected to be negligible as these residences are located outside the 2 OU contour and are therefore unaffected by the proposal. Subject to the implementation of the OMP, the Applicant's proposed design, management and mitigation measures and the Department's recommended conditions, the development can be suitably managed to minimise any potential odour impacts.

## **6.2 Water Use and Wastewater Treatment**

The Applicant has recognised climate change, season variability and the development's dependency on access to potable water are factors which require the development to implement efficient technology to manage water usage and treat wastewater, including for beneficial re-use on site.

The wastewater generated by the existing rendering plant is treated by an existing WWTP, approved under a council consent (DA2018/0443), which has the capacity to manage the increase rendering throughput proposed as part of the development. To minimise its reliance on the town's water supply, the Applicant is seeking approval to construct a new WWTP incorporating an Advanced Water Treatment Plant (AWTP) to treat all wastewater generated by the PPF. The EIS stated the aim was to recover 75% (6 ML) of water for reuse within the PPF.

### Applicant's Assessment

The Applicant used data from Baiada's existing processing plant at Out Street to estimate the volume and characteristics (in terms of pH, total Nitrogen, Phosphorus and the like) of wastewater generated from a throughput capacity of three million birds per week as well as the potable water requirements. This analysis found 8 ML per day of wastewater would be generated and 8 ML per day of potable water would be required.

This information was used to develop the concept design for the WWTP and the AWTP. The EIS described the primary and secondary processes of treating wastewater to reduce the concentrations of primary solids and biodegradable nutrients using various technologies including a covered anaerobic lagoon, sequencing batch reactor, dissolved air flotation (DAF) and filtration. Tertiary treatment (via the

AWTP) of the effluent intended for reuse would then involve low pressure Reverse Osmosis (RO) to reduce the levels of dissolved solids. The system would be designed to meet and exceed the reuse water quality standards set by the NSW and Commonwealth governments.

A concentrate stream of 2 ML per day would be generated from the RO process which consists of a high concentration of dissolved salts. The Applicant proposed to discharge this waste through the reticulated sewer system for treatment at the Westdale Sewage Treatment Plant. A Trade Waste Agreement with Council would be required to enable the development to discharge to the sewer.

Concerns regarding the proposed wastewater treatment system were raised by the Department, Council and the EPA in their consideration of the EIS and included:

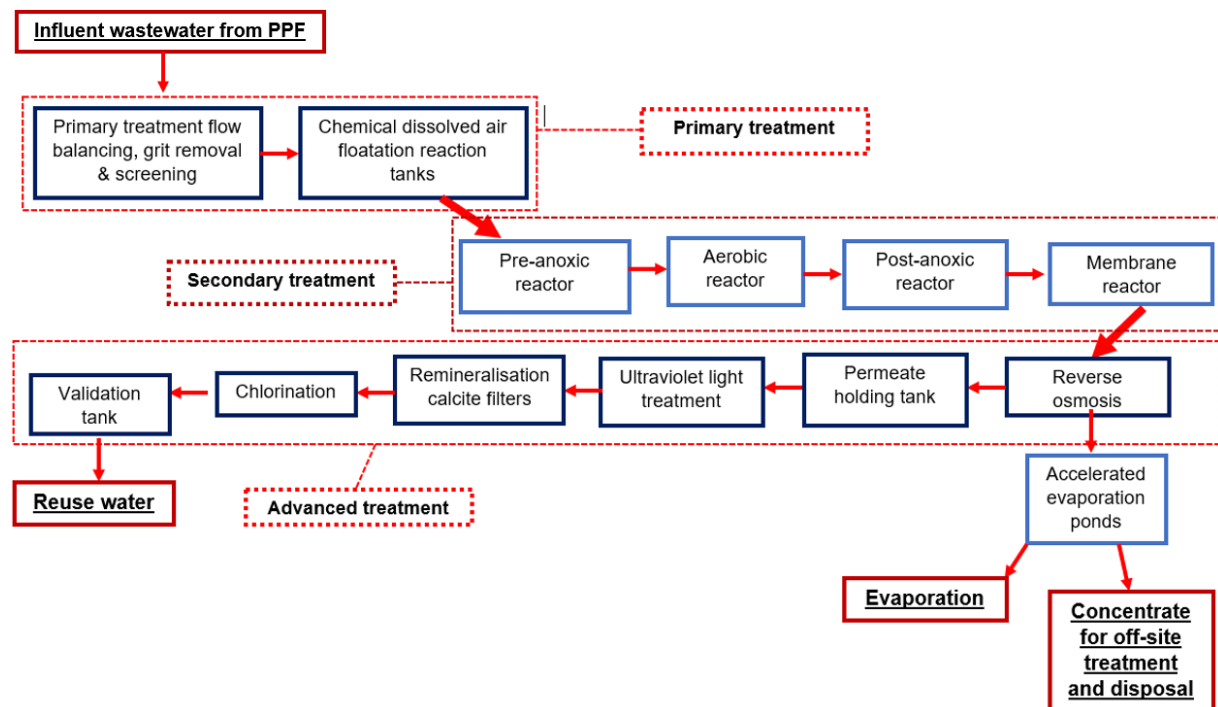
- how the RO concentrate stream and associated sewage waste generated by the WWTP would be managed and whether existing Council infrastructure had adequate capacity to accept the increase in sewage waste
- how the development would operate without being dependent on Council's water reticulation network and what contingency measures would be in place in an event the water recycling system failed.

As part of its RTS, the Applicant submitted a revised concept process design for the WWTP and AWTP. In particular, the Applicant proposed a new primary and secondary treatment involving DAF (which removes, fats, oils and grease and suspended solids) which included the addition of a membrane bioreactor (MBR) and the incorporation of evaporation ponds. The MBR is capable of removing organics and nutrients (including nitrogen and phosphorous) to levels that are then suitable for discharge, irrigation or further treatment for re-use. The AWTP will negate the need for additional sequence batch reactors and covered anaerobic lagoons to be constructed on site. The new process is described in **Figure 13**.

