

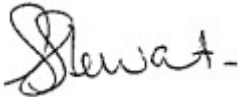


# OAKBURN POULTRY RENDERING PLANT COMPLIANCE REPORT SSD9394

19<sup>TH</sup> March 2022 to 18<sup>th</sup> March 2023

VERSION  
1.0 9<sup>th</sup> May 2023

## COMPLIANCE REPORT DECLARATION

PROJECT NAME	OAKBURN POULTRY PROCESSING COMPLEX
PROJECT APPLICATION NUMBER	SSD 9394
DESCRIPTION OF PROJECT	Construction and Operation of an Integrated Poultry Processing Facility
PROPONENT	Baiada Poultry Ltd
TITLE OF COMPLIANCE REPORT	Oakburn Rendering Plant 2022-23 Compliance Report
DATE	09 <sup>th</sup> May 2023
<p>I declare that I have reviewed the contents of the attached compliance report and to the best of my knowledge:</p> <ol style="list-style-type: none"> <li>I. The Compliance Report has been prepared in accordance with all relevant conditions of consent;</li> <li>II. The Compliance Report has been prepared in accordance with the Compliance Reporting requirements;</li> <li>III. The findings of the Compliance Report are reported truthfully, accurately and completely;</li> <li>IV. Due diligence and professional judgement have been exercised in preparing the Compliance Report; and</li> <li>V. The Compliance Report is an accurate summary of the compliance status of the development</li> </ol>	
<p>Notes</p> <ul style="list-style-type: none"> <li>• Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1million and for an individual, \$250,000; and</li> <li>• The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years’ imprisonment or 200 penalty units, or both)</li> </ul>	
NAME OF AUTHORISED REPORTING OFFICER	Sherilee Stewart
TITLE	Oakburn Admin and Compliance
SIGNATURE	
QUALIFICATIONS	<p>Bach App Sc – Food Science and Technology (1993)                      Bach Business – Logistics and Operations Management (1999)                      BSB51107 Diploma of Management (2010)                      TAE40116 Certificate IV – Training and Assessment (2014)                      BSB41415 Certificate IV – Work Health and Safety (2017)                      BSB42315 Certificate IV – Environmental Management and Sustainability (2021)                      11007NAT Diploma – Environmental Management (2023)</p>
COMPANY	Baiada Poultry Ltd
COMPANY ADDRESS	1154 Gunnedah Rd Tamworth 2340

## DOCUMENT CONTROL:

VERSION REFERENCE	PREPARED BY	CHECKED BY
1.0 09 <sup>th</sup> May 2023	Sherilee Stewart	Grant White, Tomek Paszkiewicz

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# 1 Introduction

## 1.1 Report Scope

Condition C18 of SSD 9394 requires an annual Compliance Report to be prepared for the Oakburn Poultry Rendering Plan (Oakburn). This Compliance Report covers the annual reporting period from the 19 March 2022 to the 18 March 2023. It is noted that this reporting period correlates with the reporting period for the site’s Environment Protection Licence (EPL) 7566.

This Compliance Report has been prepared in accordance with “*Compliance reporting – Post Approval Requirements, May 2020*” and addresses all aspects listed under SSD 9394 Consent Conditions (see **Table 1**) and is based on operational and environmental monitoring data collected and retained by the site.

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

Condition No.	Condition Description	Reference
<b>C18</b>	Within twelve months of the date of this consent, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:	This report
<b>C18a</b>	Identify any trends in the monitoring data over the life of the development;	Section 6
<b>C18b</b>	Identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	Section 6
<b>C18c</b>	Describe what measures will be implemented over the next year to improve the environmental performance of the development	Section 6.11

## 1.2 Company Description

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

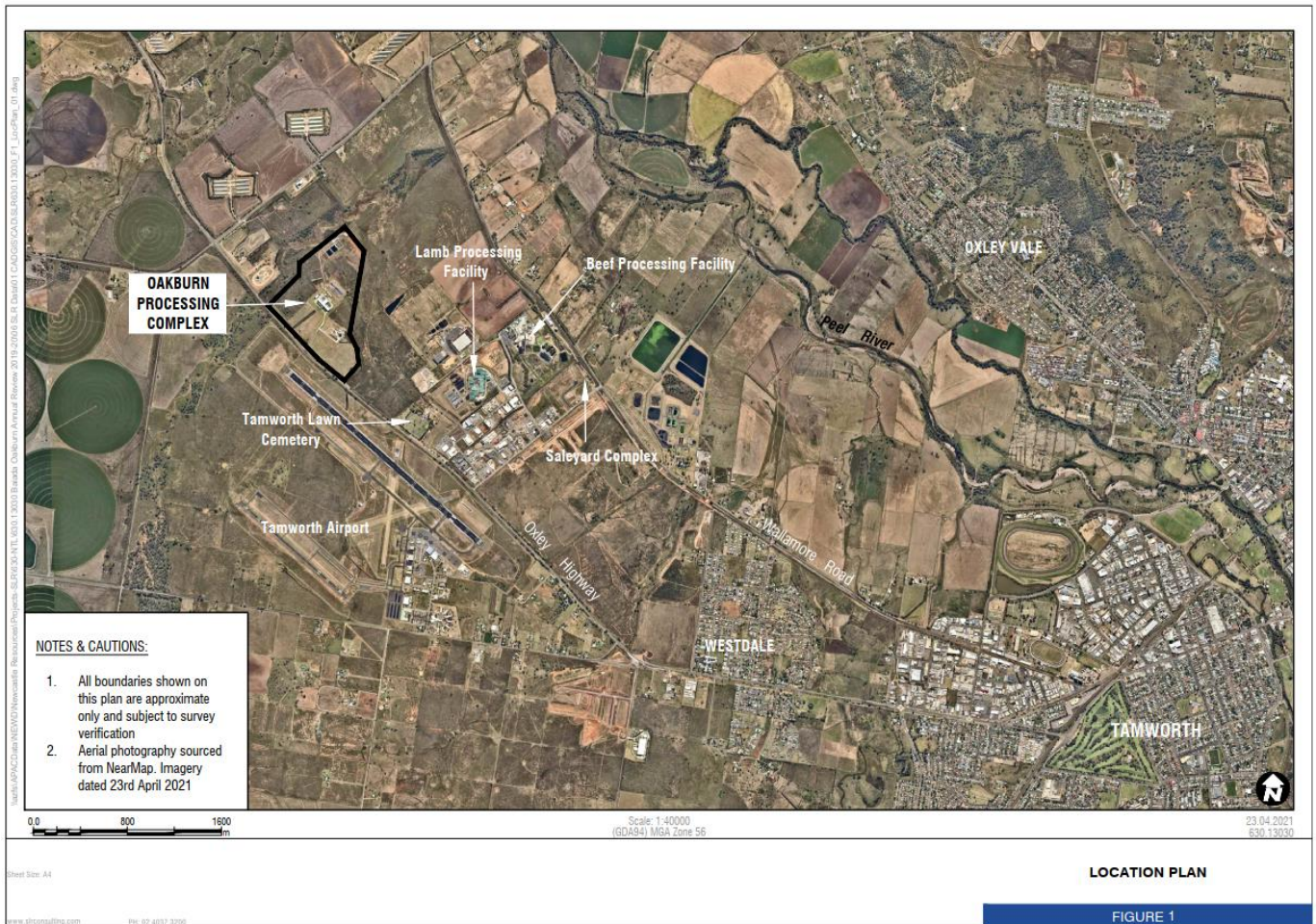
The company has an employee base of around 6,850 people, including on site production contractors, many of which are located within the Tamworth region. Baiada employs a total of 15-18 people at Oakburn, including administrative, maintenance and operational staff.

## 1.3 Project Description

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

### 1.4 Site Description

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



**Figure 1 Locality Plan**

### 1.5 Project Activities

As at 19<sup>th</sup> March 2023 only the existing rendering plant (PHASE 1) is in operation and subsequent stages of development have not been commenced. See current planned phases and stages in **Table 2** below.

Activities of note during the period:

- I. PHASE 1 operation continued with Total reported production during the period of 25402T. Weekly production figures are included as **Appendix B**.
- II. Cal Flare was commissioned during June 2022. Methane produced was flared during the period June 2022 till 18<sup>th</sup> March 2023. 412245 M<sup>3</sup> of methane was produced during this period. Weekly gas production figures are included as **Appendix C**.

**Table 2 Project Phases and Stages**

Project Stage	Stage Description	Status
<b>PHASE 1</b>	Existing Rendering Plant	Current Stage
<b>PHASE 2</b>	Construction in accordance with the approved Staging Plan (drawing SK-16, revision B)	
- <b>STAGE 1</b>	Site Compound, Workshop Lane Extension, internal access roads to existing rendering building	Stage 1 is anticipated to commence on or around 26 May 2023
- <b>STAGE 2</b>	Bulk Earthworks, site preparation, detention basins, perimeter landscape, screening mounds and planting	Not yet commenced
- <b>STAGE 3</b>	Processing Building, carpark & roads, office building, maintenance, waste water treatment, plant buildings and ponds.	Not yet commenced
<b>PHASE 3</b>	Processing and Rendering Operations	Not yet commenced



**Figure 2 Planned Site Layout**

### 1.6 Key Personnel

Key personnel who are responsible for environmental compliance and management at the site are listed below in **Table 3**.

**Table 3. Key Personnel**

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

## 1.7 Consents, Licences and Approvals

**Table 3** below lists the approval instruments applicable to the Baiada Oakburn site. A copy of these documents have been included in the Appendices of this report as **Appendix D, E and F**.

**Table 4. Consents, Licences & Approvals**

Document / Approval	Issue Date	Regulatory Authority
Development Consent SSD9394	18 <sup>th</sup> Dec 2021	Department of Planning & Environment
Environmental Protection Licence (EPL 7566)	08 <sup>th</sup> Feb 2021	Environment Protection Authority (EPA)
Liquid Trade Waste Service Agreement (2021-2026)	15 <sup>th</sup> Nov 2021	Tamworth Regional Council (TRC)

## 1.8 Management Plans

**Table 5** below lists the management plans that are currently in force at the site and the current issue and status of the document.

**Table 5. Current Management Plans**

Condition	Document	Issue & Date	Comment
<b>B63</b>	Bird Life Management Plan (Cumberland Ecology)	19 <sup>th</sup> May 2021 Issue: 1	Baseline data collected. Letter submitted 18.08.22 via portal to confirm that quarterly monitoring is not required until after construction commences. – Favourable response received 26.09.22.
<b>B12</b>	Odour Management Plan (Baiada)	07 <sup>th</sup> Oct 2022 Issue: 6	Submitted to DPE via Portal. Last submission 07.12.22 – Document approved 17.03.23
<b>C5, C6</b>	OAKBURN – Operational Environmental Management Plan (Baiada)	06 <sup>th</sup> December 2022 Issue: 9	Submitted to DPE via Portal. Last submission 07.12.22 – Document approved 17.03.23
<b>B23</b>	Stormwater Management Plan (MPN Consulting)	2019 Issue: 1	Update to document not yet triggered
<b>B51 &amp; B52</b>	Traffic Management Plan (Baiada)	March 2022 Issue: 1	Reflects current rendering operation only.



## 2 Previous Report Actions

Actions from 2021IEA and CR21-22 are detailed in **Table 6** below.

**Table 6. Previous Actions**

Ref	Source	Condition	Action Proposed	Proposed Completion Date	Status	Action Completed
1	IEA 2021	DA53/97 S3, C16	The Auditors note an opportunity for improvement (OFI) would be to conduct a review of the integrity of pits and bunds.	30 Mar 2022	Complete	Review of pits and bunds completed 30 March 2022
2	IEA 2021	DA53/97 S3, C19	Review the Liquid Waste elements of the OEMP to address all of the requirements of Condition 19, except those that relate to Stage 2 ( <i>now Phase 2</i> ) /Project upgrades, including: - characterising the quantity and quality of wastewater; - identifying the criteria/limits for the disposal of treated wastewater; - a plan(s) of the wastewater treatment process showing the key plant / equipment / infrastructure, sampling point(s) and discharge point; and - a protocol for the investigation, notification and mitigation of identified exceedances of the criteria / limits.	30 Jun 2022	Complete	OEMP updated on 7 April 2022 to include: ▪ Quantity and quality of wastewater and limits ▪ Plan of WWTP ▪ Protocol for notification Issue 9 06.12.22 – Approved by DPE 17.03.23
3	IEA 2021	DA53/97 S4, C50	The Auditors recommend that Baiada confirm DPE’s requirements for reporting production data in the Compliance Reports going forward.  The Auditors note that DA 53/97 was surrendered on 21/12/21 and SSD-9394 does not include the same limits as Condition 6(a) and 6(b).	April 2022	Complete	SSD9394 Condition A6 requires that production be capped at 1,120T finished rendering product until processing plant is operational.  Future Compliance reports (including this report) will report weekly production tonnes (see <b>Appendix F</b> ).  Methodology has been clearly indicated in this report.
4	IEA 2021	DA53/97 S4, C53	Ensure that strategies, management plans and programs are reviewed and revised following submission of an IEA in accordance with the requirements of SSD-9394, Conditions C11 to C13.	Ongoing	Ongoing	Tracking will be built into the EMS System for the site to manage items to the SSD Conditions and timelines.

Ref	Source	Condition	Action Proposed	Proposed Completion Date	Status	Action Completed
5	IEA 2021	SSD9394 - B8	If it is not already being undertaken, investigate options for odour mitigation for the CAL Biogas Vent (e.g. feasibility study of options) and implement the preferred option to prevent a reoccurrence of an offensive odour emission from the CAL Biogas Vent beyond the boundary of the site.	30 June 2022	Complete	A Flare for the Vented CAL gas is being installed, with construction commencing February 2022. Commissioned June 2022
6	IEA 2021 / CR21-22	SSD 9394 B12	Review the OMP and OEMP be reviewed and revised to address the identified gaps, in particular, improving the objectives and targets, ensuring consistency between the OMP and OEMP, ensuring all potential odour sources under normal and abnormal conditions are assessed and compliance reporting requirements are better defined. Also ensure that the OMP complies with Condition C1 requirements	30 June 2022	Complete	OMP and OEMP updated on 8 April 2022 and reissued to include the suggested improvements. Further amendments completed over several emails (16.05.22 supplied 12.08.22 follow up 02.09.22, 12.09.22 supplied 21.09.22) at the request of DPE till request to lodge on portal. OMP (07.10.22 V6) OEMP (07.10.22 V8) COMP TABLE (21.09.22) IEA recommendations (19.09.22) uploaded to the portal 07.10.22 currently awaiting approval. Another request DPE (02.12.22 Re Traffic Man) OEMP (06.12.22 V9) lodged via portal 07.12.22. Approval Received 17.03.23
7	IEA 2021 / CR21-22	SSD 9394 B60	Review the chemical storage quantities and reduce the quantity of Sodium Hydroxide stored onsite to comply with Table 3 limits and/or seek a modification of this condition to increase the limit for Sodium Hydroxide stored onsite, and correct any factual inaccuracies in Table 3.	30 June 2022	Complete	Request was made to increase the limit for Sodium Hydroxide (NaOH) stored on site and DPE response was to reduce NaOH on site below 5400lt as per Table 3 of SSD 9394 (DPE Response in Appendix A). This was corrected, information supplied to DPE and additional response received 02.05.22 saying satisfied no longer a noncompliance on this condition.
				Next mod for SSD 9394	Pending	Request has been made to correct factual inaccuracies in Table 3 at next review of SSD.
8	IEA 2021 / CR21-22	SSD 9394 C5, C1 & C6	Review and revise the OEMP to more completely and consistently meet Condition C1 requirements for all of the environmental aspects and impacts, which should be consistent with the site's environmental aspects and impacts register / risk assessment, as well as the requirements of SSD-9394.	30 June 2022	Complete	Amendments made 7 April 2022 to the OEMP, and 28 March 2022 to the OMP to more completely meet Condition C1 requirements.

Ref	Source	Condition	Action Proposed	Proposed Completion Date	Status	Action Completed
			There should be clear links between identified environmental hazards, the control measures, required performance indicators and monitoring and reporting requirements with a particular focus on any regulatory limits and requirements. The OEMP should also describe the procedure(s) to respond to “any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria)”, which may or may not be an incident.			Further amendments completed over several emails (16.05.22 supplied 12.08.22 follow up 02.09.22, 12.09.22 supplied 21.09.22) at the request of DPE till request to lodge on portal. OMP (07.10.22 V6) OEMP (07.10.22 V8) COMP TABLE (21.09.22) IEA recommendations (19.09.22) uploaded to the portal 07.10.22 currently awaiting approval. Another request DPE (02.12.22 Re Traffic Man) OEMP (06.12.22 V9) lodged via portal 07.12.22. Approval Received 17.03.23
9	IEA 2021 / CR21-22	SSD 9394 C15	<p>Submit a non-compliance notification to DPE regarding:</p> <ul style="list-style-type: none"> <li>- the non-compliance with Condition C23 (the subject of DPE’s letter dated 10/08/21) in accordance Conditions C15 and C16; and</li> <li>- the non-compliance with Condition C19 (failure to upload 2021 AEMR and notify DPE within required timeframes) in accordance with Condition C16.</li> </ul> <p>This is in order to ensure that the reason(s) for the non-compliances are investigated and appropriate actions undertaken to address the non-compliances and prevent a reoccurrence. It is suggested that non-compliances are managed in a similar manner to incidents (within the meaning of SSD-9394, i.e. notifiable incidents) and recorded on the Incident/ Complaint Register. Also refer to the findings and recommendations for Conditions C5 and C6 and procedures for responding to any non-compliance, which is considered to be one action for preventing a reoccurrence (i.e. provision of clear instructions).</p>	30 April 2022	Complete	<p>This has been noted and shall be reported in line with requirements.</p> <p>Letter with regards to non-compliance submitted via portal to DPE 25 February 2022. No action response received from DPE 03.03.22</p>
10	IEA 2021 / CR21-22	SSD9394 - C16	<p>Baiada did not submit non-compliance notifications for the Condition C19 and condition C23 non-compliances, in accordance with Condition C16. This is considered to be a separate non-compliance to the Condition C15 non-compliance because all of the required information was not provided and there is no evidence that the non-compliances have been investigated and what actions have been undertaken to address the non-compliances and prevent a reoccurrence.</p> <p>Follow recommendation as listed for No.9 above.</p>	30 April 2022	Complete	<p>Letter with regards to non-compliance submitted via portal to DPE 25 February 2022. No action response received from DPE 03.03.22</p>

Ref	Source	Condition	Action Proposed	Proposed Completion Date	Status	Action Completed
11	IEA 2021 / CR21-22	SSD9394 - C18	In line with DPE's requirement all future Compliance Reports comply with CRPAR 2020 requirements and include graphs of data to facilitate easy identification of trends and performance against limits and other targets	March 2022	Complete	CR21-22 report prepared in accordance with consent and CPAR 2020 requirements. CR22-23 also prepared in accordance with CPAR 2020 requirements
12	IEA 2021 / CR21-22	SSD9394 -C19	Review and revise the Register of Portal & Website Uploads to include additional fields to prompt due dates for when reports must be uploaded and when DPE must be notified by, as applicable, in addition to when reports were actually submitted and notified.	30 Apr 2022	Complete	EMS Hub has requirements more clearly defined.
13	IEA 2021 / CR21-22	SSD9394 -C23	Review the website and upload the identified missing information as soon as practicable.  Establish a process to ensure the required information is uploaded on a regular basis and within any required timeframes.	30 Mar 2022	Complete	Website modified 30 March 2022 with missing information uploaded to the website.
14	AEMR / CR 2020-21	NA	In the 2020-21 Annual Review and Compliance Report Acceptance letter (dated 10 Aug 2021), DPE requested that future Compliance Reports be in a layout that is generally in accordance with Section 5 of the Departments Compliance Reporting Post Approval requirements (2020) (DCRPAR 2020).	May-22	Complete	CR21-22 is in a layout generally in accordance with Section 5 of the DCRPAR 2020. Response to CR21-22 Report Received 21.06.22 – two additional items required for 22-23 Report which have been included into this report.
15	AEMR / CR 2020-21	SSD9394 C19 and C23	In the 2020-21 Annual Review and Compliance Report Acceptance letter (dated 10 Aug 2021), DPE requested the Baiada website be updated with the documentation required by these consent conditions.	March	Complete	Identified missing information uploaded to the website. Completed 30 March 2022.
16	CR21-22	SSD994 – B8	An odour complaint on 4 April 2021 indicates that an offensive odour was likely to have been emitted beyond the boundary of the site.  Investigation indicated the odour was sourced from the CAL Biogas Vent.	Ongoing	Complete	Capital has been invested to correct this issue by constructing a CAL flare. Construction commenced February 2022. Commissioned June 22.

