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20 September 2022

Mr Chris Ritchie  
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Email: Chris.Ritchie@planning.nsw.gov.au

### **Response to Modification of State Significant Development – SSD 7268**

Dear Mr Ritchie

Thank you for consulting with the NSW Environment Protection Authority (EPA) about State Significant Development SSD 7268-Mod 2 application relating to the Bourke Small Stock Abattoir located approximately 14km north of Bourke, NSW.

The application seeks to the modify following conditions

- Condition C31 – Stormwater storage facilities – amend condition to remove the requirement of a 900mm compacted clay liner with permeability of less than  $1 \times 10^{-9} \text{m/s}$
- Appendix A – Mass carcass disposal pit – remove requirement for construction of pit and requirement for a rubber liner in the pit
- Appendix A – Manure stockpile area – remove requirement for rubber membrane liner.

The EPA reviewed the following document:

- Thomas Foods International - Modification 2 Application - Bourke Small Stock Abattoir – Report No: 222207\_REP\_001 (Rev:C) – Premise – 08 September 2022

The EPA does not object to the proposal to modify the consent.

The EPA notes the stormwater dam is underlain by structured sandy clay to silty clay subsoil up to 8m and will hold clean water. As such the dam should have good water-holding capacity and presents minimal risk of contamination to groundwater given the dam is designed to hold clean surfacewater.

The EPA notes the Mass Carcass disposal pit is intended to be an emergency response in the unlikely event of a biosecurity incident. The EPA supports the proposed modification and notes that the Emergency Disposal and Biosecurity Protocol for the premises will be updated to reflect integration with, and response informed by, the NSW DPI/Animal Biosecurity functional area if the need arises.

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The EPA supports the modification to the manure stockpile area such that it will be designed and constructed in accordance with the leachate barrier system in Section 5.2 of the DEC (2004) *Environmental Guidelines: Composting and related organics processing facilities*.

The EPA recommends that the Applicant contact the EPA directly about any concerns relating to variation of the Applicant's Environment Protection Licence that may result from modification of the consent, should the modification be approved.

If you have any questions about this request, please contact myself or Damien Rindfleish on 131 555 or via email at [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au), marked to our attention.

Yours sincerely



**REBECCA SCRIVENER**  
**Acting, Regional Manager**  
**Regulatory Operations Regional – West**

# Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 9 March 2022, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Joanna Bakopanos  
**Team Leader**  
**Industry Assessments**

Sydney

5 October 2022

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## SCHEDULE 1

### Development Consent

**Development consent:** SSD 7268  
**For the following:** Construction and operation of a small stock abattoir

### Modification 2

**Modification:** SSD-7268-Mod-2  
Modification 2 - Liner Amendments  
**Applicant:** Thomas Foods International Pty Ltd

**Consent Authority:** Minister for Planning

**The Land:** Lot 17 DP 753546, Mitchell Highway, Bourke, and the Mitchell Highway road reserve between North Bourke and Lot 17 DP 753546

## SCHEDULE 2

This consent is to be modified as follows:

### In Schedule A

1. Delete the Applicant's name and replace with new Applicant's name "Thomas Foods International Pty Ltd".

### In the Definitions

1. In the definition "Applicant, the", delete the words "CAPRA Developments Pty Limited" and replace with the words "Thomas Foods International Pty Ltd"
2. Delete the definition "SSD 7268 MOD 1".
3. Insert the following definition in alphabetical order:

|                          |   |
|--------------------------|---|
| Modification Assessments | The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act: <ol style="list-style-type: none"><li>(a) Modification application SSD 7268 MOD 1 with supporting letter titled Bourke Small Stock Abattoir SSD 7268: Section 96(1), dated 25 January 2017, prepared by EMM, together with the appended Drawing Register prepared by Cook and Roe dated 23 January 2017</li><li>(b) Modification application SSD-7268-Mod-2 with report titled Section 4.55(1A) Thomas Foods International Modification 2 Application Bourke Small Stock Abattoir to SSD-7268, prepared by Premise, dated 8 September 2022 and all attachments</li></ol> |
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### In Schedule B: Administrative Conditions

4. Delete Condition 2(f) and replace with new Condition 2(f) as follows:

2(f) Modification Assessments.

### In Schedule C: Environmental Performance

5. Immediately after Condition C6, insert new condition C6A as follows:

C6A. The Applicant shall revise the Emergency Disposal and Biosecurity Protocol required under Condition C6 within 3 months of the approval of SSD-7268-Mod-2, detailing the procedures for a biosecurity emergency including a mass mortality event, to the satisfaction of the Secretary. The protocol shall form part of the OEMP in Condition D3 and be prepared in accordance with Condition D5. The protocol shall:

- (a) be prepared in consultation with Council, EPA, DPI and other relevant public authorities;
- (b) be consistent with the relevant AUSTVETPLAN manuals and supporting documents;
- (c) describe the notification procedures;
- (d) detail the measures to maintain quarantine control; and
- (e) detail measures to prevent ground water contamination.