The effluent intended for reuse will then be treated in the AWTP in a similar manner to that proposed under the original scheme using RO to reduce the levels of dissolved solids followed by chlorination, ultraviolet light and remineralisation. These steps are required to ensure the quality of the reused water meets all required standards. The revised design also increased the volume of water recovered for reuse from the AWPT from 6 ML (75%) to 7.2ML (90%) for use as potable water on site, meaning the Applicant will only need to source 0.8 ML of water per day from Council's water supply. This is less than the current water demand from Out Street, which uses 2 ML per day of town water.

The remaining 0.8 ML of RO concentrate would then be further treated via three accelerated evaporation ponds (see **Error! Reference source not found.**) to minimise the volume of brine for disposal off-site. Accelerated evaporation is the process of spraying the wastewater into the atmosphere, enhancing the surface area for evaporation. The accelerated evaporation process will reduce the volume of brine by 90%, from 0.8 ML to 80 kL per day. The RTS confirms the brine will be retained in the evaporation ponds in liquid form until the ponds are dried out and de-sludged. Each of the three evaporation ponds will be dried out periodically (approximately once every one to two years) and the remaining solid waste will be collected and taken offsite to a licensed disposal facility.





**Figure 13 | Wastewater Treatment Process**

As part of the RTS, the Applicant also confirmed the following:

- the AWTP will run two lines in parallel, to facilitate maintenance and to ensure adequate water supply at all times
- the WWTP will include a buffer as it has been designed to treat wastewater from a facility that can process up to 3.6 million birds per week, whereas the proposal is only for three million birds per week
- wastewater from the existing rendering plant would be treated in the operational WWTP (approved under DA2018/0443) which has been designed to accommodate an increase in throughput, with the wastewater from that system continuing to be discharged to the sewer.

Council and the EPA reviewed the RTS and confirmed it has addressed all their concerns relating to water usage and management of wastewater. Several conditions have been recommended to manage residual issues associated with the operation of the WWTP including:

- the requirement for the Applicant to ensure any additional water demand over 1.6 ML per day is subject to an agreement with Council
- requirement to design the ponds with sufficient capacity to cater for extreme storm events and to line the evaporation ponds to a standard to ensure no leakage to groundwater
- preparation of a commissioning report to demonstrate the evaporation ponds have been built to specification
- preparation and implementation of an Evaporation Pond Management Plan
- preparation and implementation of a Water Management Plan to detail water usage and detail groundwater monitoring requirements.

DPI – Water also requested groundwater monitoring be undertaken, including the installation of bores to ensure any leaks from the existing wastewater treatment pond as well as the new evaporation ponds can be detected. The Applicant confirmed in its RTS that it is prepared to implement such a program.

### Department's Assessment

The Department has carefully considered the information submitted by the Applicant and the submissions received, including advice provided by Council, the EPA and DPI – Water. The Department acknowledges the proposed development has a high potable water demand and supports the Applicant's approach to minimising its reliance on the Council's potable water supply using the AWTP. Council advised it is able to continue to provide the residual water supply, as per current arrangements, and any excess waste, including sludge, will be subject to a trade waste agreement and be taken to a licensed facility off site.

The Department agrees the design, management and maintenance of the evaporation ponds is critical to ensuring the WWTP can be operated in a manner that minimises the risk to groundwater. The Department has incorporated the recommendations provided by the agencies into the recommended instrument of consent to address this. The Department has also incorporated conditions to ensure the concentrated brine is appropriately classified and disposed of to a facility that can accept this waste.

Overall, the Department's assessment concludes through the proposed implementation of a WWTP and AWTP, which includes the recycling of water, the site will be provided with an adequate water supply and appropriate wastewater management, minimising the impacts on Council's existing infrastructure network. Through the recommended conditions, the development can be suitably managed to minimise any residual impacts.

### **6.3 Noise impacts**

The development has the potential to generate noise impacts during both the construction and operational phases of the development. Construction noise would be generated by plant and machinery associated with the construction of the development. While operational noise would be generated by fixed and mobile plant equipment, as well as truck movements to and from the site.

### Applicant's Assessment

The EIS included a Noise Impact Assessment (NIA) prepared by Revere Acoustics in accordance with the Noise Policy for Industry (NPfI). The NIA identified four nearby residential receivers, see **Figure 14**, the closest located 1.1 km north of the site at Bowlers Lane, as well as consideration of the proposed childcare centre as an onsite sensitive receiver.



**Figure 14 | Sensitive receivers**

### **Construction**

Construction of the development will be undertaken over two years, between 7 AM to 6 PM on weekdays and 8 AM to 1 PM on Saturdays.

The NIA assessed the noise associated with construction as a worst-case scenario, where all plant items would be operating simultaneously in locations most exposed to receivers. It concluded noise levels could exceed the noise criteria at the closest sensitive receiver by up to five decibels (dB(A)), however, the higher noise levels would only occur for short periods of time.

The Applicant proposed noise monitoring for the duration of construction, and where required, the installation of acoustic enclosures for stationary noise sources, as well as seeking to utilise equipment with exhaust silencers or less noise generating equipment.

The EPA reviewed the NIA and did not raise any concerns in relation the noise impacts generated during the construction phase.

The Department's assessment considered the potential for noise generating activities to occur during the construction of the development. Such activities would only occur for short periods of time and in practice such activities would be shielded appropriately to minimise noise impacts. To ensure the development would mitigate any potential noise impacts the Department has recommended the Applicant prepare a Construction Noise Management Plan to achieve the noise management levels in the Interim Construction Noise Guideline (DECC, 2009). The Department has also recommended a

condition to restrict construction work to 7 AM to 6 PM on weekdays and 8 AM to 1 PM on Saturdays, with no works occurring on Sundays or public holidays.