### 3 Compliance Status Summary

**Table 7** shows the number of Conditions in SSD9394 in Compliant, Non-Compliant and Not triggered Status.

**Table 7. Compliance Table Summary**

Status	Number of Conditions
Compliant	67
Non-Compliant	1
Not Triggered	66

**Table 8** shows detail relating to Non-Compliances identified during the 22-23 Reporting period.

**Table 8. 22-23 Non-Compliance Summary**

Condition	Compliance Requirement	Details of Non-Compliance	Agencies to which reported	Enforcement Action by Regulators	Response to Non-Compliance																																												
<b>B60</b>	The storage of dangerous goods within the development must not exceed the maximum storage quantities listed in Table 3.	<p>The site holds additional LPG above 480kg for forklift use and hot water generation for the WWTP.</p> <p>The Packing group on the Sodium Hydroxide stored is II rather than the III recorded in Table 3.</p> <p>This information has been communicated to DPE with additional information in email 01.02.22.</p>	DPE	<p>Response received 09.02.22 indicated that these errors should be corrected as part of MOD application after assessment by suitably qualified and experienced DG expert. This information has been provided to PSA 15.03.22 and is still ongoing.</p> <p>Direction also received 21/4/2022 with regards to volume of NaOH stored on site MUST comply with Table 3.</p>	<p>Volume of NaOH reduced by the site to comply and letter received 02.05.22 that DPIE now satisfied site is compliant with this storage condition.</p>																																												
	<table border="1"> <thead> <tr> <th>Description</th> <th>Dang Goods Class</th> <th>Packing Group</th> <th>Max Storage Quantity</th> </tr> </thead> <tbody> <tr> <td>Liquified natural gas (LNG)</td> <td>2.1</td> <td>n/a</td> <td>240,000L</td> </tr> <tr> <td>Liquified petroleum gas (LPG)</td> <td>2.1</td> <td>n/a</td> <td>480kg</td> </tr> <tr> <td>Nitrogen</td> <td>2.2</td> <td>n/a</td> <td>10,000L</td> </tr> <tr> <td>Liquified oxygen gas (LOX)</td> <td>2.2 (5.1)</td> <td>n/a</td> <td>10,000L</td> </tr> <tr> <td>Carbon dioxide</td> <td>2.2</td> <td>n/a</td> <td>10,000L</td> </tr> <tr> <td>Anhydrous ammonia refrigerant</td> <td>2.3</td> <td>n/a</td> <td>7 Tonnes</td> </tr> <tr> <td>Ferric sulphate</td> <td>8</td> <td>III</td> <td>15,000 L</td> </tr> <tr> <td>Hypochlorite solution</td> <td>8</td> <td>III</td> <td>13,800 L</td> </tr> <tr> <td>Sodium hydroxide solution</td> <td>8</td> <td>III</td> <td>5,400 L</td> </tr> <tr> <td>Sulfuric acid (35%)</td> <td>8</td> <td>II</td> <td>4,000L</td> </tr> </tbody> </table>					Description	Dang Goods Class	Packing Group	Max Storage Quantity	Liquified natural gas (LNG)	2.1	n/a	240,000L	Liquified petroleum gas (LPG)	2.1	n/a	480kg	Nitrogen	2.2	n/a	10,000L	Liquified oxygen gas (LOX)	2.2 (5.1)	n/a	10,000L	Carbon dioxide	2.2	n/a	10,000L	Anhydrous ammonia refrigerant	2.3	n/a	7 Tonnes	Ferric sulphate	8	III	15,000 L	Hypochlorite solution	8	III	13,800 L	Sodium hydroxide solution	8	III	5,400 L	Sulfuric acid (35%)	8	II	4,000L
	Description					Dang Goods Class	Packing Group	Max Storage Quantity																																									
	Liquified natural gas (LNG)					2.1	n/a	240,000L																																									
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Sodium hydroxide solution	8	III	5,400 L																																														
Sulfuric acid (35%)	8	II	4,000L																																														

## 4 Incidents

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

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

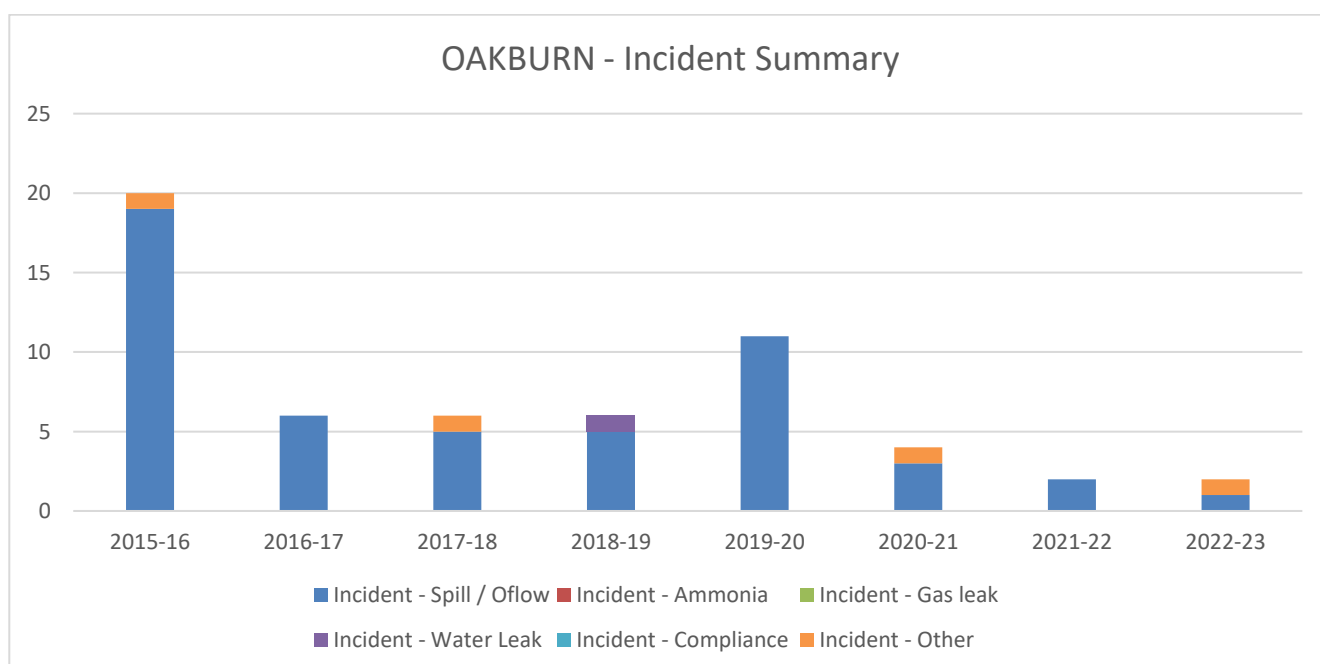
There have been two (2) minor environmental incidents at the site during the 2022-23 reporting period. The completed Baiada Environmental Incident and Complaint Record (EMS-F-007-NAT) is available on site for both incidents. A summary of the incidents is shown in **Table 9** below. These minor incidents did not trigger the reporting requirements of the SSD or the EPL. PIRMP was also not activated during the reporting period. Testing of the PIRMP procedures was completed in February 2023.

The site has shown improved performance around environmental incidents with a pro-active approach to root cause and preventative actions this is demonstrated in details of **Figure 3** showing a regular reduction in environmental incidents over consecutive reporting periods.

**Table 9. Incident Summary**

Date	Nature of Incident	Cause	Actions Taken
09/7/2022	Hydraulic Oil Leak from incoming raw material trailer	Disconnection issue	Spill contained and repaired on site.
26/9/2022	Blown Gasket – Balance tank to CAL	Incorrect start up procedure after power outage.	Repaired, procedures modified to be checked after power outage. Longer term fix – Balance tank to be decommissioned (Mid to late 2023)

**Figure 3 Site Incident History**



## 5 Complaints

A management system for complaints and reportable incidents (including a standardised Form and National Register) is maintained for all Baiada sites, including Oakburn. All complaints are reported to the Site Manager and the relevant details are recorded on an *Environmental Incident and Complaint Record Sheet (EMS-F-007-NAT)* in accordance with Condition M2 of EPL 7566.

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

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

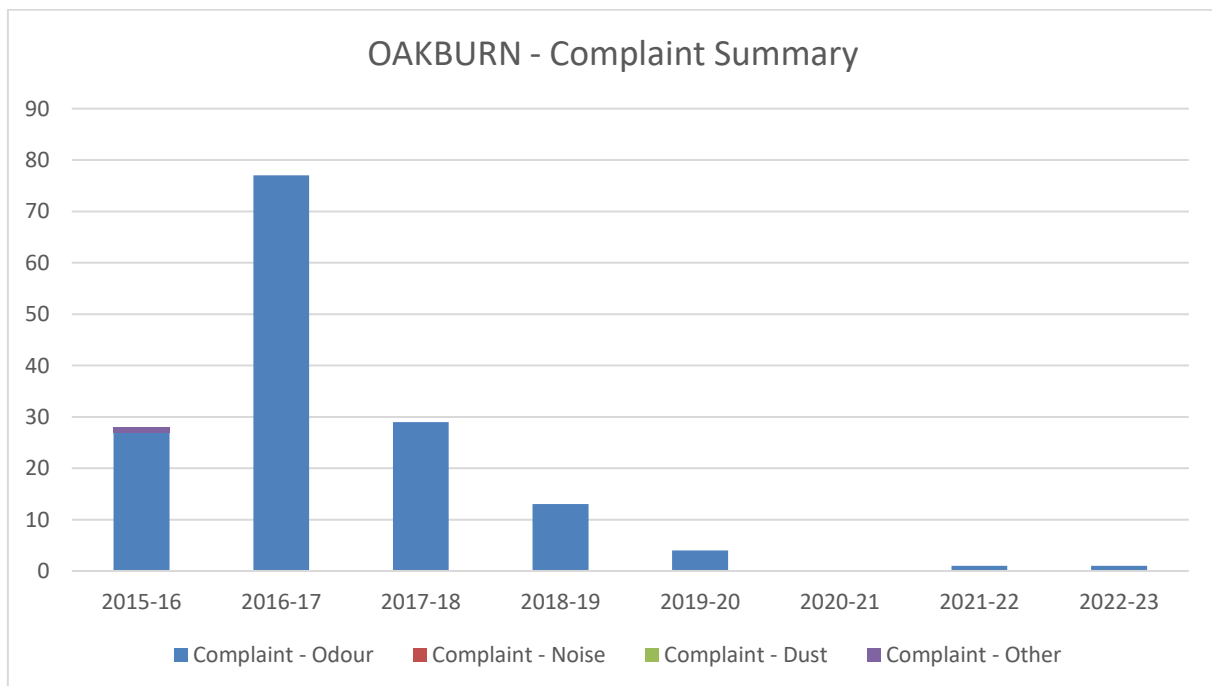
**Table 10. Incident Summary**

Total number of Complaints Received	Number of Complainants	Location of complaints	Nature of Complaints
1	1	NNE of Site 4km	Odour – Not able to be verified

One (1) complaint was received during the 2022-23 reporting period which was not able to be verified as originating at the Oakburn Site, continuing to demonstrate a proactive response to complaints received by the site. Capital has been spent over the past 5 years to continually improve the sites environmental performance. The last improvement was the installation of the CAL flare in June 2022 to flare methane produced from the waste water system rather than vent to atmosphere.

Although no targeted action is required by the site for the reduction in complaints for the 2023-24 reporting period, the site is currently assessing feasibility for the use of biogas for steam generation through at least one of the sites Boilers.

**Figure 4 Site Complaints History**



## 6 Site Environmental Performance

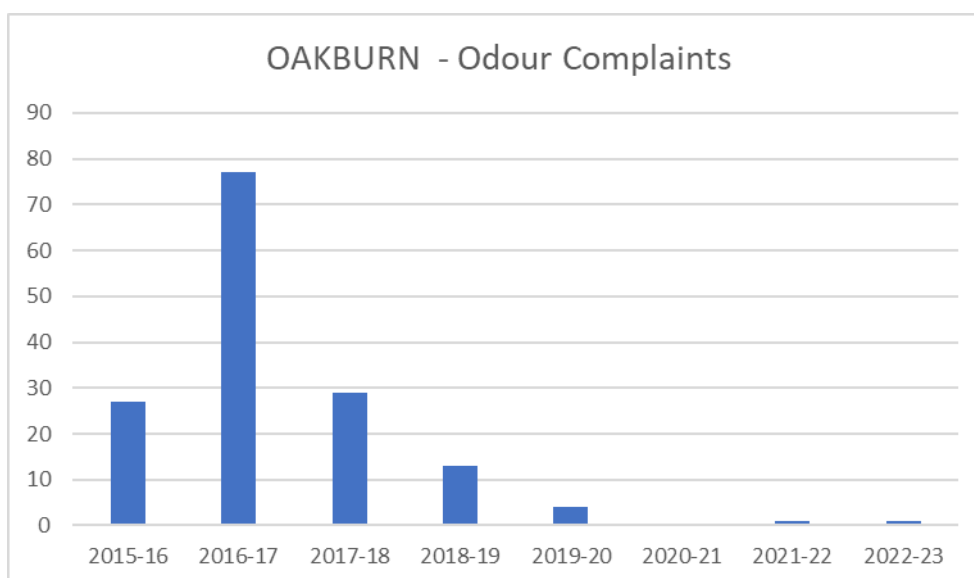
### 6.1 Odour Management

Condition L3.1 of the site EPL 7566 does not permit any offensive odours from the Oakburn Site. The Environmental Impact Statement (EIS) (PSA Consulting Australia 2019) that accompanied the SSD9394 application adopted an Odour performance criterion of 5 Odour Units (OU). This report indicated that Oakburn was unlikely to exceed this criterion under normal conditions.

The site has adopted the *Oakburn – Odour Management Plan (OMP)* in its most recent approved form throughout the 2022-23 Compliance Period. The key performance indicators of this plan are:

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

One complaint was received during the 2022-23 reporting period (see **Section 5**) in relation to odour emissions. This complaint was unable to be verified by the site. The below figure shows the history of the site’s odour performance comparing the number of complaints that have been received in each previous reporting period.



**Figure 5 Site Odour Complaints History**

The period from 2016-17 through to 2019-20 showed significant improvements with regards to odour performance of the site. The subsequent 3 periods including the current reporting period show consistent positive performance, 2020-21 (0), 2021-22 (1), 2022-23 (1) in relation to odour.

The site continues to improve the facilities on site that assist with odour control and the removal or improvement of potential sources of odour. During the 2022-23 compliance period the site installed a Flare for the flaring of methane gas rather than the previous venting to atmosphere. For 2023-24 reporting period the site is looking to install equipment for the use of biogas through one of the sites gas-fired boilers.

The site is also looking to remove the Balance tank used to transfer untreated waste water to the CAL (Covered Anaerobic Lagoon). Water will move directly from the factory to the CAL, thus removing the potential for odour to be generated from this process.

### 6.2 Bird Life Monitoring

In accordance with Condition B63 of SSD9394 the *Bird Life Monitoring Plan* (Cumberland Ecology 2021) was developed. The baseline data was collected through Cumberland Ecology in May 2022. This information will



be used to monitor the effects on bird usage of the subject land while the development is constructed and operates.

Clarification was sought from DPE regarding the trigger for commencing the Quarterly monitoring in submission to the portal in 18<sup>th</sup> August 2022. This confirmed that Quarterly monitoring will come into effect on commencement of construction of the development. No construction activities were completed during the 2022-23 compliance period, consequently no quarterly monitoring occurred during the reporting period.

### 6.3 Noise Management

Condition B6 of SSD9394 imposes noise limits for operational activities. The sites EPL 7566 imposes additional noise constraints on the site under Condition L2. Neither of these conditions imposes requirements for routine noise monitoring.

The *Oakburn – Operational Environmental Management Plan* (Section 8) details the sites noise limits imposed by the SSD and the site EPL and how the site will comply with the requirements of these conditions. Internal noise testing is performed and the site has on occasion monitored noise at the receptors. Compliance testing is to be completed if noise complaints are received.

Condition B4 SSD9394 also requires the preparation of a CEMP *Construction Noise Management Plan* for approval prior to commencement of construction. This condition has not been triggered during the 2022-23 reporting period as no construction has occurred during the period.