### **Operation**

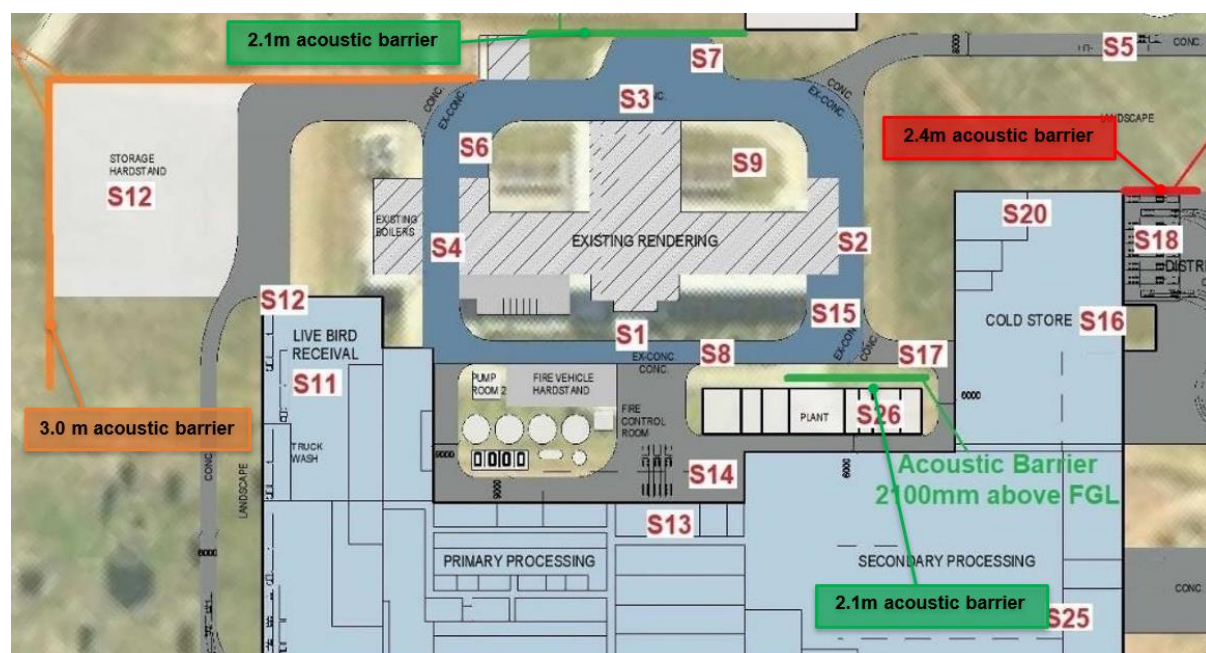
The NIA assessed the noise associated with the operation of the development, including noise generated from fixed and mobile plant requirement, as well as truck movements. The NIA considered all required equipment associated with the development, operating simultaneously, and the predicted noise levels at the site, the four nearby residential receivers, and at the childcare centre proposed on site, at both neutral atmospheric conditions as well as during noise enhancing conditions.

Under enhancing conditions an exceedance of up to 7 dB(A) was predicted at the closest receiver, being a residential dwelling at 'Abbeylands' (R2), during the night and evening. The NIA determined the source of the exceedance was associated with the live bird area, including the truck movements, forklifts and ventilation fans. To mitigate the noise impacts, the NIA recommended the erection of an acoustic barrier along the western side of the live bird area.

The EPA requested additional detail on the background noise monitoring and noise monitoring calculations used in the preparation of the NIA, as well as a further request for information seeking confirmation of the effectiveness of all feasible and practical mitigation measures.

The Applicant's RTS and response to further information included addendums to the NIA which provided further detail on the monitoring undertaken, as well as information on all mitigation measures proposed for the development. The final NIA included the following mitigation measures:

- acoustic barriers at the live bird area, along the rendering building loop road, adjacent to the cooling towers and along the cold store distribution dock (see **Figure 15**)
- noise controls within the childcare centre
- on site monitoring
- equipment selection to ensure the use of lowest noise generating equipment.



**Figure 15 | Acoustic barrier locations**



The EPA advised the addendums to the NIA had sufficiently addressed the issues raised in its submissions, concluding that through the installation of acoustic barriers along the rendering building loop road, adjacent to the cooling towers and along the cold store distribution dock, the modelling had demonstrated noise impacts would comply with the levels specified in the NPfI.

The EPA recommended a condition to impose operational noise limits, see **Table 5**, and noted the Applicant would require an EPL for the noise management and verification.

**Table 5 | Operational noise limits**

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

Subsequent to the revised reports submitted by the Applicant, the Applicant submitted a supplementary RTS which removed the childcare centre component from the development. The basis of removing this component was to alleviate concerns relating to the risks associated with the storage of hazardous materials on site in relation to the childcare centre. As such, the noise impacts upon the childcare centre were no longer a matter of concern.

#### Department's Assessment

The Department has carefully considered the information submitted by the Applicant and the submissions received, including advice provided by the EPA. The Applicant's assessment of impacts is considered suitably conservative based on all potential operational noise sources operating simultaneously. An appropriate suite of mitigation measures have been proposed to reduce noise impacts at the most impacted receiver (R2) to ensure the operations will comply with the levels specified in the NPfI.

To ensure compliance with the predicted impacts, the Department has adopted the operational noise limits recommended by the EPA, as described in **Table 5**. Conditions also require the Applicant to carry out noise verification, should the installation of acoustic barriers be staged. This will provide confirmation the noise limits can be met at all times.

The Department's assessment concludes the noise impacts during the construction and operation of the development can be appropriately managed through best practice noise management and the recommended conditions of consent.



## 6.4 Other issues

The Department's assessment of other issues is provided in **Table 6**.

**Table 6 | Assessment of Other Issues**

Assessment	Recommendation
<b>Traffic and Transport</b>	
<ul style="list-style-type: none"> <li>The EIS included a Traffic Impact Assessment (TIA) to assess traffic impacts of the development on the local road network.</li> <li>The site fronts the Oxley Highway, which is a classified arterial road.</li> <li>The Applicant proposes to construct a new access driveway via an easement connecting the site to Armstrong Street within the Glenn Artney Industrial Estate via Workshop Lane.</li> <li>The TIA outlined traffic generation at full operation is expected to be up to 408 heavy vehicle trips per day and up to 1,966 small vehicle trips per day.</li> <li>The analysis assumed peak traffic volumes would occur between 6 AM to 9 AM and 3 PM to 7 PM. This assumption was based on traffic surveys.</li> <li>The Applicant noted this would be an overestimate (worst-case) as the peak generated from the development would be outside of the aforementioned regular existing peak movements on the local road network, given staffing would be distributed through shifts across the 24-hour working day. The analysis demonstrated that the increased traffic would not impact the level of service at key intersections on the road network.</li> <li>RMS and TfNSW reviewed the submitted TIA, respectively asking for access off Oxley Highway to be restricted to visitors and emergency vehicles, and requested clarification on the types of vehicles proposed to be used to dispatch finished rendered products, and details of staff start and end times.</li> <li>The Applicant submitted an RTS, which included an addendum to the TIA. The addendum confirmed the secondary access would be provided off Oxley Highway and large rigid and B-Doubles would be used for the transportation of rendered products.</li> <li>The addendum confirmed the staff start and end times for the development would be staggered across the 24-hour operation, with the majority of staff working 4AM to 3PM and 2PM to 1AM.</li> <li>TfNSW and RMS raised no further issues with the development and requested the Applicant prepare and submit a construction management plan prior to commencing works on site.</li> <li>The Department considers the predicted traffic volumes can be accommodated by the local and regional road network, and the proposed access arrangements demonstrate safe and efficient ingress and egress. Standard conditions requiring traffic management plans during construction and operation have been recommended.</li> <li>The Department's assessment concludes the development will not adversely impact the Oxley Highway or Workshop Lane and traffic impacts can be appropriately managed through recommended conditions of consent.</li> </ul>	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> <li>prepare and implement traffic management plans during the construction and operational phases of the development</li> <li>prepare and implement a Driver Code of Conduct as part of the Construction Traffic Management Plan</li> </ul>
<b>Animal Welfare and Biosecurity</b>	
<ul style="list-style-type: none"> <li>The development seeks to process up to three million birds per week and render up to 1,680 tonnes of finished product per week.</li> </ul>	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> <li>manage the site and operation in accordance</li> </ul>

Assessment	Recommendation
<ul style="list-style-type: none"> <li>The Applicant provided a copy of its National Livestock Animal Welfare and Biosecurity Manual and an Animal Welfare Policy, both of which seek to ensure the ethical and humane treatment of birds throughout all stages of production.</li> <li>The Applicant seeks to maintain the requirements of the ethical treatment of animals and abide by the codes of practice which govern the industry.</li> <li>The EIS also included an assessment of how the development would maintain biosecurity, the assessment concluded contingency measures to control and prevent the introduction and spread of infections from the birds would be required. As such, the Applicant also proposed to prepare emergency management procedure to prevent groundwater contamination and maintain quarantine control.</li> <li>DPI assessed the Applicant's measures relating to animal welfare and biosecurity and raised concerns with the biosecurity risks associated with the recycling of water. Subsequently, HNELH requested the Applicant provide greater detail on the management of risks associated with the recycling of water.</li> <li>The Applicant advised all recycling of water will be treated to ensure it meets or exceeds the Australian Drinking Water Guidelines, even though it will not be accessible to the public. Furthermore, the Applicant noted the recycled water will be stored in enclosed tanks prior to use within the facility and at no point will the recycled water be left in open air ponds which can be exposed to wildlife such as birds.</li> <li>HNELH and DPI reviewed the Applicant's response to their queries and recommended the Applicant prepare a Hazard Analysis and Critical Control Points Plan to ensure all biosecurity risks can be avoided and managed.</li> <li>The Department's assessment considers the water will be suitably treated within the AWTP, ensuring it is potable and used within the facility for processing poultry. The risks associated with the recycling of water will be appropriately managed, as water will not be consumed, discharged or irrigated in public areas. Furthermore, water which is potable (of a drinking water standard) does not pose a risk to human health, product quality or safety.</li> <li>The Department has recommended the Applicant prepare an Emergency Disposal and Bio-security Protocol, which is to be inclusive of a Hazard Analysis and Critical Control Points Plan.</li> <li>The Department's assessment concludes the development can be managed and operated in accordance with the relevant animal welfare standards, subject to recommended conditions of consent.</li> </ul>	<p>with relevant industry animal welfare standards</p> <ul style="list-style-type: none"> <li>Prepare and implement a Hazard Analysis and Critical Control Points Plan</li> </ul>
Biodiversity	
<ul style="list-style-type: none"> <li>The EIS included a BDAR to assess the impacts of the development on fauna and flora species.</li> <li>Native vegetation was calculated to occupy approximately 4.8% of the site, consisting of a single plant community. With the exception of scattered and planted native vegetation, the remainder of the site comprises of pasture, garden beds and cleared land.</li> <li>The development will require the removal of 0.83 ha of the 1.41 ha of White Box Yellow Box Blakely's Red Gum Woodland (Box Gum Woodland) and 0.51 ha of planted natives.</li> </ul>	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> <li>purchase and retire 5 ecosystem credits of PCT 599</li> </ul>