Noise emissions from the current rendering site are predominantly from heavy vehicle movements around the site. Rendering activities occur within an enclosed building.

No noise complaints have been received during the 2022-23 reporting period or within any of the previous reporting periods since the commencement of operation of the existing facility in 2015.

### 6.4 Solid Waste Management

Waste will be managed in accordance with the following conditions in **Table 11**. The *Oakburn – Operational Environmental Management Plan* (Section 11) details the site actions with regards to Waste Management. Section 11.4 details actions specifically relating to Solid Waste Management.

**Table 11. Waste Management Requirements**

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

There were no specific or predictions or estimated volumes relating to waste in the EIS (PSA consulting 2019). Baiada maintains its commitment to *ISO 14001:2015 Environmental Management Systems* and *Australian*

*Packaging Covenant* ensure the site is continually monitoring and improving its waste generation and recycling activities. The Oakburn Rendering plant is essentially a waste recycling facility for the business.

The following are a summary of the solid waste streams that were produced by the site and sent to the Tamworth Regional council waste management facility during the reporting period;

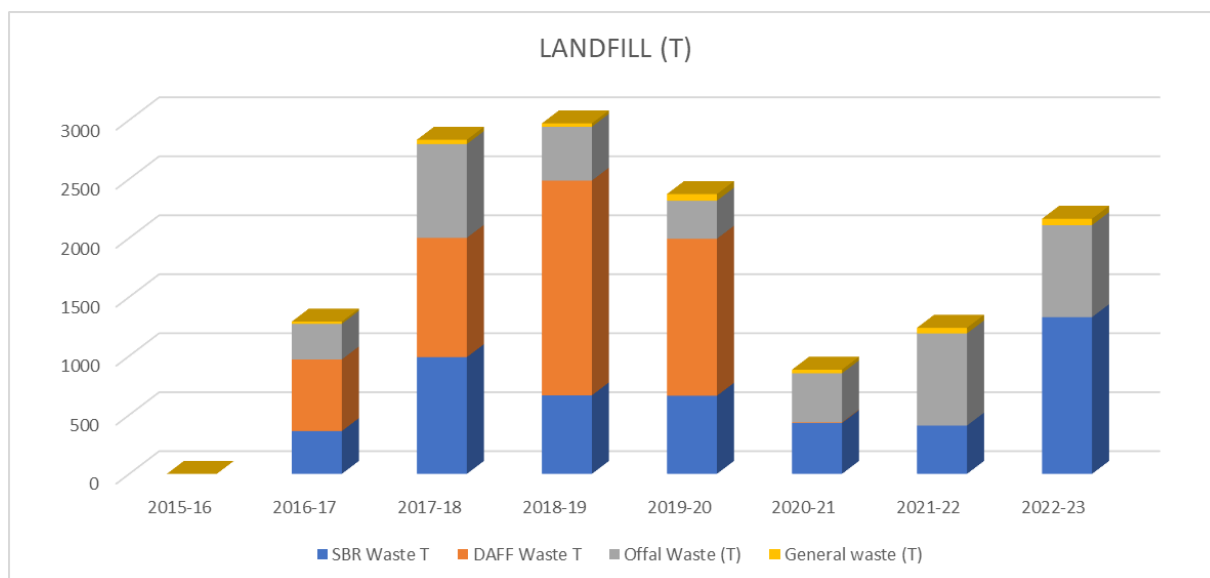
- Offal Waste – typically rejected by the metal detection systems on the soft offal and feather processing lines.
- SBR Sludge – solids removed from the wasting process of the Sequencing Batch Reactor, a biological waste water improvement stage.
- General non-recyclable waste – dirty packaging materials, waste from the administration building and waste screenings from the milling process.

**Table 12. Compliance Table Summary**

Waste Stream	Total (T) of Waste Material Produced						
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Offal Waste	302.08	794.84	456.12	322.66	415.88	781.04	780.12
SBR Sludge	362.68	989.6	665.72	662.08	430.79	409.74	1328.5
General Waste	18.88	36.38	28.88	55.98	31.02	47.98	54.12
<b>Total</b>	<b>1900.96</b>	<b>2832.24</b>	<b>2971.7</b>	<b>2371.96</b>	<b>883.27</b>	<b>1238.76</b>	<b>2162.74</b>

It can be seen from Table 12 that the volumes of offal waste and General waste have remained quite steady but the volume of SBR waste has increased substantially. This can also be seen in **Figure 6** below.

**Figure 6 Landfill Quantities (T) across reporting periods**



Volumes of solids waste generated remain on the Significant Impacts List for the site. Opportunities for improvement and reduction are regularly being investigated. During the 2022-23 reporting period an application was submitted to the EPA for a Resource Recovery Exemption for land application for the SBR waste generated by the site. Some issues with regards to the microbial load of the material must be alleviated prior to further consideration of this application. This will be the target of investigations over the next reporting period.

A number of waste streams continue to be recycled for the site these include;

- Waste oils
- Empty IBC's
- Paper and Cardboard
- Drink cans and bottles
- Scrap Steel
- Minor amounts of Printer Cartridges and batteries
- Light tubes are being collected and retained, opportunities for recycling are currently being investigated.

All recycling of materials is released only to appropriately registered or licenced contractors and records are maintained on site. Quantities of recycled materials per reporting period are shown below in **Table 13**.

**Table 13. Recycling Quantities of Waste Streams across reporting periods**

Waste Stream	Total (T) of Waste Material Produced						
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Challenge Mixed Recyclables (T)	1.56	1.56	1.56	1.56	1.56	1.64	0.96
Printer Cartridges (kg)	0	0	0	0.5	0	5	2
Wood Pallets (T)	0	0	0	3.5	0	0	0
Bottles and Cans (kg)	0	0	0	0	21	36	42
Scrap Steel (T)	0	0	0	0	0	6.28	0
Light Bulbs	0	0	0	0	0	0	0
Green Waste (T)	0	4.86	0	0	0	0	0
IBC/DRUMS (T)	0	0	0	0	0	0	0.65
Paper & Cardboard (T)	0	0	0	0	0	0	0.6
Soft Plastics (T)	0	0	0	0	0	0	0

Towards the end of the reporting period Challenge recycling were no longer able to receive co-mingled recyclables. This has now been split and Challenge only receive paper and cardboard and soft plastics will be recycled through a new contractor in the next reporting period.

## 6.5 Hazardous Material Management

Under condition B60 of the SSD9394 the site must maintain Hazardous materials as per the limits in **Table 14**. Below. There are also obligations to avoid and control environmental pollution under the POEO Act for EPL holders. The site maintains a PIRMP which has been prepared in accordance with the POEO Act as part of the site Emergency Procedures.

Hazardous Chemicals are mainly used on site for cleaning and waste water management at the rendering site. A large quantity combustible material is stored on site in the form of LPG (Boiler Operation) and LNG (operation of forklift).

**Table 14. SSD9394 Max Storage Quantities of Dangerous Goods and Combustible materials**

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

A non-conformance has been recorded in this compliance report for the 2022-23 reporting period for the volume of LPG (forklift use) and the packing group of Sodium Hydroxide currently stored on site. These issues are to be corrected in the next modification of the SSD9394.

A written directive was received with the response to the 2021 IEA to reduce the volume of Sodium Hydroxide on site back to the limit in Table 3 of SSD9394 by 05.05.22 (DPE, J Curran 21.04.22). This directive was complied with and communications received back “The department is satisfied there is no longer a non-compliance with Schedule 2 Part B, Condition 60.” (DPE, J Curran 02.05.22)

## 6.6 Heritage

The *Oakburn – Operational Environmental Management Plan* (Section 17.1) details the sites procedures relating to unexpected finds protocol to comply with SSD9394 Condition B67. No aboriginal objects were identified during the 2022-23 reporting period.

## 6.7 External Lighting

All lighting must be designed and installed to meet the requirements of SSD9394 Condition B74. This condition relates to all lighting being unobtrusive and not creating a nuisance to surrounding properties.

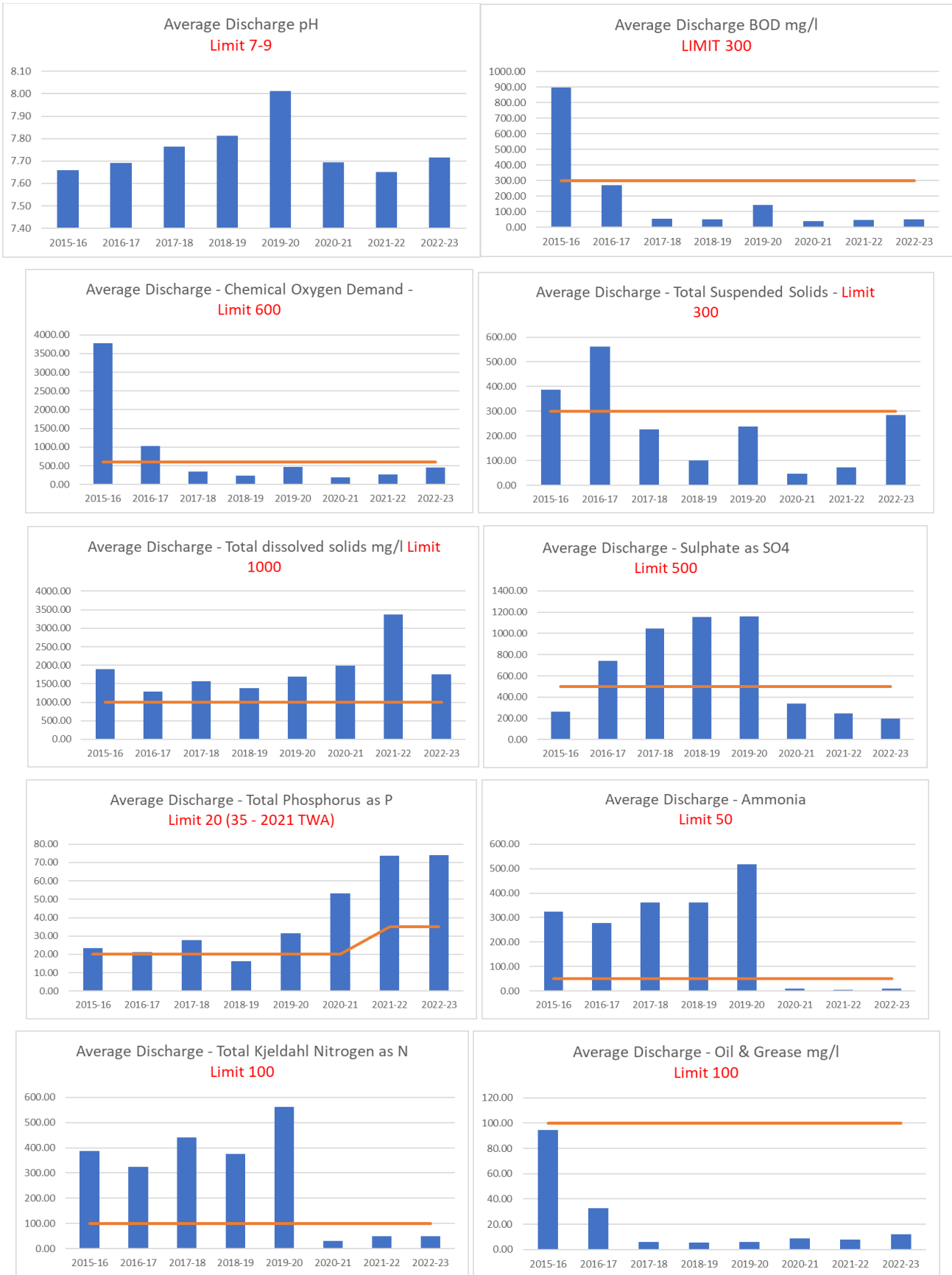
No new lighting has been installed during the 2022-23 reporting period.

## 6.8 Waste Water Management

All waste water from the site during the reporting period was discharged to the Tamworth Regional council sewer under the sites Trade waste Agreement created in Nov 2021 and in force until 14<sup>th</sup> November 2026.

Details of the sites Waste water system are detailed in *Oakburn – Operational Environmental Management Plan* (Section 10.5 Water Management Plan)

**Figure 7 Waste Water Parameters - Performance across reporting periods**



**Figure 7** Waste Water Parameters shows the performance for specific parameters across each of the reporting periods since the commencement of operation of the Oakburn Rendering plant in 2015. Significant improvements have been made over the majority of the parameters. Total Phosphorus and Total Dissolved solids remain elevated against the Trade Waste limits. The Tamworth regional council charges an excess mass charge for the volume above the trade waste agreement for each parameter.

**Table 15** below shows the Analysis results over the current reporting period. Results show only elevated Total Phosphorus which the TRC advice remains to not add additional chemicals to control at this stage. TDS results are still being affected by the addition of chemicals to control pH on occasion. TRC has stated they want the site to continue to try to reduce TDS as much as possible. There were during the reporting period a couple of occasions where the BOD / COD and TSS were outside the parameters. Controls were able to be rectified in a timely manner to correct the issues.

**Table 15. 2022-23 Waste Water Analysis Results**

Parameter	Minimum	Maximum	Ave	Median	TW agreed Limit
pH	7.00	8.10	7.71	7.80	7-9
Conductivity	1.96	4.36	2.65	2.53	-
Biological Oxygen Demand (BOD)	8.00	383.00	49.85	33.50	300
Chemical Oxygen Demand (COD)	123.00	4602.00	449.56	218.50	600
Total Suspended Solids (TSS)	10.00	3650.00	284.83	87.50	300
Total Dissolved Solids (TDS)	1132.00	3200.00	1760.71	1572.00	1000
Sulphate (as SO <sub>4</sub> )	128.00	306.00	198.65	193.50	500
Total Phosphorus (TP)	16.40	172.00	74.08	76.88	35
Total Nitrogen as N	11.40	342.60	97.10	46.05	
Nitrate + Nitrite as N	0.10	226.28	48.07	15.19	
Ammonia as Nitrogen	0.32	66.60	10.76	4.83	50
Total Kjeldahl Nitrogen	9.00	340.40	48.81	23.60	100
Oil and Grease	5.00	263.00	12.23	5.00	100

The TWA also imposes as 450KL daily discharge limit on the site. This limit has been programmed into the PLC and discharge pump will cease when this limit is reached. The daily discharge limits are reported to the TRC trade waste officer on a monthly basis. There were no breaches to this limit during the 2022-23 reporting period.

## 6.9 Stormwater Management

Condition B22 of SSD9394 and condition L1.1 of EPL 7566 specifies that the licensee must comply with Section 120 of the POEO Act which prohibits the pollution of waters.

Stormwater Management Plan as required by SSD Condition B23 must be developed prior to the operation of the development. As construction has not yet commenced this condition has not been triggered.

The existing rendering site has not had any incidents which have triggered the PIRMP during the 2022-23 reporting period. The rendering site also performs stormwater testing at least annually and maintains records of testing to ensure the quality of water exiting the site is of an acceptable standard.

## 6.10 Water and Energy Efficiency

### 6.10.1 Water Consumption

Water was supplied to the site through the reporting period via the site’s connection to the TRC’s reticulated water supply infrastructure. Four 250KL rain water tanks are held on site and are utilised for landscaping purposes.

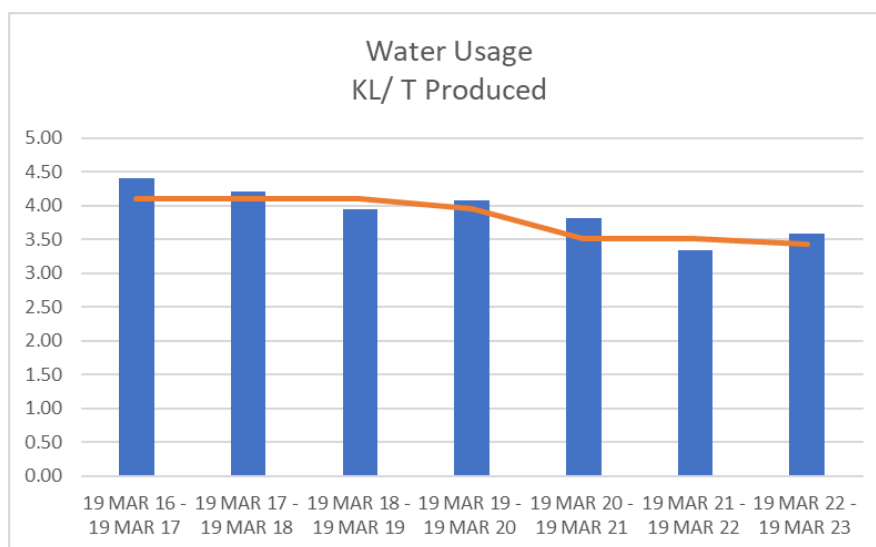
The site is a producer of water as water is cooked off and collected from the raw material supplied during processing. Water use from the site is mainly for cleaning, steam generation, biofilter operation and staff amenities.

Water consumption is sub metered across key water use areas of the site, recorded weekly and tracked to ensure issues are quickly identified and repairs made in a timely manner.

The trend in water usage was downward through the 2019-2020 till 2021-2022. The most recent period water usage per T produced has increased slightly. Some water was used during the period for landscaping during dry weather as water restrictions have not been in force. Submetering usage for this purpose indicates water usage would have been 3.45KL/T produced without this additional use.

The site continues to push towards improved water efficiency for the site reducing the target usage from 3.5KL/T to 3.4KL/T for the 2022-23 Compliance period. The target water usage is shown in orange in **Figure 8** below. Consideration has been given to reuse in several areas during the compliance period and this will remain a focus over the coming 12 months.

**Figure 8 Water Usage Performance across reporting periods**



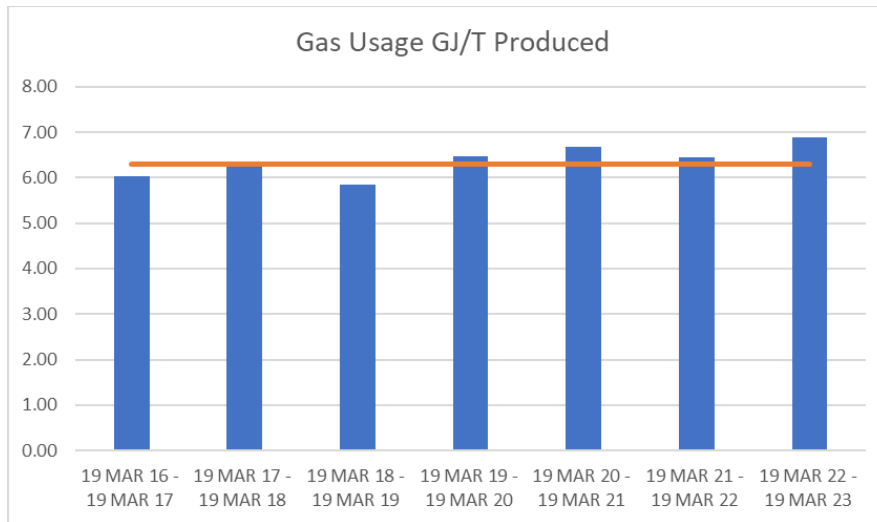
### 6.10.2 Gas Consumption

The site utilises a combination of reticulated natural gas (RNG) supplied from the local pipeline and liquid natural gas (LNG) tanked to the site, to power three gas fired boilers to generate steam on the site.

Gas usage across compliance periods is shown below in **Figure 9** as GJ used against Tonnes of product produced by the site. The gas usage has remained fairly steady for the last 4 compliance periods. It was slightly elevated during this compliance period as additional products were produced using the batch cooker over 18-20hrs a day rather than 8hrs / day across previous periods.

The site is currently working on utilising biogas produced by the waste water system in one boiler for the site. Targets will be reviewed after the install of the equipment in the 23-24 compliance period.

**Figure 9 Gas Usage Performance across reporting periods**



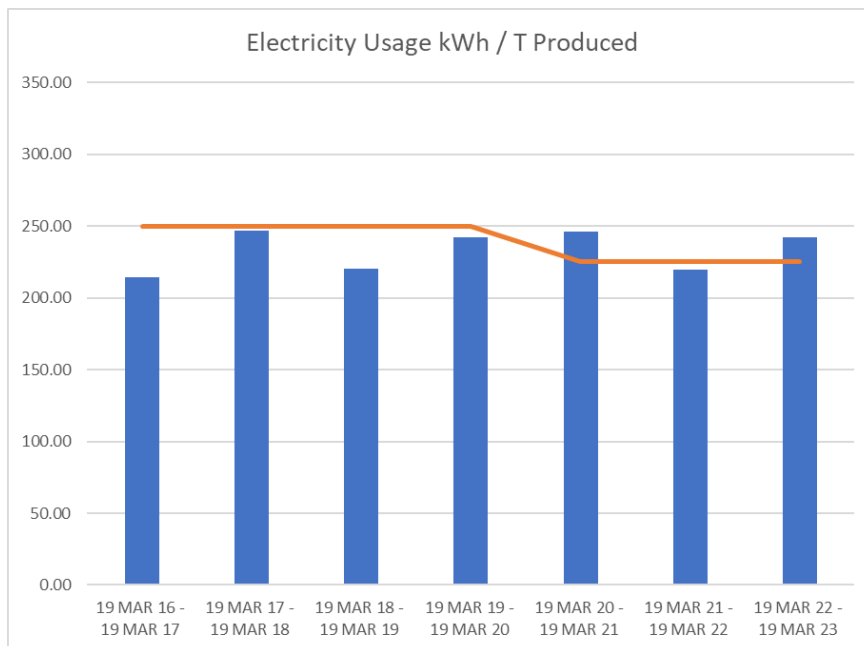
**6.10.3 Electricity Consumption**

Electricity from the site is supplied from the site connection to Essential Energy’s reticulated electricity infrastructure. The sites main electricity uses are in biofilter fans, drives, motors and pumps on production equipment, waste water pumps and motors, extraction fans, general lighting and the office building.

Electricity usage across compliance periods is shown below in **Figure 10** as kWh used against Tonnes of product produced by the site.

Electricity usage efficiency for the site is affected by the volumes that it receives and the number of start up’s and shut down’s during a week and the duration of time the large motors and drivers are operating. The site continues to monitor on a weekly basis the electricity efficiency and to review items that can be improved. Generally, the electricity efficiency has remained fairly constant over all reporting periods.

**Figure 10 Electricity Usage Performance across reporting periods**





## 6.11 Planned Improvements

Cal Flare construction was completed in June 22 and has been operating since this time leading to improved odour performance from the site.

The 2023-24 Compliance period there are additional improvements planned with the installation of equipment to burn biogas through one of the sites 3 gas fired boilers.

There will also be work performed to remove waste water tanks containing raw waste water from the system with water moving straight to the CAL which will remove another potential odour emission source.

A submission was made to the EPA for the potential for land application of the SBR waste. Improvements are still required in this area and work will continue during the 2023-24 compliance period.

## 6.12 References

Baiada (2021) Oakburn – *Oakburn Environmental Management Plan (Stage 1 – Rendering) (OEMP) - V4 2021 (OEMP)*

Baiada (2022) Oakburn – *Oakburn Environmental Management Plan (Stage 1 – Rendering) (OEMP) – V9 12.22 (OEMP)*

Baiada (2021) Oakburn - *Oakburn Odour Management Plan (OMP) V5 05.21*

Baiada (2022) Oakburn – *Oakburn Odour Management Plan (OMP) V6 10.22*

Baiada (2022) *Traffic Management Plan V1 03.2022*

Cumberland Ecology (2021) *Bird Life Monitoring Plan*

MPN Consulting (2019) *Stormwater Management Plan*

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

## 7 APPENDICES

### APPENDIX A - Compliance Table

**Table 16. Compliance Status Descriptors**

Status	Description
<b>Compliant</b>	The site has collected and maintained verifiable evidence to demonstrate that all elements of the requirement have been complied with.
<b>Non-Compliant</b>	The Site has identified a non-compliance with one or more elements of the requirement
<b>Not Triggered</b>	A requirement has an activation or timing trigger that has not been met at the phase of development when the compliance assessment was undertaken, therefore an assessment of compliance is not relevant. (For this report this is the outside the period 20.03.22-19.03.23.)

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>PART A – ADMINSTRATIVE CONDITIONS</b>				
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>				
<b>A1</b>	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	At all times	Sites Maintains Accredited Environmental Management System to 14001:2015 – Certificate No:628301 22.01.21 IEA Report 2021 – Ramboll 07.04.22 CR 2021-22 – SLR 03.05.22 No significant environmental Incidents during the Compliance Period.	COMPLIANT
<b>TERMS OF CONSENT</b>				
<b>A2</b>	The development may only be carried out: (a) in compliance with the conditions of this consent;	At all times	Sites Maintains Accredited Environmental Management System to 14001:2015 – Certificate No:628301 22.01.21 IEA Report 2021 – Ramboll 07.04.22 CR 2021-22 – SLR 03.05.22	COMPLIANT

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
			<p>One (1) Non-compliance was identified in this compliance report relating to content of Table 3 in condition B60. This has been previously identified as a non-compliance and is to be corrected with the issue of the next Mod to SSD9394</p>	
	(b) in accordance with all written directions of the Planning Secretary;		<p>10.08.21 Letter requesting improvements to future CR - Completed 21-22 CR                  22.06.21 – Upload of BLMR to website – Completed                  23.12.21 – Submit Stage2 OEMP -1 month prior to Commencement of stage 2 – NOT YET TRIGGERED                  23.12.21 – Approved OEMP (Iss 5) to be placed on website – COMPLETE                  21.06.22 – Future CR - include table for compliance status descriptors, summary table of conditions to be included – Included in this report.                  21.06.22 – Make 21-22CR publicly available – Complete                  31.03.22 – IEA 2021 – a number of corrections requested. Completed response 07.04.22                  21.04.22 – IEA 2021 – Direction to reduce NaOH on site to within Table 3 of SSD9394 by 05.05.22 – Complete – response received                  02.05.23 – No longer a non-compliance to B60.                  16.05.22 – Review of Man plans – RFI, Response 12.08.22                  12.09.22 – Review of Man Plans – RFI, Response 21.09.22                  06.10.22 – Review of Man Plans – upload plans to portal – Completed 07.10.22                  16.11.22 – Review of Man Plans – RFI, Clarification 02.12.23                  Response 06.12.22 OEMP (V9 06.12.22) – upload to portal – Completed 07.12.22 - Approved 17.03.23.</p>	
	(c) in accordance with the EIS, Response to Submissions and Supplementary Response to Submissions;		<p>A number of conditions within the EIS and Response to submission and supplementary response to submissions relate to Stage 2 of the development and as such are not yet triggered.                  No non-compliances have been evidenced in this report against measures relating to the existing rendering plant</p>	
	(d) in accordance with the Development Layout in Appendix 1; and		<p>Stage 2 has not yet been triggered. Layout in compliance to Rendering Plant operation only</p>	

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(e) in accordance with the management and mitigation measures in Appendix 3.		<p>Management and Mitigation Measures are actually Appendix No4. This error has been presented to DPE for correction as per email 01.02.22 A Dorocinska and response email P Morales 09.02.22.</p> <p>A number of conditions within the Management and Mitigation measures in Appendix No4 relate to Stage 2 of the development and as such are not yet triggered.</p> <p>No non-compliances have been evidenced in this report against measures relating to the existing rendering plant</p>	
<b>A3</b>	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and</p>	At all times	See comments Condition A2(b) – Compliance with a number of written directions from DPE.	COMPLIANT
	(b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).		21.04.22 – IEA 2021 – Direction to reduce NaOH on site to within Table 3 of SSD9394 by 05.05.22 – Complete – response received 02.05.23 – No longer a non-compliance to B60.	
<b>A4</b>	<p>The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.</p> <p>Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.</p>	At all times	No inconsistencies were encountered during the compliance period.	NOT TRIGGERED
<b>LIMITS OF CONSENT</b>				
<b>Lapsing</b>				
<b>A5</b>	This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.	Operation	Letter from DPE P Morales 08.11.21 states the consent had effect from 22.01.21 and that now covered under the SSD	COMPLIANT
<b>Protein Recovery Plant</b>				

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
A6	The rendering capacity cannot increase from 1,120 tonnes to 1,680 tonnes of finished rendering product per week in the protein recovery plant until such time that all works associated with the project, are complete and operational, to the satisfaction of the Planning Secretary.	Operation	Production Data from 20.03.22 till 19.03.23 has been provided in APPENDIX B. All production quantities fall well below the threshold limit of 1120T/wk finished product produced.	COMPLIANT
<b>Poultry Processing Plant</b>				
A7	The development is limited to the following limits within the processing plant: (a) processing of up to 3 million birds per week; and	Operation	The development is not yet in operation	NOT TRIGGERED
	(b) holding of 90,000 birds (average over 24 hour period) within the live bird area.		The development is not yet in operation	
A8	Exhaust fans on the processing areas must be designed to achieve a minimum exit velocity of 15 milliseconds	Construction	Noted. <i>Condition requires additional unit of measurement – communicated in errors requiring correction.</i>	NOT TRIGGERED
A9	The final design and operation of the plant must not preclude the ability for air pollution and odour emission controls to be retrofitted.	Operation	Noted.	NOT TRIGGERED
<b>NOTIFICATION OF COMMENCEMENT</b>				
A10	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary: (a) construction;	Construction	Construction will not commence prior to 19.04.23	NOT TRIGGERED
	(b) operation; and	Operation	Construction has not commenced	
	(c) cessation of operations.	Operation	Noted	
A11	If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage of the date of commencement and the development to be carried out in that stage, or a timeframe otherwise agreed with the Planning Secretary.	Construction	Staging has currently been approved: Stage 1 – Rendering Plant Only Stage 2 – Rendering Plant and construction of Poultry Processing Stage 3 – Operation of Rendering and Poultry Processing. Construction has not commenced and will not commence prior to 19.04.23 for Stage 2. Note: changes to proposed Phases and stages in <b>Section 1.5 Table 2.</b>	NOT TRIGGERED
<b>SURRENDER OF EXISTING CONSENTS</b>				

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
A12	<p>Within 12 months of the date of determination of this development consent, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the consents specified in Appendix 3 in accordance with the EP&amp;A Regulation.</p>	At all times	<p>These DA's are : 53/97 : DA0775/2008 : DA0080/2010 : DA057/2010 : DA2016/0551 : DA2017/0278 : DA2107/0282 : DA2018/0443</p> <p>Letter and emails sent to TRC and DPE with regards to surrender of the DA's 21.12.21. As</p> <p>Response received from DPE 23.12.21 with regards to receipt of the surrender and a request to forward the response from TRC. No response has been received for the reporting period from the TRC.</p>	COMPLIANT
A13	<p>Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals as required under condition A12, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.</p> <p>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&amp;A Act or Part 6 of the EP&amp;A Act as applies from 1 September 2018. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.</p>	At all times	Noted: No issues with inconsistency were experienced during the reporting period until the date of surrender of the DA's.	NOT TRIGGERED
<b>EVIDENCE OF CONSULTATION</b>				
A14	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p> <p>(b) provide details of the consultation undertaken including:</p> <p>(i) the outcome of that consultation, matters resolved and unresolved; and</p> <p>(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved</p>	At all times	<p>Consultation is required in relation to the following conditions</p> <p>A18 – Owners and Service providers likely to be impacted by construction - NT (Not Triggered)</p> <p>B27 – Engineer in relation to Construction of Evaporation Ponds - NT</p> <p>B28 – DPI water for Water Management Plan - NT</p> <p>B47 – TfNSW in relation to construction traffic Management plan - NT</p> <p>B54 – FRNSW in relation to Fire Safety Study - NT</p> <p>B63 – CASA and TRAIrport with regards to Bird life monitoring program. (Completed -see evidence B63 CR21-22)</p> <p>B65 – TRC, EPA and DPE re Emergency Disposal and Biosecurity Protocol - NT</p> <p>B75 – TRC with regards to any signage plans - NT</p> <p>B76 – Community Engagement, Relevant authorities, registered aboriginal parties (Completed – see evidence B76 CR21-22)</p>	COMPLIANT

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
			App 4 – parties as per Aboriginal Objects Find Procedure – NT Consultation has also been made to DPE with regards to several queries with regards to the SSD Requirements during the period, in regards to BLMP and review of Management plans	
<b>STAGING, COMBINING AND UPDATING STRATEGIES, PLANTS OR PROGRAMS</b>				
A15	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	At all times	Notification performed 23.12.21 regarding Stage 1 – Rendering Stage 2 Construction and Stage 3 Operation. (CR21-22) No additional staging requests were made during the CR 22-23 period.	COMPLIANT
A16	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	At all times	23.12.21 – Staged OEMP – No consultation required OEMP (CR 21-22).	NOT TRIGGERED
A17	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	At all times	OEMP 06.12.22 (V9) and OMP 07.10.22 (V6) approved 17.03.23 and have been implemented.	COMPLIANT
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>				
A18	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Planning Secretary and Council.	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>A19</b>	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p>Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by A23 of this consent.</p>	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>DEMOLITION</b>				
<b>A20</b>	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Construction	No demolition activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>STRUCTURAL ADEQUACY</b>				
<b>A21</b>	<p>All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• Under Part 6 of the EP&amp;A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</li> <li>• Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</li> </ul>	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>COMPLIANCE</b>				
<b>A22</b>	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	At all times	<p>Contractor information sheet has been developed for the provision of information to contractors working on site. Evidence of communication with a number of site contractors is available on site over the compliance period</p> <p>Site Manager and Supervisors have completed training in the conditions of the SSD.</p> <p>All other staff complete an induction process.</p>	COMPLIANT
<b>DEVELOPMENT CONTRIBUTIONS</b>				
<b>A23</b>	Before the issue of an occupation certificate for any part of the project a levy of 1% of the development cost, as determined by a Registered Quantity Surveyor's Detailed Cost Report, must be paid to Council to cater for the increased demand for community infrastructure resulting from the development, in accordance with Section 4.17 and Section 7.12 of the EP&A Act and the Tamworth Regional Council Section 94A (Indirect) Contributions Plan. 2013	Operation	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED



No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>OPERATION OF PLANT AND EQUIPMENT</b>				
A24	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	At all times	MEX preventative maintenance system for all aspects of the sites equipment remained in place for the 22-23 compliance period. The site monitors key aspects of the sites performance using a system of documented checks which were reviewed for this compliance report. (Various monitoring forms as saved on the site server). The site has had limited incidents recorded for the compliance period 19.03.22-18.03.23. Each incident was investigated and corrective and preventative actions put in place with root cause analysis. Training records commensurate with the job roles are available for each staff member.	COMPLIANT
<b>EXTERNAL WALLS AND CLADDING</b>				
A25	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
A26	Before the issue of: (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and (b) an Occupation Certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
A27	The Applicant must provide a copy of the documentation given to the Certifier under condition A26 to the Planning Secretary within seven days after the Certifier accepts it.	Construction	A26 has not been triggered.	NOT TRIGGERED
<b>UTILITIES AND SERVICES</b>				
A28	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
A29	Before the issue of a Subdivision Works Certificate or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:	Construction	No Subdivision work certificate or construction certificates have been issued during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(a) the installation of fibre-ready facilities to the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to the development demonstrated through an agreement with a carrier			
A30	Before the issue of an Occupation Certificate, the Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>WORKS AS EXECUTED PLANS</b>				
A31	Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.	Operation	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>APPLICABILITY OF GUIDELINES</b>				
A32	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent	At all times	Condition is noted	COMPLIANT
A33	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	At all times	10.08.21 Response to AEMR/CR 20-21 – Referenced updated document “ <i>Compliance Reporting Post Approval Requirements (2020)</i> ”	COMPLIANT
<b>ADVISORY NOTES</b>				
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	At all times	A register of compliance Obligations and their appropriate conditions is maintained within the Oakburn – EMS Hub. Condition Noted.	COMPLIANT
<b>SCHEDULE 2 - PART B SPECIFIC ENVIRONMENTAL CONDITIONS</b>				
<b>NOISE</b>				
<b>Hours of Work</b>				