Assessment	Recommendation
<ul style="list-style-type: none"> <li>EES assessed the submitted BDAR and confirmed the development would generate an offset credit requirement of 15 ecosystem credits comprising 5 ecosystem credits for the removal of 0.83 ha of Box Gum Woodland and 10 ecosystem credits for the removal of planted native vegetation.</li> <li>Following the Applicant's BDAR and in response to discussions with the Department regarding offset requirements, the Applicant requested the 10 ecosystem credits calculated for the planted vegetation no longer form part of the Applicant's offsetting obligations. The Applicant cited changes to the BAM in 2020 whereby planted native vegetation is not required to be included in the calculations (Appendix D of BAM 2020).</li> <li>The Department has considered the Applicant's request to waive the 10 ecosystem credits. While the value of the planted native vegetation is recognised, it is understood the updated BAM 2020 no longer requires this vegetation to be included and agrees that by excluding these credits from the overall offsetting requirements, the Applicant's offsetting obligations under the BAM will still be met. The Department has discussed this with the EES who advised the decision rests with the consent authority.</li> <li>While the Department does not consider offsetting is required for the planted native vegetation, the Department does recommend the Applicant undertake further landscaping of the site using locally sourced plants. EES recommends the Applicant source vegetation from the local IBRA region, and the Department has reflected this in the recommended conditions.</li> <li>On balance, the Department is satisfied biodiversity impacts as a result of the proposed development can be mitigated through the offsetting of 5 ecosystem credits and further landscaping of the site, which have been reflected in the Department's recommended conditions.</li> <li>The Department's assessment concludes biodiversity impacts of the development are low and is unlikely to significantly impact on any habitat of the identified threatened species.</li> </ul>	
Hazards and risk	
<ul style="list-style-type: none"> <li>The development would involve the storage and use of several dangerous goods, including Liquified Petroleum Gas (LPG), Liquified Natural Gas (LNG), Nitrogen Gas, Oxygen Gas, Carbon Dioxide, Ferric Sulfate, Ammonia Anhydrous and Sulfuric Acid.</li> <li>The storage involves 122.4 tonnes of LNG and 12 x 40 kg tanks of LPG, which combined exceeds the SEPP 33 threshold of 10 tonnes. The amount of Ammonia Anhydrous proposed to be stored equates to 6.97 tonnes, also exceeding the SEPP 33 threshold of 5 tonnes.</li> <li>Other chemicals used on-site are all under the applicable SEPP 33 thresholds.</li> <li>The Applicant submitted a Preliminary Hazard Analysis (PHA) and preliminary risk screening, identifying the hazardous materials, assessing their transportation, storage and use and evaluating the risks involved.</li> <li>The PHA identified the potential for LNG incidents to impact the on-site childcare facility, however, did not determine whether ammonia anhydrous incidents would impact the childcare.</li> <li>The Department requested the Applicant revise the location of the LNG tanks or childcare facility in an appropriate manner to reduce the potential exposure at the childcare facility and to verify the cumulative risk</li> </ul>	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> <li>prepare a Fire Safety Study prior to the commencement of construction</li> <li>prepare an Emergency Plan prior to commissioning the LPG storage areas and to comply with AS-1596 for the storage of LPG</li> <li>ensure dangerous goods stored at the site do not exceed the screening threshold quantities listed in Applying SEPP 33 (DoP, 2011)</li> <li>ensure all chemicals, fuels and oils are stored and handled in accordance with the relevant Australian Standards and EPA guidelines</li> </ul>

Assessment	Recommendation
<p>assessment had been performed as the sum of the risks associated with anhydrous ammonia, LNG, oxygen gas and liquid oxygen.</p> <ul style="list-style-type: none"> <li>• Ongoing correspondence was exchanged between the Applicant and Department, seeking to clarify the matters relating to the potential risks upon the proposed childcare.</li> <li>• The Applicant's Supplementary RTS confirmed the removal of the childcare centre from the development.</li> <li>• The Department considered the removal of the childcare centre alleviated the risks associated with the LNG tanks, confirming the Applicant had demonstrated that, with all other safeguards in place, the development could manage the storage of dangerous goods on site.</li> <li>• The Department has recommended conditions requiring the preparation of pre-construction, pre-operation and ongoing management plans as well as standard conditions around the storage and handling of dangerous goods on the site to ensure the development is consistent with the information provided.</li> <li>• The Department has assessed the Applicant's information and concludes the nature and design of the development would ensure the risks to the surrounding areas are minimised and would comply with the Department's <i>Hazardous Industry Planning Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning'</i> (HIPAP 4).</li> </ul>	
Waste management	
<ul style="list-style-type: none"> <li>• The development seeks to operate as an integrated processing facility, whereby poultry will be processed for products (fresh and value-adding poultry products) and any by products will be then rendered to produce a range of protein-based products, including various meals and tallow. The integrated poultry process is outlined in <b>Figure 10</b>.</li> <li>• As a result of the integration of the processing and rendering within the one site, the development minimises the potential for waste generation. The by-product from the poultry processing, including offal, blood and feathers are processed in the rendering plant. Through this process the by-product creates a range of protein-based products.</li> <li>• The development also proposes to manage all wastewater on site therefore, the process will generate a concentrated brine waste, as discussed in <b>Section 6.2</b>.</li> <li>• The Department's assessment considered the integration of the processing and rendering into one development on the site, in lieu of the current arrangements, rendering on site and processing off site. The Department found waste from the integration is minimised compared to if the facilities operated individually.</li> <li>• The Department also considered the waste stream generated as part of the management of wastewater on site, discussed in detail in <b>Section 6.2</b>. Concluding that through an accelerated evaporation process the volume of brine would be reduced by 90%, resulting in approximately 80 kilolitres of brine. The remaining concentrated brine would be disposed off-site, in accordance with a waste trade agreement with Council.</li> <li>• The Department recommends a condition requiring the Applicant to manage the disposal of waste in accordance with relevant EPA guidelines.</li> <li>• The Department's assessment concludes the site can adequately manage waste, noting the waste generated by the processing facility is largely</li> </ul>	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> <li>• assess and classify waste in accordance with Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014)</li> <li>• manage waste in accordance with the <i>Protection of the Environment Operations Act 1997</i></li> <li>• ensure waste is disposed of to a facility that can lawfully accept the waste</li> </ul>

Assessment	Recommendation
rendered into protein-based products, and the wastewater treatment sufficiently treats water on site with the excess of brine disposed offsite, in agreement with Council.	
<b>Heritage</b>	
<ul style="list-style-type: none"> <li>The site has is heavily disturbed due to historical farming practices, and currently operates as a rendering facility, noting it was previously approved to operate as a poultry processing and rendering facility.</li> <li>Notwithstanding, the EIS included an assessment of European and Aboriginal Cultural Heritage.</li> <li>The assessment concluded direct or indirect impacts to archaeological deposits are unlikely and recommended an unexpected finds procedure be implemented during construction works.</li> <li>The Department's assessment concurs with the findings of the report and concludes that given the level of disturbance, it is unlikely intact Aboriginal archaeological deposits will be encountered on site.</li> <li>EES has recommended the Applicant prepare an unexpected finds procedure prior to commencing construction.</li> <li>The Department's assessment concluded the development will not impact on any items of significance and any unexpected items will be appropriately managed through the recommended protocol.</li> </ul>	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> <li>prepare an unexpected finds protocol.</li> </ul>
<b>Contributions</b>	
<ul style="list-style-type: none"> <li>The Tamworth Regional Council Section 94A Development Contributions Plans 2013 applies to the development.</li> <li>While Council provided no comments or recommended conditions on the development, the Department considers it warranted to require the payment of a section 7.12 (formerly 94A) contribution.</li> <li>On this basis, the Department has recommended a condition of consent requiring the payment of a section 7.12 contribution to Council.</li> </ul>	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> <li>pay Council the required 7.12 development contribution.</li> </ul>



## 7 Evaluation

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ESD.

The Department has considered the development on its merits, taking into consideration strategic plans that guide development in the area, the EPIs that apply to the development and the submissions received from the relevant public authorities, Council and the public.

The development would deliver up to 323 construction jobs and 1,176 operational jobs in the Tamworth LGA. It would also support the intensive agricultural and food processing industry of the area, as sought through the New England North West Regional Plan 2036.

The key environmental issues associated with the development related to odour, water usage, wastewater treatment and noise impacts. However, the primary concerns raised in relation to odour and noise impacts from the facility related to potential impacts created upon the proposed ancillary childcare onsite. Concerns were also raised regarding the proximity of the LNG tanks and dangerous goods storage to the childcare. These issues were alleviated during the assessment of the development, as the Applicant removed the childcare centre component of the development.

The Department has considered the information provided in the Applicant's assessment of odour impacts as well as advice provided by the EPA and is satisfied the development has been designed and is proposed to operate in accordance with industry best practice with respect to the management of odour. Potential cumulative impacts have been considered and are predicted to meet the relevant odour criteria of 5 OU at all sensitive receivers, with only minor impacts outside the proposed site boundary. Any residual impacts can be managed subject to the implementation of the Applicant's proposed mitigation measures and the recommended conditions of consent, which includes a requirement to update and implement the Applicant's OMP.

The Department's assessment concludes the final revised OIA demonstrates the odour impacts generated by the development will not extend significantly beyond the site boundary and can be appropriately managed. The impact on the closest residences is expected to be negligible. Subject to the implementation of the OMP, the Applicant's proposed design, management and mitigation measures and the Department's recommended conditions, the development can be suitably managed to minimise any potential odour impacts.

To address concerns regarding the development's significant daily water demand, the Applicant is proposing to establish a WWTP and associated AWTP. This plant will recover up to 90% (7.2 ML per day) of the water used in the processing facility for reuse onsite as potable water for processing activities. The balance of the water will come from Council's water supply. A Water Management Plan has been recommended to detail water usage and licensing requirements, amongst other aspects of water management.

As part of the new WWTP, three accelerated evaporation ponds will be constructed to treat the residual 0.8 ML per day of wastewater. To minimise the risk of these ponds impacting groundwater, conditions have been imposed to ensure the pond liners will be appropriately designed and maintained, including a requirement to prepare an Evaporation Pond Management Plan, as well as a requirement to implement an ongoing groundwater monitoring program.

The Department's assessment concludes that through the introduction of new wastewater infrastructure and a new AWTP, the site will be provided with an adequate water supply and the volume of waste generated by the site for off-site disposal, will be minimised.

To ensure noise generated by the operation of the development can meet the noise goals set out in the NPfI, the Applicant is proposing to install acoustic barriers in key locations across the site and has committed to selecting equipment to ensure the least noise generating equipment would be used. The Department supports the Applicant's proposed mitigation measures and has reflected this in its recommended conditions of consent. Noise limits have been incorporated into the recommendation as well as a requirement to carry out noise verification in the event the installation of the acoustic barriers is to be staged so as to ensure the noise limits can be met at all times.

Overall, the Department's assessment has concluded the development would:

- provide a range of benefits for the region and the State as a whole, including a capital investment of approximately \$208 million in the Tamworth LGA and provide for approximately 323 construction jobs and 1,176 operational jobs
- remove Baiada's poultry processing operations from the Tamworth town centre to a location suitably removed from residential areas
- be located on suitably zoned primary production land and would be used economically to provide direct and indirect employment and support the increasing demand for chicken meat in Australia
- be consistent with NSW Government policies including, the New England North West Regional Plan 2036, which seeks to strengthen and diversify the region's economy and support the continued use of intensive agriculture in the area.

Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions.

## 8 Recommendation

For the purpose of section 4.38 of the *Environmental Planning and Assessment Act 1979*, it is recommended that the **Executive Director – Executive Director – Key Sites and Regional Assessment**, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for granting consent listed in the notice of decision
- **grants consent** for the application in respect of Baiada Integrated Poultry Processing Facility (SSD-9394), subject to the conditions in the attached development consent
- **signs** the attached development consent and recommended conditions of consent (see **Appendix E**).

**Prepared by:**

Ania Dorocinska

Senior Environmental Assessment Officer

**Recommended by:**



17 December 2020

**Joanna Bakopanos**

Team Leader, Industry

Industry Assessments

**Recommended by:**



17 December 2020

**Chris Ritchie**

Director

Industry Assessments

## 9 Determination

The recommendation is **Adopted** by:



18 December 2020

**Anthea Sargeant**

Executive Director

Key Sites and Regional Assessment

# Appendices

## Appendix A – List of Documents

The Department has relied upon the following key documents during its assessment of the proposed development:

### Environmental Impact Statement

- 'Environmental Impact Statement' prepared by PSA Consulting Australia dated 2 July 2019

### Submissions

- All submissions received from relevant public authorities and the general public

### Response to Submissions

- Response to Submissions letter and attachments, prepared by PSA Consulting Australia dated 3 July 2020
- Supplementary Response to Submissions, prepared by PSA Consulting Australia dated 18 October 2020

### Statutory Documents

- Relevant considerations under section 4.15 of the EP&A Act (see **Appendix B**)
- Relevant environmental planning instruments, policies and guidelines (see **Appendix C**)