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status														
B1	The Applicant must comply with the hours detailed in Table 1.	At all times	No major earthworks or construction activities occurred during the compliance period 19.03.22-18.03.23. OEMP (v9) Section 4.1 Details permitted hours of work for the site. Information provided to contractors to the site contains this information. Hours of operation are unrestricted and therefore conditions have been met.	COMPLIANT														
	<table border="1"> <thead> <tr> <th data-bbox="248 256 568 304">Activity</th> <th data-bbox="568 256 837 304">Day</th> <th data-bbox="837 256 972 304">Time</th> </tr> </thead> <tbody> <tr> <td data-bbox="248 304 568 389" rowspan="2">Earthworks and Construction</td> <td data-bbox="568 304 837 344">Mon - Friday</td> <td data-bbox="837 304 972 344">7am-6pm</td> </tr> <tr> <td data-bbox="568 344 837 389">Saturday</td> <td data-bbox="837 344 972 389">8am-1pm</td> </tr> <tr> <td data-bbox="248 389 568 429">Operation</td> <td data-bbox="568 389 837 429">Monday to Sunday</td> <td data-bbox="837 389 972 429">24hrs</td> </tr> </tbody> </table>				Activity	Day	Time	Earthworks and Construction	Mon - Friday	7am-6pm	Saturday	8am-1pm	Operation	Monday to Sunday	24hrs	At all times	No out of hours work has been required during the compliance period 19.03.22-18.03.23.	COMPLIANT
	Activity				Day	Time												
	Earthworks and Construction				Mon - Friday	7am-6pm												
Saturday		8am-1pm																
Operation	Monday to Sunday	24hrs																
Works outside of the hours identified in condition B1 may be undertaken in the following circumstances: (a) works that are inaudible at the nearest sensitive receivers; or (b) works agreed to in writing by the Planning Secretary; or (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.																		
<b>Construction Noise Limits</b>																		
B3	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 3.	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.  A copy of the "Interim Construction noise Guideline (2009)" is available on site for review.	NOT TRIGGERED														
<b>Construction Noise Management Plan</b>																		
B4	The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must (a) be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary; (b) be approved by the Planning Secretary prior to the commencement of construction of the project (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time); (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.  CEMP was not submitted to the secretary during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED														

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status																														
	(e) include a complaints management system that would be implemented for the duration of the development.																																	
<b>B5</b>	The Applicant must: (a) not commence construction of any relevant stage of the project until the Construction Noise Management Plan required by condition B4 is approved by the Planning Secretary; and (b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.  CEMP was not submitted to the secretary during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED																														
<b>Operation Noise Limits</b>																																		
<b>B6</b>	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2. Table 2: Noise Limits (dB(A)) <table border="1" data-bbox="246 667 929 946"> <thead> <tr> <th>Locality</th> <th>Location</th> <th>Day L<sub>Aeq</sub> (15 Minute)</th> <th>Evening L<sub>Aeq</sub> (15 Minute)</th> <th>Night L<sub>Aeq</sub> (15 Minute)</th> <th>Night L<sub>AFmax</sub></th> </tr> </thead> <tbody> <tr> <td>R1</td> <td>Girraween</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> <tr> <td>R2</td> <td>Abbeylands</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> <tr> <td>R3</td> <td>The Billabong</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> <tr> <td>R4</td> <td>Airport South</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> </tbody> </table> <p>Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for the location of residential sensitive receivers.</p>	Locality	Location	Day L <sub>Aeq</sub> (15 Minute)	Evening L <sub>Aeq</sub> (15 Minute)	Night L <sub>Aeq</sub> (15 Minute)	Night L <sub>AFmax</sub>	R1	Girraween	40	35	35	52	R2	Abbeylands	40	35	35	52	R3	The Billabong	40	35	35	52	R4	Airport South	40	35	35	52	At all times	No noise complaints have been received by the site in the current compliance period 19.03.22-18.03.23 or any other compliance period since the commencement of the rendering operation in April 2015.  Approved OEMP (V9) Section 8.3 contains the Operational Noise limits for this condition and also for the sites EPL.  Information on the Noise limits required by the EPL are also provided to contractors in the "SSD 9394 Information to contractors" working at the site  The Sensitive receivers are actually Appendix No 2. In the SSD. This error has been presented to DPE for correction as per email 01.02.22 A Dorocinska and response email P Morales 09.02.22.	COMPLIANT
Locality	Location	Day L <sub>Aeq</sub> (15 Minute)	Evening L <sub>Aeq</sub> (15 Minute)	Night L <sub>Aeq</sub> (15 Minute)	Night L <sub>AFmax</sub>																													
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R3	The Billabong	40	35	35	52																													
R4	Airport South	40	35	35	52																													
<b>Noise Walls</b>																																		
<b>B7</b>	The Applicant must construct the noise walls shown on page 32 of the Revised Noise Impact Assessment – Oakburn Processing Facility & Rendering Plant dated August 2020, prior to the commencement of operation of the project.  If construction of noise walls is to be staged, the Applicant must submit a noise verification study to the satisfaction of the Planning Secretary to demonstrate the development will comply with the noise limits in condition B6 at all times.	Construction	No relevant construction activities occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED																														
<b>AIR QUALITY</b>																																		

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>Operational Odour Impact Management</b>				
<b>B8</b>	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined under the POEO Act) beyond the boundary of the site.	At all times	One (1) unverified odour complaint was received 16.03.23 which fell during the 22-23 compliance period (19.03.22-18.03.23). This was from a resident located to the North North East of the site. This complaint was not able to be verified and this condition has as such been deemed compliant.  Corrective actions stated in the 21-22 Compliance report relating to the installation of a Flare to the gas that was previously vented were actioned and have been successful in preventing odour from the site.	COMPLIANT
<b>B9</b>	The site must be maintained in a condition which minimises or prevents the emission of air pollution (including odour and dust) from the site.	At all times	Corrective actions stated in the 21-22 Compliance report relating to the installation of a Flare to the gas that was previously vented were actioned and have been successful in preventing odour from the site.  No dust complaints have been received by the site during the compliance period 19.03.22-18.03.23. <b>Odour complaint stated above in B8 was not duplicated in this condition.</b>  The rendering site has been designed with heavy vehicle movements on sealed and cement roadways. Gravel roadways to WWTP are also maintained in good condition with appropriate speed controls to minimise potential for dust generation.  No major earthworks or construction activities have occurred during the compliance period 19.03.22-18.03.23.	COMPLIANT
<b>B10</b>	The bird processing buildings must be designed and operated as to contain dust and odour, operating under negative pressure where possible.	Operation	Processing plant construction activities have not occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>B11</b>	All bird handling and associated cleaning activities are to be carried out so as to contain dust and odour, and where possible contained indoors.	Operation	Processing plant construction activities have not occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>Odour Management Plan</b>				
<b>B12</b>	Within 6 months of the date of this consent, the Applicant must prepare an updated Odour Management Plan for the existing development to the satisfaction of the Planning Secretary. The Odour Management Plan must form part of the OEMP required by condition C5. The Odour Management Plan must be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary and include:	Operation	OMP Initially developed May 2021 and approved June 2021. Initially prepared by SLR 19 May 2021, subsequent modifications by Oakburn Site Personnel.  Updates to OMP July-Sept 2022 after comments from 2021 IEA and communications from DPE regarding this.  OEMP Section 9.4 Oakburn	COMPLIANT

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(a) objectives and targets; (b) an odour risk assessment; (c) proactive and reactive mitigation measures of all significant and potentially significant emissions sources; (d) key performance indicators; (e) monitoring method(s); (f) location, frequency and duration of monitoring; (g) record keeping; (h) response mechanisms and contingency measures; (i) responsibilities; and (j) compliance reporting.		Odour Management Plan includes information relating to parts (a) to (j) in the below sections of the Odour Management Plan V6 07.10.22 (approved by DPE 17.03.23): (a) OMP S2,4 (b) OMP S12 (c) OMP S12 (d) OMP S15 (e) OMP S16 (f) OMP S16 (g) OMP S16 (h) OMP S17 (i) OMP S7 (j) OMP S19	
<b>B13</b>	Prior to commencement of operation of the project, the Applicant must update the Odour Management Plan as required by condition B12 to incorporate the project and its management to the satisfaction of the Planning Secretary. The updated plan must be prepared in accordance with the requirements of condition B12 and must incorporate the following: (a) details of emissions from all sources of the Development; (b) description of the air quality monitoring to measure the performance of the Development against this consent and the EPL; and (c) description of any additional measures that would be implemented to ensure the Development complies with this consent and the EPL.	Operation	Clarification was obtained with regards to Condition B58 and other similarly worded conditions. Lodged through portal 17.12.21 with response received in the affirmative 22.12.21. "Operation of the development" to mean the integrated development rather than the rendering plant NOTED – Not yet triggered.	NOT TRIGGERED
<b>B14</b>	The Applicant must: (a) not commence operation until the Odour Management Plan required by condition B12 is approved by the Planning Secretary; and (b) implement the most recent version of the Odour Management Plan approved by the Planning Secretary for the duration of the development.	Operation	The existing Rendering plant continues to operate under the most recent Odour Management plan now (V6 07.10.22)	COMPLIANT
<b>Odour Audit</b>				
<b>B15</b>	The Applicant must carry out an Odour Audit of the development no later than six months after the commencement of operation of the development. The audit must: (a) be carried out by a suitably qualified, experienced and independent person(s); (b) audit the development in full operation; (c) include a summary of odour complaints and any actions that were carried out to address the complaints;	Operation	Clarification was obtained with regards to Condition B58 and other similarly worded conditions. Lodged through portal 17.12.21 with response received in the affirmative 22.12.21. "Operation of the development" to mean the integrated development rather than the rendering plant As per the above this condition is not yet triggered.	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(d) assess the operation against odour impact predictions in the EIS; (e) review design and management practices in the development against industry best practice for odour management; and (f) include an action plan that identifies and prioritises any odour mitigation measures that may be necessary to reduce odour emissions. Note: The Odour Audit may be prepared so that it addresses the requirements of this consent and the EPL for the development			
<b>B16</b>	Within six months of commissioning of the Odour Audit required by condition B15, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the Odour Audit report to the satisfaction of the Planning Secretary, together with the Applicant's response to any recommendations contained in the Odour Audit report.	Operation	As per condition B15. This condition has not yet been triggered. The requirements of this condition have been built into OEMP (V9 06.12.2022) Section 9.5 Odour Audit	NOT TRIGGERED
<b>Dust Minimisation</b>				
<b>B17</b>	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	At all times	Roads on the existing rendering plant are sealed with the exception of the WWTP roads which are compacted gravel. Risk of dust emission from this system is deemed very low. No complaints have been received by the rendering site since its operation commenced in April 2015.  Requirements of this condition have been built into the OEMP (V9 06.12.2022) Section 9.6 Dust Mitigation  <i>"SSD9394 Information to contractors"</i> contains requirements with regards to dust minimisation.	COMPLIANT
<b>B18</b>	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering or alternate suppression methods; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Construction	No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>Air Quality Discharges</b>				

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B19	The Applicant must install and operate equipment to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.	At all times	7566 EPL for the Oakburn Rendering plant effective during the 22-23 Compliance period has no monitoring requirements for the site, with the exception of dust and odour. See also additional information in above in conditions B9 and B17.	COMPLIANT
<b>SOIL, WATER QUALITY and HYDROLOGY</b>				
<b>Imported Soil</b>				
B20	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Department upon request.	At all times	OEMP (V9 06.12.2022) Section 10.1 Imported Soil details the requirements of this condition Feb 22 – “SSD9394 Information to Contractors” – Supplied and signed off by contractors working on site. Records are retained by the site for fill material that was brought to the site during the 22-23 compliance period: <ul style="list-style-type: none"> <li>• 16<sup>th</sup> March 2022</li> <li>• 27<sup>th</sup> July 2022</li> <li>• 29<sup>th</sup> Dec 2022</li> </ul>	COMPLIANT
<b>Erosion and Sediment Control</b>				
B21	Prior to the commencement of any construction the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.	Construction	No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>Discharge Limits</b>				
B22	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.	At all times	There are no specific discharge limits on the sites EPL. The site operates under a Trade waste agreement with Tamworth Regional Council. All treated waste water is discharged under this agreement in accordance with <i>TRC Trade Waste Agreement 2021-2026</i> . The site is charged excess mass and additional fees for any non-conformances with this agreement. Stormwater testing processes are followed with at least annual monitoring performed. Results are retained in the Oakburn – EMS Hub No incidents required reporting in the <i>EPL Annual Return 22-23</i> .	COMPLIANT
<b>Stormwater Management Systems</b>				



No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>B23</b>	<p>Prior to the commencement of operation of the project, the Applicant must design, install and operate a stormwater management system for the development. The system must:</p> <ul style="list-style-type: none"> <li>(a) be designed by a suitably qualified and experienced person(s);</li> <li>(b) be generally in accordance with the conceptual design in the EIS;</li> <li>(c) mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities;</li> <li>(d) be consistent with the Stormwater Management Plan for the catchment;</li> </ul>	Operation	<p>No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23. The project is not in operation.</p> <p>Details with regards to this condition are included in OEMP Section 10.3 Stormwater Management.</p>	NOT TRIGGERED
<b>Evaporation Ponds</b>				
<b>B24</b>	<p>The evaporation ponds must have liners installed and maintained to achieve a hydraulic conductivity of 1x10<sup>-9</sup> metres per second or less via a constructed clay liner of at least 1000 mm thickness (or a geosynthetic liner providing equivalent or better protection) or otherwise agreed with the EPA or the Planning Secretary.</p>	Operation	<p>No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23.</p>	NOT TRIGGERED
<b>B25</b>	<p>The evaporation ponds must be designed to include, and maintain, a freeboard level of at least 500mm to meet the 7-day rare design rainfall depth for a 1 in 2,000 year-event of 480 mm.</p>	Operation	<p>No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23.</p>	NOT TRIGGERED
<b>B26</b>	<p>Prior to the commencement of operation of the project, the Applicant must prepare an Evaporation Pond Management Plan to the satisfaction of the Planning Secretary. The Evaporation Pond Management Plan must form part of the OEMP required by condition C5. The Evaporation Pond Management Plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified and experienced engineer;</li> <li>(b) provide an updated water balance and risk mitigation measures to demonstrate that the design freeboard capacity of the evaporation ponds is restored as soon as practical after significant rainfall events and there is no cumulative storage above the freeboard;</li> <li>(c) identify contingency measures to prevent managed overflows; and</li> <li>(d) describe operational measures to be implemented for salt removal, maintaining liner integrity and maintaining the leak detection system performance.</li> </ul>	Operation	<p>OEMP (V9 06.12.2022) Section 10.4 Evaporation Ponds details the requirements of this condition</p> <p>The project has not yet commenced construction.</p>	NOT TRIGGERED
<b>B27</b>	<p>Prior to the commencement of operation of the project, the Applicant must submit an Evaporation Ponds Commissioning Report to the Department and EPA that:</p> <ul style="list-style-type: none"> <li>(a) demonstrates the evaporation ponds have been constructed in consultation with a suitably qualified and experienced engineer;</li> </ul>	Operation	<p>No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23. The project is not in operation.</p>	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	<p>(b) demonstrates the liner achieves the specified hydraulic conductivity described in condition B24;</p> <p>(c) addresses the increased risk to groundwater contamination due to high salinity wastewater potentially reacting with the liner; and</p> <p>(d) includes groundwater monitoring requirements to detect potential pond leakage.</p>			
<b>Water Management Plan</b>				
<b>B28</b>	<p>Prior to the commencement of operation of the project, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The Water Management Plan must form part of the OEMP required by condition C5. The Water Management Plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) be prepared in consultation with DPI – Water;</p> <p>(c) detail water use, metering, disposal and management on-site;</p> <p>(d) detail the number and location of piezometers on-site;</p> <p>(e) detail the water licence requirements for the development;</p> <p>(f) detail the management of wastewater streams on-site;</p> <p>(g) include an incident response plan with triggers for the National Water Quality Management Strategy (NWQMS) guidelines (ANZECC/ARMCANZ latest issue) should the lagoons be found to be leaking;</p> <p>(h) contain a Groundwater Management Plan, including:</p> <p>(i) the installation of groundwater monitoring bores around the evaporation basins and the existing rendering water treatment lagoon</p> <p>(ii) baseline data on groundwater levels and quality;</p> <p>(iii) a program to monitor groundwater levels and quality;</p> <p>(iv) groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts; and</p> <p>(v) a protocol for the investigation and mitigation of impacts where the groundwater impact assessment criteria has been exceeded.</p>	Operation	<p>The integrated Processing plant is not yet in operation.</p> <p>The approved OEMP (V9 06.12.22) Section 10.5 Water Management Plan details water management for the existing rendering plant.</p>	NOT TRIGGERED
<b>B29</b>	<p>The Applicant must:</p> <p>(a) not commence operation of the project until the Water Management Plan required by condition B28 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development</p>	Operation	<p>The integrated Processing plant is not yet in operation.</p>	NOT TRIGGERED
<b>Water Management</b>				

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B30	A Compliance Certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the Local Water Supply Authority) prior to the issue of an Occupation Certificate. All contribution payments, or a formal Agreement with Council for payment of contributions, must be made prior to issue of any Construction Certificate. Council requires the following to be undertaken prior to the issue of a Compliance Certificate.	Operation	The integrated Processing plant is not yet constructed. The site is aware of this condition	
B31	Any additional demand for water over the daily limit of 1.6 ML to the site will be subject to an agreement with Council.	At all times	This condition has been designed to accommodate the integrated Processing Plant. The existing rendering plant uses 1.7-2.1ML a week well below the stated limit.	COMPLIANT
B32	Unless otherwise agreed with the Local Water Supply Authority, a single water service with appropriate metering and backflow prevention device shall be provided to service the development. The existing water service off Gunnedah Road may be utilised if it is adequate	At all times	Noted: Existing water service off Gunnedah road was in place through the 22-23 Compliance period 19.03.22-18.03.23.	COMPLIANT
B33	The Applicant must engage a hydraulic engineer to determine the fire fighting and other demands and determine an appropriate water service size for the development	Operation	Fire services have been deemed acceptable for the existing rendering plant as per the current Fire Safety Schedule. This condition is deemed to relate to the Integrated Processing Plant as refers to 'the development'	COMPLIANT
B34	Works required for water servicing must be undertaken in accordance with Council's Engineering Design Minimum Standards for Subdivisions & Developments.	Operation	Water services have been deemed suitable for the existing rendering plant. This condition is deemed to relate to the Integrated Processing Plant as refers to 'the development'	COMPLIANT
B35	Work on live water mains is to be undertaken by Council at full cost to the Applicant	At all times	Noted: No work on the live water mains were completed during the 22-23 Compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>WASTE MANAGEMENT</b>				
<b>Sewage</b>				
B36	The existing point of discharge to Council's sewerage system on Gunnedah Road is to be utilised for the discharge of sewage.	At all times	The existing point of discharge to TRC Sewer remained in use for the 22-23 Compliance period 19.03.22-18.03.23.	COMPLIANT
B37	Sewage streams must remain separate from the WWTP/AWTP system at all times.	At all times	The existing point of discharge to TRC Sewer remained in use for the 22-23 Compliance period 19.03.22-18.03.23. Sewage and WWTP streams for the rendering plant remained segregated for the 22-23 Compliance period 19.03.22-18.03.23.	COMPLIANT
B38	Works shall be undertaken in accordance with Council's Engineering Design Minimum Standards for Subdivisions & Developments	At all times	Noted: No work on the live sewer main was required during the 22-23 Compliance period 19.03.22-18.03.23.	NOT TRIGGERED
B39	Work on live sewer mains is to be undertaken by Council at full cost to the Applicant	At all times	Noted: No work on the live sewer main was required to be performed by the TRC during the 22-23 Compliance period 19.03.22-18.03.23.	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>Liquid Trade Waste</b>				
B40	Should any details of trade waste treatment or discharge to Council's sewer differ from the existing Trade Waste Application or Agreement, a Trade Waste Application is to be submitted to Council.  Note: A Trade Waste Agreement is in place for the existing development on the site	At all times	All treated waste water for the site was discharged under the <i>TRC Trade Waste Agreement 2021-2026</i> made in agreeance with Tamworth Regional Council.  No trade waste applications were submitted to the council during the 22-23 Compliance period 19.03.22-18.03.23.	COMPLIANT
B41	The reverse osmosis concentrate is not to be discharged to Council's sewerage system (directly or indirectly).	Operation	The AWTP has not yet been constructed.  The site is aware of this condition	NOT TRIGGERED
<b>Pest, Vermin and Priority Weed Management</b>				
B42	The Applicant must: (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.  Note: For the purposes of this condition, priority weeds are those species subject to an order declared under the Biosecurity Act 1915.	At all times	The sites approved OEMP V9 (06.12.22) Section 11.6 details actions for the site with regards to this condition.  The site has employed a local pest management contractor for the 22-23 Compliance period 19.03.22-18.03.23 for the management of Pests and Vermin. Service records exist on site for monthly inspections.  A National noxious weeds inspections protocol is also in place within the company for the management of noxious weeds.  Evidence of site inspections exists for	COMPLIANT
<b>Statutory Requirements</b>				
B43	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	At all times	The sites approved OEMP V9 (06.12.22) Section 11.2 Receival and Disposal of waste details actions for the site with regards to this condition.  <i>Sites Oakburn EMS Hub</i> documents additional details with regards to waste classification and the disposal location of each waste stream to ensure each is lawfully permitted to receive the waste stream.	COMPLIANT
B44	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.	At all times	The sites approved OEMP V9 (06.12.22) Section 11. Waste Management and Section 11.1 Classification of waste details actions for the site with regards to this condition.  <i>Sites Oakburn EMS Hub</i> documents additional details with regards to waste classification and the disposal location of each waste stream to ensure each is lawfully permitted to receive the waste stream.	COMPLIANT

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B45	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.	At all times	The sites approved OEMP V9 (06.12.22) Section 11.2 Receive and Disposal of waste details actions for the site with regards to this condition.  No outside waste was received at the site during the compliance period	COMPLIANT
B46	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.	At all times	Waste classification data and sampling data is kept for the life of the development. The sites OEMP V9 (06.12.22) Section 11.1 Classification of waste also details this requirement.	COMPLIANT
<b>TRAFFIC AND ACCESS</b>				
<b>Construction Traffic Management Plan</b>				
B47	Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:  (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with TfNSW; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.	Construction	No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
B48	The Applicant must:  (a) not commence construction until the Construction Traffic Management Plan required by condition B47 is approved by the Planning Secretary; and  (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction	Construction	No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B49	Prior to the commencement of operation of provide, the applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the accesses to the site are designed to accommodate the turning path of a 26m B-Double vehicle	Operation	No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23. The site is aware of this condition	NOT TRIGGERED
B50	Prior to the commencement of operation of project, the Applicant must complete the construction of Workshop Lane to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.	Operation	The integrated Processing plant is not yet constructed. The site is aware of this condition	NOT TRIGGERED
B51	The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.	At all times	Parking on the existing rendering site is sufficient for heavy vehicles and staffing. No incidents related traffic utilising public or residential streets or parking occurred during the compliance period 19.03.22 – 18.03.23. The approved OEMP V9 (06.12.22) Section 12 Traffic and Access details the sites action with regards to this condition.	COMPLIANT
B52	The Applicant must ensure: (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002); (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines; (c) the development does not result in any vehicles queuing on the public road network;	At all times	Parking on the existing rendering site is sufficient for heavy vehicles and staffing. No incidents related traffic utilising public or residential streets or parking occurred during the compliance period 19.03.22 – 18.03.23. The integrated development has not yet been constructed. The approved OEMP V9 (06.12.22) Section 12 Traffic and Access details the rendering sites action with regards to this condition.	COMPLIANT
<b>HAZARDS and RISK</b>				
B53	The Applicant must implement all control and safeguards from the Preliminary Hazard Analysis, comprising of the following documents, in a timely and appropriate manner: (a) SEPP 33 Preliminary Risk Screening & Hazard Analysis, Proposed Baiada Oakburn Poultry Processing Facility, 1154 Gunnedah Road, Westdale NSW 2340, SSD-9394 (document number 6.10.19171-R02, version -v1.2, dated 18 September 2020, prepared by SLR Consulting); and	Operation	It is our understanding that this condition does not apply until after the commencement of the project  The rendering site maintains an accredited workplace health and safety system under AS45001:2018. (Previously certified to AS/NZS 4801:2001 since 2015)	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(b) Risk Assessment, 1154 Gunnedah Road, Westdale, NSW 2340 (document number 370593-LoteRA-BaiadaPoultryPlant-RevB, revision B, dated 17 September 2020, prepared by Lote Consulting).			
<b>Pre-Construction</b>				
<b>B54</b>	The Applicant must prepare a Fire Safety Study for the project construction, other than of preliminary works that are outside the scope of hazard studies and must not commence construction until study recommendations have been considered and, where appropriate, acted upon. The Applicant must submit the study to the Planning Secretary no later than one month prior to commencement of construction of the project, other than preliminary works, or within such further period as the Planning Secretary may agree. The study must cover the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems, and be prepared in consultation with Fire and Rescue NSW.	Construction	No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23.	NOT TRIGGERED
<b>Pre-commissioning</b>				
<b>B55</b>	Prior to commissioning, the Applicant must develop and implement the plans and systems set in B53 (a) and (b). The Applicant must submit to the Planning Secretary documentation describing the plans and systems no later than two months prior to the commencement of commissioning of the project, or within such further period as the Secretary may agree	Operation	The integrated Processing plant is not yet constructed. The site is aware of this condition	NOT TRIGGERED
<b>Emergency Plan</b>				
<b>B56</b>	Prior to commissioning, a comprehensive Emergency Plan and detailed emergency procedures for the development. The Emergency Plan must include consideration of the safety of all people outside of the development who may be at risk from the development. The plan must be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.	Operation	The integrated Processing plant is not yet constructed. The site is aware of this condition	NOT TRIGGERED
<b>Safety Management System</b>				

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B57	Prior to commissioning, a document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials. The document must clearly specify all safety related procedures, responsibilities and policies along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by Planning Secretary upon request. The Safety Management System must be developed in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'	Operation	The integrated Processing plant is not yet constructed. The site is aware of this condition	NOT TRIGGERED
<b>Hazard Audit</b>				
B58	Twelve months after the commencement of operations of the development and every five years thereafter or at such intervals as the Planning Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of the development and within one month of each audit submit a report to the satisfaction of the Planning Secretary. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development and approved by the Planning Secretary prior to commencement of the audit. Hazard Audits must be carried out in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit'. The audit must include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.	Operation	Clarification was obtained with regards to Condition B58 and other similarly worded conditions. Lodged through portal 17.12.21 with response received in the affirmative 22.12.21. "Operation of the development" to mean the integrated development rather than the rendering plant. NOTED – 12 Months POST OPERATION	NOT TRIGGERED
<b>Further Requirements</b>				
B59	The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B53 to B58 inclusive, within such time as the Planning Secretary may agree	Operation	No reports have been submitted during the 22-23 compliance period 19.03.22-18.03.23 with regards to condition B53-58	NOT TRIGGERED
<b>Dangerous Goods</b>				



No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status																																												
B60	<p>The storage of dangerous goods within the development must not exceed the maximum storage quantities listed in Table 3.</p> <table border="1" data-bbox="248 288 972 818"> <thead> <tr> <th data-bbox="248 288 611 389">Description</th> <th data-bbox="611 288 725 389">Dang Goods Class</th> <th data-bbox="725 288 840 389">Packing Group</th> <th data-bbox="840 288 972 389">Max Storage Quantity</th> </tr> </thead> <tbody> <tr> <td data-bbox="248 389 611 432">Liquified natural gas (LNG)</td> <td data-bbox="611 389 725 432">2.1</td> <td data-bbox="725 389 840 432">n/a</td> <td data-bbox="840 389 972 432">240,000L</td> </tr> <tr> <td data-bbox="248 432 611 475">Liquified petroleum gas (LPG)</td> <td data-bbox="611 432 725 475">2.1</td> <td data-bbox="725 432 840 475">n/a</td> <td data-bbox="840 432 972 475">480kg</td> </tr> <tr> <td data-bbox="248 475 611 518">Nitrogen</td> <td data-bbox="611 475 725 518">2.2</td> <td data-bbox="725 475 840 518">n/a</td> <td data-bbox="840 475 972 518">10,000L</td> </tr> <tr> <td data-bbox="248 518 611 561">Liquified oxygen gas (LOX)</td> <td data-bbox="611 518 725 561">2.2 (5.1)</td> <td data-bbox="725 518 840 561">n/a</td> <td data-bbox="840 518 972 561">10,000L</td> </tr> <tr> <td data-bbox="248 561 611 604">Carbon dioxide</td> <td data-bbox="611 561 725 604">2.2</td> <td data-bbox="725 561 840 604">n/a</td> <td data-bbox="840 561 972 604">10,000L</td> </tr> <tr> <td data-bbox="248 604 611 647">Anhydrous ammonia refrigerant</td> <td data-bbox="611 604 725 647">2.3</td> <td data-bbox="725 604 840 647">n/a</td> <td data-bbox="840 604 972 647">7 Tonnes</td> </tr> <tr> <td data-bbox="248 647 611 691">Ferric sulphate</td> <td data-bbox="611 647 725 691">8</td> <td data-bbox="725 647 840 691">III</td> <td data-bbox="840 647 972 691">15,000 L</td> </tr> <tr> <td data-bbox="248 691 611 734">Hypochlorite solution</td> <td data-bbox="611 691 725 734">8</td> <td data-bbox="725 691 840 734">III</td> <td data-bbox="840 691 972 734">13,800 L</td> </tr> <tr> <td data-bbox="248 734 611 777">Sodium hydroxide solution</td> <td data-bbox="611 734 725 777">8</td> <td data-bbox="725 734 840 777">III</td> <td data-bbox="840 734 972 777">5,400 L</td> </tr> <tr> <td data-bbox="248 777 611 818">Sulfuric acid (35%)</td> <td data-bbox="611 777 725 818">8</td> <td data-bbox="725 777 840 818">II</td> <td data-bbox="840 777 972 818">4,000L</td> </tr> </tbody> </table>	Description	Dang Goods Class	Packing Group	Max Storage Quantity	Liquified natural gas (LNG)	2.1	n/a	240,000L	Liquified petroleum gas (LPG)	2.1	n/a	480kg	Nitrogen	2.2	n/a	10,000L	Liquified oxygen gas (LOX)	2.2 (5.1)	n/a	10,000L	Carbon dioxide	2.2	n/a	10,000L	Anhydrous ammonia refrigerant	2.3	n/a	7 Tonnes	Ferric sulphate	8	III	15,000 L	Hypochlorite solution	8	III	13,800 L	Sodium hydroxide solution	8	III	5,400 L	Sulfuric acid (35%)	8	II	4,000L	At all times	<p>The site holds additional LPG above 480kg for forklift use and hot water generation for the WWTP. The Packing group on the Sodium Hydroxide stored is II rather than the III recorded in Table 3. This information has been communicated to DPE with additional information in email 01.02.22. Response received 09.02.22 indicated that these errors should be corrected as part of MOD application after assessment by suitably qualified and experienced DG expert. This information has been provided to PSA 15.03.22 and is still ongoing.</p> <p>Direction also received 21/4/2022 with regards to volume of NaOH stored on site MUST comply with Table 3 and volumes on site reduced to comply. Letter received 02.05.22 that DPIE now satisfied site is compliant.</p>	NON-COMPLIANT
Description	Dang Goods Class	Packing Group	Max Storage Quantity																																													
Liquified natural gas (LNG)	2.1	n/a	240,000L																																													
Liquified petroleum gas (LPG)	2.1	n/a	480kg																																													
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Carbon dioxide	2.2	n/a	10,000L																																													
Anhydrous ammonia refrigerant	2.3	n/a	7 Tonnes																																													
Ferric sulphate	8	III	15,000 L																																													
Hypochlorite solution	8	III	13,800 L																																													
Sodium hydroxide solution	8	III	5,400 L																																													
Sulfuric acid (35%)	8	II	4,000L																																													
B61	<p>The Applicant must store and handle all chemicals, fuels and oils in accordance with:</p> <p>(a) the requirements of all relevant Australian Standards, including and not limited to Australian Standards 1894 The storage and handling of non-flammable cryogenic and refrigerated liquids; and</p> <p>(b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.</p> <p>In the event of an inconsistency between the requirements in (a) and (b), the most stringent requirement shall prevail to the extent of the inconsistency.</p>	At all times	<p>The standards and guidelines referred to in this condition are available on site. Bunding is available for the storage of all liquid chemical's fuels and oils on site.</p>	COMPLIANT																																												
<b>AIRPORT</b>																																																
B62	<p>The external materials and finishes of the buildings must be non-reflective to the satisfaction of the Planning Secretary, to avoid distraction to air crews.</p>	Construction	<p>No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23.</p>	NOT TRIGGERED																																												
<b>Wildlife Monitoring Program</b>																																																

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B63	<p>Within six months of the date of determination of this development consent, the Applicant must establish a site wide bird life monitoring program, in consultation with Civil Aviation Safety Authority (CASA). The monitoring program is to include:</p> <p>(a) details of bird life that may trigger the need for mitigation measures to manage potential interactions with Tamworth Regional Airport. These triggers and measures should be established in consultation with CASA and the Tamworth Regional Airport;</p> <p>(b) be prepared by a suitably qualified consultant;</p> <p>(c) identify areas of potential bird attraction;</p> <p>(d) details of mitigation measures such as bird netting and other deterrents; and</p> <p>(e) procedures for the implementation of any mitigation measures.</p> <p>A copy of the monitoring program is to be provided to the Planning Secretary.</p>	At all times	<p>Birdlife Monitoring Program Developed (May 21) and approved (June 21)</p> <p>Copy provided to Secretary 09.06.21.</p> <p>Baseline data from Program has been collected May 22</p> <p>Request for clarification submitted regarding remaining 3monthly testing 18.08.22 – Response received 26.09.22 Patrick Copas – Agree no additional monitoring required until commencement of Construction of project.</p> <p>No relevant construction activities have occurred during the compliance period 19.03.22-18.03.23.</p>	COMPLIANT
<b>ANIMAL WELFARE AND BIOSECURITY</b>				
<b>Animal Welfare</b>				
B64	<p>The Applicant must ensure the development complies with the relevant requirements for the welfare of livestock, particularly health, housing, watering, feeding, handling and transport, including but not limited to those contained within the latest version of:</p> <p>(a) National Animal Welfare Standards for Livestock Processing Establishments 2nd edition (Meat and Livestock Australia, 2009);</p> <p>(b) Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock (Animal Health Australia, 2012);</p> <p>(c) National Animal Welfare Standards for the Chicken Meat Industry (Barnett et al. 2008)</p> <p>(d) NSW DPI Best Practice Management for Meat Chicken Production in NSW – Manual 2 (2012);</p> <p>(e) Model Code of Practice for the Welfare of Animals – Domestic Poultry, 4th Edition (PISC, 2002);</p> <p>(f) any other relevant document that supersedes the above; and</p> <p>(g) Management and Mitigation Measures described in Appendix 4 of this consent</p>	Operation	<p>The integrated Processing plant is not yet constructed.</p> <p>The site is aware of this condition</p> <p>No livestock will be brought to the facility for processing until the development has commenced operation.</p>	NOT TRIGGERED
<b>Emergency Disposal and Biosecurity</b>				