All documents relied upon by the Department during its assessment of the application may be viewed at: <https://www.planningportal.nsw.gov.au/major-projects/project/10536>



## Appendix B – Considerations under Section 4.15 of the EP&A Act

### Matters for Consideration under Section 4.15 of the EP&A Act

Matter	Consideration
<p>a) the provisions of:</p> <ul style="list-style-type: none"><li>i.) any environmental planning instrument, and</li><li>ii.) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</li><li>iii.) any development control plan, and</li><li>iv.) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</li><li>v.) the regulations (to the extent that they prescribe matters for the purposes of this paragraph).</li></ul>	<p>Detailed consideration of the provisions of all environmental planning instruments (including draft instruments subject to public consultation under this Act) that apply to the proposed development is provided below.</p> <p>The Applicant has not entered into any planning agreement under section 7.4.</p> <p>The Department has undertaken its assessment of the proposed development in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.</p>
<p>b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p>	<p>The Department has considered the likely impacts of the development in detail in <b>Section 6</b> of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent. The Department's assessment concludes that approval could be given for the processing of up to 3 million bords per week and rendering of up to 240 tonnes per day.</p>

Matter	Consideration
c) the suitability of the site for the development,	The development involves the construction and operation of intensive livestock agriculture located in an area zoned for Primary Production. The proposed development is permissible with development consent.
d) any submissions made in accordance with this Act or the regulations,	All matters raised in submissions have been summarised in <b>Section 5</b> of this report and given due consideration as part of the assessment of the development in <b>Section 6</b> of this report.
e) the public interest.	<p>The development would generate up to 323 jobs during construction and an additional 1,176 jobs during operation (667 new jobs). The development is a considerable investment in the Tamworth LGA that would contribute to the provision of local jobs.</p> <p>The environmental impacts of the development would be appropriately managed via the recommended conditions. The Department considers to the development is in the public interest.</p>

## Appendix C – Consideration of Environmental Planning Instruments

To satisfy the requirements of section 4.15(1) of the EP&A Act, the following EPI's were considered as part of the Department's assessment:

- State Environmental Planning Policy (State and Regional Development) 2011 (**SRD SEPP**)
- State Environmental Planning Policy (Infrastructure) 2007 (**ISEPP**)
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (**SEPP 33**)
- State Environmental Planning Policy No. 55 – Remediation of Land (**SEPP 55**)
- draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)
- State Environmental Planning Policy (**Primary Production and Rural Development**) 2008
- Tamworth Regional Local Environmental Plan 2010.

### **State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)**

The SRD SEPP identifies certain classes of development as SSD. In particular, the construction and operation of an intensive livestock agriculture development with a CIV in excess of \$30 million meets the criteria of clause 1 of Schedule 1 of the SRD SEPP and is consequently classified as SSD. The development satisfies the criteria in clause 1 of Schedule 1, as it would involve the construction of intensive livestock agriculture with a CIV of \$208 million.

### **State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)**

The ISEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to certain types of infrastructure development, and providing for consultation with relevant public authorities about certain types of development during the assessment process. The development fronts a classified road, the Oxley Highway, and is considered a traffic generating development in accordance with the ISEPP as it would involve the construction and operation a development which would generate in excess of 50 motor vehicles per hour on a site with access to a classified road.

Consequently, the development was referred to RMS for comment and consideration of accessibility and traffic impacts. RMS did not object but recommended conditions requiring the Applicant to seek approval for Workshop Lane to allow B-Double vehicles and provided comments on site access, heavy vehicle routes and turning movements. The Department has included the RMS' requirements into the recommended conditions. The Department has considered the comments from RMS into the recommended conditions. The development is therefore considered to be consistent with the ISEPP.

### **State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)**

SEPP 33 aims to identify developments with the potential for significant off-site impacts, in terms of risk and/or offence. A development is defined as potentially hazardous and/or potentially offensive if, without mitigating measures in place, the development would have significant risk and/or adverse impact on off-site receptors. The EIS identified that the proposed development would involve the storage and handling of three categories of Dangerous Goods (DG), including liquified petroleum gas (LPG), liquid natural gas (LNG) and ammonia anhydrous. The Department sought additional information on the DG supply and storage. In response, the Applicant provided a Preliminary Risk Screening & Hazard

Analysis that addressed the Department's issues and concluded that the development would not be considered a hazardous or potentially offensive development.

The Department is satisfied that the development is consistent with the aims of SEPP 33, and would appropriately minimise any risks associated with the storage and handling of DGs, therefore it would not be considered a potentially hazardous or potentially offensive development under clause 3 of this SEPP.

#### **State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)**

SEPP 55 aims to provide a State-wide approach to the remediation of contaminated land. In particular, SEPP 55 aims to promote the remediation of contaminated land to reduce the risk of harm to human health and the environment by specifying:

- under what circumstances consent is required
- the relevant considerations for consent to carry out remediation work
- the remediation works undertaken meet certain standards and notification requirements.

The EIS included a detailed contaminated site assessment that found the presence of PFAS within the watercourse sediment within part of the property boundary. However, the PFAS was identified at a level below thresholds for human health or ecological screening. Consequently, the assessment concluded the site is suitable for the proposed agricultural use. The Department is satisfied the development is consistent with the aims, objectives and provisions of SEPP 55.

#### **draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)**

The draft Remediation SEPP seeks to retain the key operational framework of the current SEPP 55, while also adding new provisions relating to changes in categorisation and introducing modern approaches to the management of contaminated land. The development has been assessed against SEPP 55 (see above), and the Department is satisfied the development would be consistent with the draft Remediation SEPP.

#### **State Environmental Planning Policy (Primary Production and Rural Development) 2019**

The Primary Production and Rural Development SEPP aims to facilitate and support the agricultural sector and minimise land use conflicts. The development would support the poultry meat industry in the New England Region in response to an increase in the domestic demand for poultry meat products. Furthermore, the development has been designed to minimise impacts upon biodiversity and water resources. The development is consistent with the New England Regional Plan and poses minimal impacts on the provision of services and infrastructure. As such, the Department is satisfied the proposed development is consistent with the Rural Planning Principles of the Rural Lands SEPP.