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B65	<p>Prior to the commencement of operation of the project, the Applicant must prepare an Emergency Disposal and Bio-security Protocol, detailing the procedures for a biosecurity emergency including a mass mortality event, to the satisfaction of the Planning Secretary. The protocol must form part of the OEMP required by condition C5 and must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with Council, EPA and the Department;</li> <li>(b) be consistent with the relevant AUSTVETPLAN manuals and supporting documents;</li> <li>(c) describe the notification procedures;</li> <li>(d) include a Hazard Analysis and Critical Control Points Plan;</li> <li>(e) detail all transport routes to be used in a mass mortality event;</li> <li>(f) detail any requirements to stage the mass disposal of dead livestock;</li> <li>(g) detail the burial location(s) for the disposal of dead livestock, including plans and drawings;</li> <li>(h) detail the measures to maintain quarantine control;</li> <li>(i) detail measures to prevent ground water contamination; and</li> <li>(j) detail the mass mortality disposal procedure</li> </ul>	Operation	<p>The integrated Processing plant is not yet constructed. The site is aware of this condition No livestock will be brought to the facility for processing until the development has commenced operation.</p>	NOT TRIGGERED
B66	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence operation of the project until the Emergency Disposal and Biosecurity Protocol required by condition B65 is approved by the Planning Secretary; and</li> <li>(b) implement the most recent version of the Emergency Disposal and Biosecurity Protocol approved by the Planning Secretary for the duration of the development.</li> </ul>	Operation	<p>The integrated Processing plant is not yet constructed. The site is aware of this condition</p>	NOT TRIGGERED
<b>ABORIGINAL HERITAGE</b>				
<b>Unexpected Finds Protocol</b>				
B67	<p>If any item or object of Aboriginal heritage significance is identified on site:</p> <ul style="list-style-type: none"> <li>(a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;</li> <li>(b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and</li> <li>(c) Heritage NSW must be contacted immediately.</li> </ul>	At all times	<p>No items or objects have been found during the compliance period 19.03.22-18.03.23. The approved OEMP V9 (06.12.22) Section 17.1 Unexpected Finds Protocol details the sites action with regards to this condition.</p>	COMPLIANT
B68	<p>Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.</p>	At all times	This condition has not been triggered	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
<b>BIODIVERSITY</b>				
B69	Prior to any clearing or Construction works the Applicant must purchase and retire 5 ecosystem credits of PCT 599 to offset the removal of native vegetation at the site. The ecosystem credits must be retired in accordance with the requirements of the EES Group's Biodiversity Offsets Scheme and the Biodiversity Conservation Act 2016.	Construction	Payment of 5 ecosystem credits has satisfied by payment to the Biodiversity Conservation Fund- BCT Ref: BCF482 21.12.22	COMPLIANT
B70	The requirement to retire ecosystem credits (see condition B69) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of 5 ecosystem credits, as calculated by the EES Group's Biodiversity Offsets Payment Calculator.	Construction	Payment of 5 ecosystem credits has satisfied by payment to the Biodiversity Conservation Fund- BCT Ref: BCF482 21.12.22	COMPLIANT
B71	The Applicant must provide the Planning Secretary with evidence that: (a) the retirement of ecosystem credits has been completed (see condition B69); or (b) a payment has been made to the Biodiversity Conservation Fund (see condition B70), prior to undertaking any clearing of native vegetation, or activities that have the potential to impact upon this native vegetation.	Construction	Statement of payment to the Biodiversity Fund submitted to portal 21.12.22 Received "No Comment" response 21.12.22.	COMPLIANT
<b>VISUAL AMMENITY</b>				
<b>Landscaping</b>				
B72	Prior to the commencement of operation of the project, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP in accordance with conditions C5. The plan must: (a) detail the species to be planted on-site; (b) incorporate plant species that form part of PCT 599 and be stock germinated from within the same IBRA region; (c) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and (d) be consistent with the Applicant's Management and Mitigation Measures at Appendix 3. (Should be appendix 4)	Operation	The integrated Processing plant is not yet constructed. The site is aware of this condition	NOT TRIGGERED
B73	The Applicant must: (a) not commence operation of the project until the Landscape Management Plan is approved by the Planning Secretary. (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and	Operation	The integrated Processing plant is not yet constructed. The site is aware of this condition	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B72 for the life of the development.			
<b>Lighting</b>				
<b>B74</b>	The Applicant must ensure the lighting associated with the development: (a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	At all times	The integrated Processing plant is not yet constructed. The site is aware of this condition The Rendering Plant lighting was assessed as part of the 2019 and 2021 IEA's and was found to be compliant	COMPLIANT
<b>Signage and Fencing</b>				
<b>B75</b>	The Applicant must not install any signage, advertising or fencing, except for signage and advertising that is exempt development, without the written approval of the Planning Secretary. In seeking this approval, the Applicant must: (a) submit detailed plans of the proposed signage, advertising or fencing, which have been prepared in consultation with Council; and (b) demonstrate that the proposed signage, advertising or fencing is consistent with the relevant requirements in the DCP.	At all times	No new signage or fencing has been installed during the compliance period 19.03.22-18.03.23.	COMPLIANT
<b>COMMUNITY ENGAGEMENT</b>				
<b>B76</b>	The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified on Figure 2: Appendix 2, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.		The approved OEMP V9 (06.12.22) Section 6 – Communication details the sites action with regards to this condition. <i>Oakburn – Call Register</i> has been completed monthly with sensitive receivers. Records are maintained on site for the compliance period 19.03.22-18.03.23. Communication required to stakeholders prior to PHASE 2 – Construction. No construction has occurred during the compliance period 19.03.22-18.03.23	COMPLIANT
<b>SCHEDULE 2</b>				
<b>PART C ENVIRONMENTAL MANAGEMENT, REPORTING and AUDITING</b>				
<b>COMMUNITY ENGAGEMENT</b>				
<b>Management Plan Requirements</b>				
<b>C1</b>	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (a) detailed baseline data;	At all times	OFl identified in the 2021 IEA were built into issues of the OEMP and OMP during the compliance period 19.03.22-18.03.23.	COMPLIANT

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	<p>(b) details of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures and criteria; and</p> <p>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</p> <p>(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</p> <p>(d) a program to monitor and report on the:</p> <p>(i) impacts and environmental performance of the development;</p> <p>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;</p> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</p>		<p>Odour Management Plan V6 07.10.22 and OEMP V9 06.12.22 were subsequently approved by DPE 17.03.23</p> <p>No modifications were made to the Bird life monitoring plan 19.05.21 during this compliance period 19.03.22-18.03.23.</p>	
<b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b>				
<b>C2</b>	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Construction	<p>No construction has occurred during the compliance period 19.03.22-18.03.23</p> <p>The company is aware of this condition</p>	NOT TRIGGERED
<b>C3</b>	<p>As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:</p> <p>(a) Erosion and Sediment Control Plan;</p> <p>(b) Construction Noise Management Plan (see condition B4);</p> <p>(c) Construction Traffic Management Plan (see condition B47); and</p>	Construction	<p>No construction has occurred during the compliance period 19.03.22-18.03.23</p> <p>The company is aware of this condition</p>	NOT TRIGGERED

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(d) Community Consultation and Complaints Handling.			
C4	The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	Construction	No construction has occurred during the compliance period 19.03.22-18.03.23 The company is aware of this condition	NOT TRIGGERED
<b>OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN</b>				
C5	Within 9 months of the date of this consent, the Applicant must prepare an Operational Environmental Management Plan (OEMP) for the existing development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Operation	During the 21-22 Compliance period The OEMP (V3 02.11.22) was submitted within 9 months of the consent. This condition was deemed Non-compliant during the IEA 2021 as items were felt to be omitted from the OEMP. Subsequent issues of the OEMP have been submitted to the DPE and OEMP V9 06.12.22 and the document was approved by the secretary 17.03.23	COMPLIANT
C6	As part of the OEMP required under condition C5 of this consent, the Applicant must include the following: (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (b) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; (v) respond to emergencies; and (c) include the following environmental management plans: (i) Evaporation Pond Management Plan (see condition B26); (ii) Water Management Plan (see condition B28); (iii) Emergency disposal and Biosecurity protocol (see condition B65); and (iv) Landscape Management Plan (see condition B72).	Operation	OEMP includes the following: (a) OEMP S3 (b) OEMP Whole Document (i) OEMP S6, Located on company website (ii) OEMP S6.3 (iii) OEMP S6.3.1 (iv) OEMP S6.3 / S11.4.10 / S11.5.2 / S19 / S20 (v) OEMP S19 (c) (i) OEMP S10.4 (ii) OEMP S10.5 (iii) OEMP S 11.3 and (iv) OEMP S18.1.1	COMPLIANT
C7	The Applicant must operate the existing development in accordance with the OEMP approved by the Planning Secretary, unless otherwise agreed by the Planning Secretary.	Operation	The site has been operating as per the OEMP during the compliance period 19.03.22-18.03.23. Site performance in relation to incidents and complaints shows the applicant has been operating in accordance with this requirement.	COMPLIANT

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
C8	<p>Prior to commencement of operation of the project, the Applicant must update the OEMP required under condition C5 to incorporate the project and its management to the satisfaction of the Planning Secretary. The updated plan must be prepared in accordance with the requirements of condition C5, and must incorporate the following:</p> <p>(a) procedures, roles and responsibilities of key personnel involved in the environmental management of the Development;</p> <p>(b) community consultation requirements for the Development; and</p> <p>(c) updates to the environmental management sub-plans listed under condition C6.</p>	Operation	<p>The integrated Processing plant is not yet constructed.</p> <p>The site is aware of this condition</p>	NOT TRIGGERED
C9	<p>The Applicant must not commence operation of the project until the updated OEMP as required by condition C6 is approved by the Secretary</p>	Operation	<p>The integrated Processing plant is not yet constructed.</p> <p>The site is aware of this condition</p>	NOT TRIGGERED
C10	<p>The Applicant must implement the most recent version of the OEMP approved by the Planning Secretary for the duration of the Development's operation.</p>	At all times	<p>The site has been operating as per the OEMP during the compliance period 19.03.22-18.03.23. The site currently operates under the approved OEMP V9 (06.12.22) approved 17.03.23.</p>	COMPLIANT
<b>REVISION OF STRATEGIES, PLANS and PROGRAMS</b>				
C11	<p>Within three months of:</p> <p>(a) the submission of an incident report under condition C14;</p> <p>(b) the submission of an Independent Environmental Audit under condition C12;</p> <p>(c) the approval of any modification of the conditions of this consent; or</p> <p>(d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,</p>	At all times	<p><i>IEA 2021</i> was issued Jan 2022. A review of the OMP and OEMP were commenced and advised 25.02.22</p> <p>No triggers have occurred during the compliance period 19.03.22-18.03.23 for (a), (c) or (d).</p>	COMPLIANT
C12	<p>the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.</p>	At all times	<p>No reviews were triggered during the compliance period. The OMP and OEMP were under review from the 21-22CR period. Notice of this review was advised 25.02.22.</p>	COMPLIANT
C13	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.</p>	At all times	<p>Notification of review provided to Secretary 25.02.22 OMP and OEMP were submitted to the secretary 07.04.23 which is within 6 weeks of the review.</p> <p>A number of subsequent issues were performed prior to approval of the OMP and OEMP by the DPE on 17.03.23</p>	COMPLIANT



No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.:			
<b>REPORTING AND AUDITING</b>				
<b>Incident Notification and Response</b>				
<b>C14</b>	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 5.	At all times	No reportable incidents occurred during the compliance period 19.03.22-18.03.23. The non-compliance noted on this report relating to condition B60 has been previously reported in the 2021-22 Compliance report and the IEA. This condition is deemed to be compliant.	COMPLIANT
<b>Non-compliance Notification</b>				
<b>C15</b>	The Planning Secretary must be notified in writing to the Major Projects website within seven days after the Applicant becomes aware of any non-compliance	At all times	There have been 2 <i>incidents and 1 complaint</i> for the site during the 22-23 reporting period 19.03.22-18.03.23. None of these required reporting as non-compliances for the site.	COMPLIANT
<b>C16</b>	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	At all times	The site is aware of the requirements of this condition. No non-compliance notifications were required during the compliance period 19.03.22-18.03.23.	COMPLIANT
<b>C17</b>	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	At all times	No non-compliance for the compliance period 19.03.22-18.03.23 were reported as incidents	COMPLIANT
<b>Compliance Reporting</b>				
<b>C18</b>	Within twelve months of the date of this consent, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also: (a) identify any trends in the monitoring data over the life of the development; (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	At all times	The 2021-22 CR was prepared for the reporting period 19.03.21-18.03.22. Lodged May 2022. The 2022-23 CR is being prepared for the reporting period 19.03.22-18.03.23. It will also be lodged in May 2023 in accordance with this requirement. As per directives in the 2021-22 CR acceptance letter 21.06.22 a compliance Status descriptors table ( <b>Table 16: APPENDIX A</b> ) and summary table of compliant, non-compliant and not triggered conditions ( <b>Table 7: Section 3</b> ) have been added to this report for the 22-23 compliance period.	COMPLIANT

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(c) describe what measures will be implemented over the next year to improve the environmental performance of the development			
C19	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done	At all times	The 2021-22 CR was made publicly available on 28.06.22. No notification was made to the secretary with regards to this as direction was given in the 21-22 CR acceptance letter dated 21.06.22 that the 21-22 CR be made publicly available by 05.07.22.	COMPLIANT
<b>INDEPENDENT AUDIT</b>				
C20	<p>Within twelve months of the date of this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:</p> <p>(a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)</p> <p>(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and</p> <p>(c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).</p>	At all times	<p>The last IEA was completed in 2021.</p> <p>No IEA was triggered during this compliance period 19.03.22-18.03.23.</p>	COMPLIANT
C21	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:</p> <p>(a) review and respond to each Independent Audit Report prepared under condition.53 Reference source not found of this consent;</p> <p>(b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;</p> <p>(c) implement the recommendations to the satisfaction of the Planning Secretary; and</p> <p>(d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.</p>	At all times	No IEA was submitted during this compliance period 19.03.22-18.03.23.	COMPLIANT

No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
C22	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&amp;A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p>Note: For the purposes of this condition, as set out in the EP&amp;A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</p>	At all times	Noted	COMPLIANT
<b>ACCESS TO INFORMATION</b>				
C23	<p>Within six months of the date of this consent and for the life of the development, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</p> <p>(v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</p> <p>(vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vii) a summary of the current stage and progress of the development;</p> <p>(viii) contact details to enquire about the development or to make a complaint;</p> <p>(ix) a complaints register, updated monthly;</p> <p>(x) the Compliance Report of the development;</p>	At all times	<p>Information uploaded</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) 16.08.21</p> <p>(ii) 16.08.22</p> <p>(iii)</p> <p>Bird Life Monitoring – Aug 21</p> <p>OEMP (v9) 17.03.23</p> <p>OMP (V6) 17.03.23</p> <p>CEMP – NOT YET TRIGGERED</p> <p>(iv) 08.04.22</p> <p>(v) Currently CR and IA only</p> <p>(vi) Currently CR and IA only</p> <p>(vii) 08.04.22 – Rendering Only</p> <p>(viii) 22.03.21</p> <p>(ix) MONTHLY Since Jan 22 – updated monthly and records retained</p> <p>(x) CR 28.06.22</p> <p>(xi) IA 15.07.22</p> <p>(xii) NIL</p> <p>(b) Noted</p>	COMPLIANT

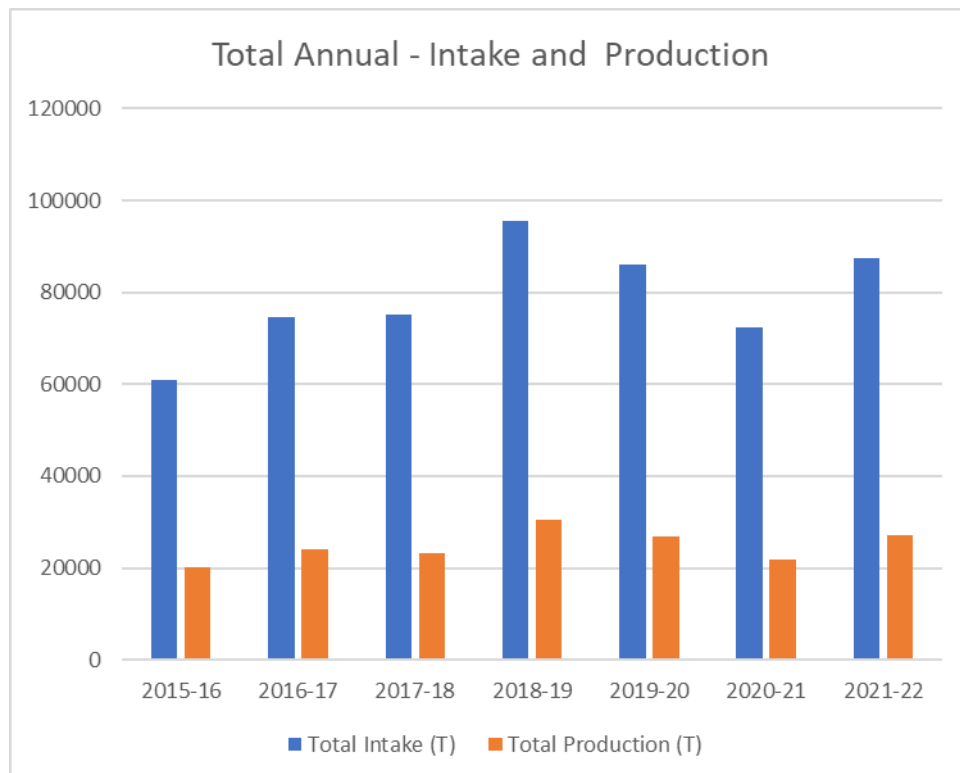
No	SSD9394 Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; (xii) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.			

## APPENDIX B – Weekly Production Data

REPORTING PERIOD - 20<sup>th</sup> March 2022 – 19<sup>th</sup> March 2023

Week Ending	Raw Material Intake (T)	Finished Product (T) – THRESHOLD 1120 T
27/03/2022	1612.72	501.4
3/04/2022	1624	511.8
10/04/2022	1848.92	575.3
17/04/2022	1554.52	480.8
24/04/2022	1589.02	494.0
1/05/2022	1628.88	479.0
8/05/2022	1690.77	507.5
15/05/2022	1792.48	539.5
22/05/2022	1694.5	522.3
29/05/2022	1673.76	507.8
5/06/2022	1492.56	461.6
12/06/2022	1520	465.4
19/06/2022	1489.76	461.5
26/06/2022	1498.4	441.7
3/07/2022	1651.12	514.3
10/07/2022	1703.06	521.6
17/07/2022	1597	491.0
24/07/2022	1845.86	562.1
31/07/2022	1647.99	506.8
7/08/2022	1764.98	540.1
14/08/2022	1678.14	479.3
21/08/2022	1763.8	542.9
28/08/2022	1740.24	534.0
4/09/2022	1669.08	497.1
11/09/2022	1648.7	495.2
18/09/2022	1569.48	475.2
25/09/2022	1627.28	502.2
2/10/2022	1725.78	520.4
9/10/2022	1680.6	517.2
16/10/2022	1763.8	536.7
23/10/2022	1602.44	482.4
30/10/2022	1570.42	476.7
6/11/2022	1603.14	489.1
13/11/2022	1487.72	448.3
20/11/2022	1554.1	468.8
27/11/2022	1446.4	437.1
4/12/2022	1601.2	478.7

11/12/2022	1654.26	490.0
18/12/2022	1652.5	500.5
25/12/2022	1649.96	507.1
1/01/2023	1335.28	398.1
8/01/2023	1503.7	428.2
15/01/2023	1463.58	442.4
22/01/2023	1457.94	426.6
29/01/2023	1516.16	455.5
5/02/2023	1615.32	491.0
12/02/2023	1645	491.6
19/02/2023	1462.24	435.7
26/02/2023	1422	427.1
5/03/2023	1517.66	461.1
12/03/2023	1617.6	496.5
19/03/2023	1576.68	483.9
<b>TOTAL (T)</b>	<b>83743</b>	<b>25402</b>



## APPENDIX C – CAL Flare m3

W/C	M3 Gas Flared
27/06/22	4,825
4/07/22	3,713
11/07/22	4,225
18/07/22	2,387
25/07/22	7,430
1/08/22	5,556
8/08/22	4,672
15/08/22	4,233
22/08/22	4,946
29/08/22	8,921
5/09/22	7,520
12/09/22	8,098
19/09/22	7,437
26/09/22	10,163
3/10/22	12,488
10/10/22	5,949
17/10/22	13,474
24/10/22	13,401
31/10/22	14,225
7/11/22	12,184
14/11/22	19,206
21/11/22	18,028
28/11/22	20,440
5/12/22	17,999
12/12/22	17,472
19/12/22	13,307
26/12/22	25,724
2/01/23	26,963
9/01/23	15,483
16/01/23	13,123
23/01/23	11,441
30/01/23	6,477
6/02/23	12,392
13/02/23	5,476
20/02/23	10,052
27/02/23	9,693
6/03/23	8,512
13/03/23	4,610
<b>Total M<sup>3</sup></b>	<b>412,245</b>

## **APPENDIX D - SSD9394**



# Development Consent

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

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

These conditions are required to:

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



18/12/2020

Anthea Sargeant

**Executive Director**

**Key Sites and Regional Assessment**

Sydney

2020

### SCHEDULE 1

<b>Application Number:</b>	SSD-9394
<b>Applicant:</b>	Baiada (Tamworth) Pty Ltd
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	1154 Gunnedah Road, Westdale Lot 100 on DP1097471 Lot 101 on DP1097471 Lot 102 on DP1097471
<b>Development:</b>	Construction and operation of Baiada Integrated Poultry Processing Facility, including: <ul style="list-style-type: none"><li>• Poultry processing facility, with capacity to process up to 3 million birds a week</li><li>• Protein Recovery Plant, with capacity to render up to 1,680 tonnes of finished product per week</li><li>• Wastewater treatment plant</li><li>• Advanced water treatment plant</li><li>• Road connection to Workshop Lane</li><li>• Earthworks</li><li>• Connection to infrastructure</li></ul>
<b>Preamble:</b>	This instrument applies to the <b>Development</b> which is comprised of the <b>Existing Development</b> and the <b>Project</b> on the land (refer to definitions)

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## DEFINITIONS

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

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

## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

#### TERMS OF CONSENT

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

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

#### LIMITS OF CONSENT

##### Lapsing

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

##### Protein Recovery Plant

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

##### Poultry Processing Facility

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

#### NOTIFICATION OF COMMENCEMENT

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

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

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

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

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

#### **EVIDENCE OF CONSULTATION**

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

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

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

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

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

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

## DEMOLITION

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

## STRUCTURAL ADEQUACY

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

*Note:*

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

## COMPLIANCE

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

## DEVELOPMENT CONTRIBUTIONS

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

## OPERATION OF PLANT AND EQUIPMENT

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

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

## EXTERNAL WALLS AND CLADDING

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

A26. Before the issue of:

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

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

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

## UTILITIES AND SERVICES

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

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

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

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

## WORKS AS EXECUTED PLANS

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

### **APPLICABILITY OF GUIDELINES**

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

### **ADVISORY NOTES**

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



## PART B SPECIFIC ENVIRONMENTAL CONDITIONS

### NOISE

#### Hours of Work

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

**Table 1:** Hours of Work

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

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

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

#### Construction Noise Limits

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

#### Construction Noise Management Plan

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

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

B5. The Applicant must:

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

#### Operational Noise Limits

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

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

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

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

### **Noise Walls**

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

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

### **AIR QUALITY**

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

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

#### **Odour management plan**

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

#### **Odour audit**

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

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

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

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

#### **Dust Minimisation**

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

#### **Air Quality Discharges**

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

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

#### **Imported Soil**

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

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

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

#### **Discharge Limits**

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

#### **Stormwater Management System**

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

## Evaporation Ponds

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

## Water Management Plan

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

## Water Management

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

## WASTE MANAGEMENT

### Sewage

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

### Liquid Trade Waste

- B40. Should any details of trade waste treatment or discharge to Council's sewer differ from the existing Trade Waste Application or Agreement, a Trade Waste Application is to be submitted to Council.
- Note: A Trade Waste Agreement is in place for the existing development on the site*
- B41. The reverse osmosis concentrate is not to be discharged to Council's sewerage system (directly or indirectly).

### Pests, Vermin and Priority Weed Management

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

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

### Statutory Requirements

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

## TRAFFIC AND ACCESS

### Construction Traffic Management Plan

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

### Roadworks and Access

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

### Parking

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

### Operating Conditions

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

## HAZARDS AND RISK

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

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

### Pre-construction

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

### Pre-commissioning

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

### Emergency Plan

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

### Safety Management System

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

### Hazard Audit

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

### Further Requirements

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

### Dangerous Goods

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

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

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

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

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

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

#### AIRPORT

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

#### Wildlife monitoring program

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

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

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

#### ANIMAL WELFARE AND BIOSECURITY

##### Animal Welfare

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

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



## **Emergency Disposal and Biosecurity**

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

## **ABORIGINAL HERITAGE**

### **Unexpected Finds Protocol**

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

## **BIODIVERSITY**

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

## **VISUAL AMENITY**

### **Landscaping**

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

B73. The Applicant must:

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

#### **Lighting**

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

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

#### **Signage and Fencing**

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

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

#### **COMMUNITY ENGAGEMENT**

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

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Management Plan Requirements

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

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

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

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

#### OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

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

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

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

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

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

#### **REPORTING AND AUDITING**

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

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

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

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

##### **Compliance Reporting**

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

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

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

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

#### Independent Audit

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

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

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

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

#### Monitoring and Environmental Audits

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

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

#### ACCESS TO INFORMATION

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

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

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

**APPENDIX 1 DEVELOPMENT LAYOUT PLANS**

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



**Figure 1: Site Plan**



APPENDIX 2 SENSITIVE RECEIVERS



Figure 2: Sensitive receivers

**APPENDIX 3    EXISTING CONSENTS TO BE SURRENDERED**

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

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

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

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

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

IDENTIFIED IMPACT	MITIGATION MEASURES AND MANAGEMENT MEASURES
<p><b>CONSTRUCTION MANAGEMENT</b></p>	<p>The Construction Management Plan could address potential social impacts, including reducing stress and inconvenience to neighbouring businesses and residents, by</p> <ul style="list-style-type: none"> <li>• Identifying construction vehicle traffic routes that minimise impacts to neighbours, as far as possible;</li> <li>• Providing arrangements for parking of worker and construction vehicles on-site;</li> <li>• Storing all equipment on site;</li> <li>• Identifying management practices to minimise and manage interruptions to traffic flows;</li> <li>• Establishing practices to maintain traffic and pedestrian safety to local residents;</li> <li>• Minimising disruption proposed road closures, temporary traffic routes, loss of pedestrian or cyclist access or reversing manoeuvres;</li> <li>• Providing queueing space onsite for the standing of vehicles;</li> <li>• Providing clear signage to direct construction vehicles; and</li> <li>• Provide signage on site that provides a contact number for residents to direct enquiries and report incidents (e.g. theft or break and enter to the site while unattended), should they occur</li> </ul>
<p><b>ENVIRONMENTAL MANAGEMENT</b></p>	<ul style="list-style-type: none"> <li>• Prepare an implemented a detailed Environmental Management System for the Oakburn Processing Plant for certification in accordance with the AS/NZS/ISO 14001: 2015 Standard.</li> </ul>

## APPENDIX 5 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

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

## **APPENDIX E - EPL 7566**



# Licence Variation



Licence - 7566

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

Attention: Mr Grant White

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

## NOTICE OF VARIATION OF LICENCE NO. 7566

### BACKGROUND

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

### VARIATION OF LICENCE NO. 7566

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

# Licence Variation

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*Rebecca Scrivener*

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

## **INFORMATION ABOUT THIS NOTICE**

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

## **Appeals against this decision**

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

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

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



# Environment Protection Licence

Licence - 7566

## Licence Details

Number: 7566  
 Anniversary Date: 19-March

## Licensee

BAIADA POULTRY PTY LIMITED  
 PO BOX 21  
 PENDLE HILL NSW 2145

## Premises

OAKBURN PROTEIN RECOVERY PLANT  
 1154 OXLEY HIGHWAY  
 TAMWORTH NSW 2340

## Scheduled Activity

Chemical storage  
 Livestock processing activities

## Fee Based Activity

General chemicals storage  
 Rendering or fat extraction

## Scale

0-5000 KL storage capacity  
 > 4000 T annual production capacity

## Region

Regional West - Armidale  
 Ground Floor, NSW Govt Offices, 85 Faulkner Street  
 ARMIDALE NSW 2350  
 Phone: (02) 6773 7000  
 Fax: (02) 6772 2336  
 PO Box 494  
 ARMIDALE NSW 2350



# Environment Protection Licence

Licence - 7566

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# Environment Protection Licence

Licence - 7566

## Information about this licence

### Dictionary

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

### Responsibilities of licensee

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

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

### Variation of licence conditions

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

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

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

### Duration of licence

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

### Licence review

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

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

For each licence fee period you must pay:

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



# Environment Protection Licence

Licence - 7566

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

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

## Transfer of licence

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

## Public register and access to monitoring data

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

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

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

## This licence is issued to:

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

subject to the conditions which follow.



# Environment Protection Licence

Licence - 7566

## 1 Administrative Conditions

### A1 What the licence authorises and regulates

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

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

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

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

A2.1 The licence applies to the following premises:

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

### A3 Information supplied to the EPA

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

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

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

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



# Environment Protection Licence

Licence - 7566

## P1 Location of monitoring/discharge points and areas

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

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

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

## 3 Limit Conditions

### L1 Pollution of waters

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





# Environment Protection Licence

Licence - 7566

## L2 Noise limits

L2.1 Noise from the premises must not exceed:

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

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

## L3 Potentially offensive odour

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

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

## 4 Operating Conditions

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

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

This includes:

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

### O2 Maintenance of plant and equipment

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

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

### O3 Dust

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

# Environment Protection Licence



Licence - 7566

the premises.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- in a legible form, or in a form that can readily be reduced to a legible form;
  - kept for at least 4 years after the monitoring or event to which they relate took place; and
  - produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- the date(s) on which the sample was taken;
  - the time(s) at which the sample was collected;
  - the point at which the sample was taken; and
  - the name of the person who collected the sample.

### M2 Recording of pollution complaints

- M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M2.2 The record must include details of the following:
- the date and time of the complaint;
  - the method by which the complaint was made;
  - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - the nature of the complaint;
  - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - if no action was taken by the licensee, the reasons why no action was taken.
- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

### M3 Telephone complaints line

- M3.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M3.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a



# Environment Protection Licence

Licence - 7566

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

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

## 6 Reporting Conditions

### R1 Annual return documents

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

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

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

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

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

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

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

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

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

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

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

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

# Environment Protection Licence



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

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

## R2 Notification of environmental harm

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

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

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

## R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
  - where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- the cause, time and duration of the event;
  - the type, volume and concentration of every pollutant discharged as a result of the event;
  - the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
  - the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
  - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.



# Environment Protection Licence

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Licence - 7566

## 7 General Conditions

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

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.



# Environment Protection Licence

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## Dictionary

### General Dictionary

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



# Environment Protection Licence

Licence - 7566

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

# Environment Protection Licence

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Licence - 7566

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

Mr David Dutailis

Environment Protection Authority

(By Delegation)

Date of this edition: 06-December-2000





# Environment Protection Licence

Licence - 7566

## End Notes

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

## **APPENDIX F – EPL ANNUAL RETURN 22-23**



# Annual Return

BAIADA POULTRY PTY LIMITED  
Licence 7566

## A. Statement of Compliance - Licence Details

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

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

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

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

### A1. Licence holder

Licence number : 7566  
Licence holder : BAIADA POULTRY PTY LIMITED  
Trading name (if applicable) :  
ABN : 96 002 925 948  
ACN : 002 925 948  
Reporting period : From: 19-3-2022 To: 18-3-2023

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

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

### A3. Activities to which Licence Applies

Livestock processing activities  
Chemical storage

### A4. Other Activities (if applicable)

### A5. Fee-Based Activity Classifications

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

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



# Annual Return

BAIADA POULTRY PTY LIMITED

Licence 7566

## A6. Assessable Pollutants (if applicable)

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

## B. Monitoring and Complaints Summary

### B1. Number of Pollution Complaints

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

### B2. Concentration Monitoring Summary

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

### B3. Volume or Mass Monitoring Summary

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

## C. Statement of Compliance - Licence Conditions

### C1. Compliance with Licence Conditions

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

BAIADA POULTRY PTY LIMITED

Licence 7566

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

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

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

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

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

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

Have you prepared a Pollution Incident Response Management Plan (PIRMP) as required under section 153A of the Protection of the Environment Operations (POEO) Act 1997?	Yes
Is the PIRMP available at the premises?	Yes
Is the PIRMP available in a prominent position on a publicly accessible website?	Yes
Address of the web page where the PIRMP can be accessed ▼	
<a href="http://www.baiada.com.au/our-commitment/pollution-management/Oakburn">www.baiada.com.au/our-commitment/pollution-management/Oakburn</a>	
Has the PIRMP been tested?	Yes
The PIRMP was last tested on	7-2-2023
Has the PIRMP been updated?	Yes
The PIRMP was last updated on	9-8-2022
Number of times the PIRMP was activated in this reporting period?	0
The PIRMP was activated on	

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

Are there any conditions attached to your licence that require pollution monitoring to be undertaken as required under section 66(6) of the Protection of the Environment Operations (POEO) Act 1997?	No
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# Annual Return

BAIADA POULTRY PTY LIMITED

Licence 7566

## G. Statement of Compliance - Environment Management System and Practices

Do you have an ISO 14001 certified Environmental Management System (EMS) OR any other system that EPA considers is equivalent to the accountability, procedures, documentation and record keeping requirements of an ISO 14001 certified EMS?	Yes
When was the last check (As per ISO 14001) of the EMS completed?	16-11-2022
Were there any non-conformances related to environmental issues identified in the last check of the EMS?	No
If there were non-conformances identified, were these non-conformances rectified?	

## H. Signature and Certification

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

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

I/We

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

Signature		Signature	
Name	SIMON CAMILLERI	Name	GEORGE TSEKOURAS
Position	MANAGING DIRECTOR	Position	DIRECTOR
Date	27 / 03 / 2023	Date	27 / 3 / 23



# Annual Return

BAIADA POULTRY PTY LIMITED

Licence 7566

### Declaration

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

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

### Declaration

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

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

## **APPENDIX G – LIQUID TRADE WASTE AGREEMENT 21-26**





**LIQUID TRADE WASTE SERVICES AGREEMENT**

**BETWEEN**

**Tamworth Regional Council**

**AND**

**Baiada Poultry Pty Ltd**

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

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

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## LIQUID TRADE WASTE SERVICES AGREEMENT

Made this 25th day of October, 2021

### BETWEEN

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

### AND

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

### RECITALS

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

### OPERATIVE PART

#### 1. Definitions and Interpretation

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

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

"Annexure" means the annexure to this Agreement.

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

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

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

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

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

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

**Unless the context otherwise requires:**

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

**2. Liquid Trade Waste Services**

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

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

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

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

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

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

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

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

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

## **6. Term**

6.1 This Agreement will commence from the date it is signed on behalf of the Council, and will continue for the term noted in the Approval until the Applicant's Approval is revoked or the Applicant permanently ceases to discharge liquid trade waste pursuant to the Approval or the term of this agreement expires or this Agreement is terminated, whichever is the earlier. Upon such revocation or permanent cessation of the approved activity or the expiry of the term of this Agreement or this Agreement is terminated then this Agreement shall automatically terminate by operation of this clause.

6.2 The Approval does not operate until this Agreement has been executed by both parties.

6.3 Upon the termination of this Agreement or the expiry of the term, the Approval shall lapse.

6.4 Termination of this Agreement is without prejudice to any accrued rights or obligations of either Party.

6.5 Should the Applicant continue to discharge trade waste after the expiration or determination of the term of this Agreement with the consent of Council, other than pursuant to a further trade waste services agreement, then the terms of this Agreement will continue to apply and the Agreement may be terminated by either party upon giving of 21 days written notice to the other party.

6.6 Notwithstanding any term of this Agreement or the Approval, the Council may terminate this liquid trade waste services agreement at any time by notice in writing to the Applicant. If practical, the Council must give reasonable notice of the termination of this Agreement and must also provide an explanation for why the service is terminated.

## **7. No Representation**

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

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

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

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

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

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

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

## **11. Liability and Indemnity**

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

## **12. Insurance**

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

## **13. Bond**

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

## **14. No Assignment**

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

## **15. Notices**

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

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

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

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

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

## 16. Variation

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

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

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

shall have no force or effect.

## 17. Severability

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

## 18. Applicable Law

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

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

## 19. Rights Cumulative

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



Signed for and on behalf of  
Tamworth Regional Council by

Jacqueline O'Neill for

Paul Bennett

Print Name

General Manager

Position

Signature

15.11.2021

Date

In the presence of

MICKAELA FAIRALL

Print name

Signature

Signed for and on the behalf of

Baiada Poultry Pty Ltd by

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

Baiada Poultry Pty Ltd)

SIMON CAMILLERI

Print name

MANAGING DIRECTOR

Position

Signature

8.11.21

Date

In the presence of

TANIA VALERIO

Print name

Signature

## **ANNEXURE**

### **A. THE COUNCIL**

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

### **B. THE APPLICANT**

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

### **C. THE PREMISES**

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

**D. NOTICES**

Applicant's Representative: **Grant White**

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

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

Council's Representative: **Daniel Coe**

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

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

**E. PUBLIC LIABILITY INSURANCE**

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

**F. BOND**

**\$ Nil**

**SCHEDULE OF CONDITIONS**

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

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

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

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

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

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

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

Commencement date: From the day the liquid trade waste services agreement is executed by Council  
Duration: 5 Years

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

\*\*above the agreed limit

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

\* Sulphide testing will be conducted at Councils discretion

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

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

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

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

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

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

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

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

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

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

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

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

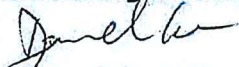
- 38) All staff operating the pre-treatment system are to be competently trained in operating procedures.

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

# Documentation Requiring General Manager's Signature

TRIM Record Reference: TWC006/2006

Name of Authorising Director/Manager: Daniel Coe

Signature:  Date: 11 November 2021

Name of Responsible Officer: Darryl Moore

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

## SECTION 1

Type of Document: Legal Document

Subject Matter of Document: Liquid Trade Waste Services Agreement

Other Party: Baiada Pty Ltd Oakburn Protein Recovery Plant

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

Stripping attached: no

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

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

Does document conform with legislative requirements: Yes

Recorded in Seal Register: No

## SECTION 2

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

Development Application No:

Applicant:

Proposed Development:

Location of Development:

Land Category: Operational.

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

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

Comments:

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

Comments:

Copy of DA Attached: No

Documents all in order: Yes

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

**END OF REPORT**

**END OF REPORT**