#### **Tamworth Regional Local Environmental Plan 2010 (TRLEP)**

The TRLEP aims to encourage employment generating activities, which respond to emerging markets and changes in technology whilst protecting and promoting agricultural and primary production uses which relate to processing services and value-adding industries. The development is located on land zoned RU1 Primary Production under the LEP. As discussed in Section 4.2 of this report, the use of the site as intensive livestock agriculture is permissible with consent, pursuant to the TRLEP. The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the LEP and those matters raised by Council in its assessment of the

development (see **Section 6** of this report). The Department concludes that the development is consistent with the relevant provisions of the TRLEP.

## Appendix D – Community Views for Draft Notice of Decision

The Department publicly exhibited the EIS for Baiada Integrated Poultry Processing Facility from 24 July 2019 until 20 August 2019. The Department received a total of 15 submissions on the development. An additional submission was received outside of the exhibition period, from a special interest group. The submissions made by government agencies and Council provided comment on the development, however, of the three public submissions, two were in objection

Issue	Consideration
<b>Odour impacts</b> <i>'The development will produce offensive odours that will severely impact local residents and businesses.'</i>	<p>As discussed in <b>Section 6.1</b>, the Department has considered the potential odour impacts of the development. The assessment concluded the development would comply with the Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales, meeting the 5 odour unit criterion at all times through the implementation of appropriate mitigation measures.</p> <p>A condition of consent has been recommended to require the Applicant to carry out an odour audit to ensure the development complies with relevant odour criterion through the implementation of appropriate mitigation measures. The Applicant will also be required to prepare, implement and maintain an updated OMP for the existing rendering plant and subsequently update the OMP for proposed new PPF and expansion of the rendering plant.</p>
<b>Water supply</b> <i>'The Tamworth Regional area has recently experienced severe drought and water restrictions.'</i> <i>'The development will increase water usage at the site from 2ML to 8ML a day placing a strain on the already stressed water availability.'</i>	<p>As discussed in <b>Section 6.2</b>, the Department has considered the potential impacts associated with the development upon the water supply. The assessment concluded the development would minimise water demand through the implementation of a water recycling program, recycling up to 90% of water to a potable state.</p> <p>Conditions of consent have been recommended to require the preparation and implementation of Water management plan and require the Applicant to apply to Council in any case an increase in water supply is required.</p>



Issue	Consideration
<p><b>Wastewater management</b></p> <p><i>‘The discharged wastewater will be above the limit of total dissolved solids of 600mg/L which will cause issues under the EPL’</i></p> <p><i>‘The volume of secondary effluent discharged will put pressure on the sewerage system.’</i></p>	<p>As discussed in <b>Section 6.2</b>, the Department has considered the wastewater management proposed for the development. The assessment concluded the development proposes to implement an effective wastewater treatment plant and advanced water treatment plant to minimise the wastewater generated.</p> <p>Conditions of consent have been recommended to ensure the development can efficiently treat and manage all wastewater, and only discharge residual waste (sludge) where in agreement with Council.</p>
<p><b>Waste management</b></p> <p><i>‘Baiada is a large contributor to the Forest Road Landfill.’</i></p> <p><i>‘A new poultry processing facility and increase rendering plant production could potentially place strain on the local landfill.’</i></p>	<p>As discussed in <b>Section 6.2</b>, the Department has considered waste generation of the development. The developments integration of poultry processing and rendering into one facility minimises poultry waste, as the waste (by-products) generated through the PPF will be processed in the rendering plant into protein-based product.</p> <p>Conditions of consent have been recommended to ensure waste is classified in accordance with <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014) and managed in accordance with the Protection of the Environment Operations Act 1997.</p>
<p><b>Noise impacts</b></p> <p><i>‘A facility that operates for 24 hours 7 days a week and is utilising numerous B-double trucks will increase the noise levels to an unacceptable level.’</i></p>	<p>As discussed in <b>Section 6.3</b>, the Department has considered the worst-case construction and operational noise impacts of the development. The assessment concluded that the development would comply with the Noise Policy for Industry, Interim Construction Noise Guideline and Road Noise Policy.</p> <p>Conditions of consent have been recommended to include noise criteria the development has to meet at all times and the requirement to install acoustic walls to mitigate noise to ensure the Noise Policy for Industry is complied with.</p>

Issue	Consideration
<p><b>Animal welfare</b></p> <p><i>'The number of broiler chickens that will be housed in the sheds will cause stress and suffering to the animals.'</i></p> <p><i>'The large concentration of broiler chickens is a potential biosecurity risk.'</i></p>	<p>As discussed in <b>Section 6.4</b>, the Department has considered the animal welfare and biosecurity risk of the proposed development. The Applicant has committed to meeting all standards for animal care and management under the National Animal Welfare Standards for the Chicken Meat Industry (Australian Poultry CRC, 2008) as well as implementing the biosecurity objectives under the National Farm Biosecurity Manual for Chicken Growers (ACMF, 2010).</p> <p>Subject to recommended conditions of consent, the development can be managed and operated in accordance with the relevant animal welfare and biosecurity standards.</p>
<p><b>Traffic impacts</b></p> <p><i>'A facility that operates for 24 hours 7 days a week will place additional pressure on the local road network.'</i></p> <p><i>'Roads in the area are not in condition to accommodate B-double vehicles.'</i></p>	<p>As discussed in <b>Section 6.4</b>, the Department has considered the proposed access arrangements for the development. In consultation with TfNSW, the Department has concluded the development will not adversely impact the Oxley Highway or Workshop Lane through the proposed traffic generation during the construction or operation of the development.</p> <p>Conditions of consent have been recommended to require the Applicant to prepare and implement a construction traffic management plan as well as an operational traffic management plan.</p>

## **Appendix E – Recommended Instrument of Consent**

The recommended conditions of consent for SSD-9394 can be found on the Department's website at:  
<https://www.planningportal.nsw.gov.au/major-projects/project/10536>