6. Delete Condition C31 and the heading “Stormwater”
7. Immediately after Condition C34, insert new condition C34A as follows:

C34A. The Applicant shall design, construct, operate and maintain all wastewater treatment ponds on site, as shown in Plan 32061-DA.22 Revision B, dated 23 January 2017, with the internal surfaces equivalent to, or better than, a clay liner of permeability  $1 \times 10^{-9}$  ms or less and a thickness of no less than 900mm, or an equivalent alternative.

#### **In Schedule D: Environmental Management and Reporting**

8. In Condition D6, delete all the words, including the note, after the words “to the development consent,” and replace with the following words:

the strategies, plans and programs required under this consent must be reviewed, and the Secretary must be notified in writing of the outcomes of any review.

9. Immediately after Condition D6, insert new condition D6A and note as follows:

D6A. 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 Secretary. Where revisions are required, the revised document must be submitted to the Secretary for approval within six weeks of the review required under condition D6, or such other timing as agreed by the Secretary.

***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.*

#### **In the Appendices**

10. In Appendix A: Management and Mitigation Measures delete all commitments and replace with the commitments as shown in Appendix A of the modifying instrument.

## APPENDIX A: MANAGEMENT AND MITIGATION MEASURES

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### Commitment

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#### Air Quality and Odour

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##### *Construction*

Construction activities will be managed so that the works are conducted in a manner that minimises the generation of air emissions. Construction contractors will undertake regular environmental inspections of their works and worksite which will include;

- visual inspection of dust generation;
- inspection of the erosion and sediment controls;
- ensuring vehicles entering/exit the site are covered to prevent escape of materials during transport; and
- ensure the Mitchell Highway in the vicinity of the site is kept free of soil, and soil tracking onto the road network is prevented

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##### *Operation*

- Stock holding yards will be regularly cleaned.
- Potential odour-generating material will be removed from site in accordance with operational procedures.
- Waste will be transported off site in enclosed systems.
- The wastewater treatment system will be maintained to avoid odour generation in accordance with operational procedures, including crust formation on the anaerobic ponds
- Irrigation droplet size will be controlled by preventing excessively high pressure in the system design, so as to minimise spray drift.
- Spill management will include immediate clean-up of any spill/leakage in accordance with operational procedures.
- Boilers will be installed and operated in accordance with manufacturer's instructions, including regular maintenance and tuning to minimise pollutant emissions and to optimise the fuel efficiency.
- Unsealed access roads will be constructed and maintained so as to minimise wheel generated dust.
- An odour complaint logbook will be maintained on site. In the event of a complaint, an investigation of any unusual odour sources within the site boundary will occur and appropriate action taken to mitigate these sources.

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### Traffic

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##### *Construction*

- A construction traffic management plan will be prepared and implemented prior to the commencement of construction activities.

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##### *Operation*

- Approximately 150 car parks will be provided on site. Car parking areas will have appropriate dimensions to accommodate the required number and size of the vehicles using the car park.
- The site access intersection with the Mitchell Highway will be designed to comply with the relevant Austroads intersection traffic capacity and safety design standards.
- The new intersection into the project site on the Mitchell Highway will include a dedicated auxiliary left turn lane that will allow following traffic to pass a left turning vehicle. The AUL(s) treatment will be consistent with that provided in Figure 8.3 of Part 4A of Austroads

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Guide to Road Design.

- Internal pedestrian linkages will be included in the design of the on-site car park to direct employees to the staff entrances to the abattoir.

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## Health

- Livestock will be sourced from suppliers, including properties and depots where standard operating procedures include that prior to transport, animals are rested to “empty out” to reduce urination and defecation during transport, and where screening of heavily pregnant does from transport occurs.
- All waste to be removed from site will be transported off site in enclosed containers and disposed of at an appropriately licensed facility.
- The abattoir will be fenced (1.8m high man proof fencing) as shown in the detailed site plans in Appendix A (as modified) of the Response to Submissions Report, and access to the site will be controlled by a security gatehouse and boom gate.
- Onsite procedures will be implemented in accordance with industry standards in relation to provision of appropriate PPE and good hygiene practice.
- A Q fever vaccination program will be implemented to ensure all employees are vaccinated appropriately.
- Contract truck drivers will be encouraged to come directly to the site when carrying loaded trucks of livestock to avoid stopping in Bourke or North Bourke.

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## Biodiversity

- Felling of hollow-bearing trees in the disturbance footprint will follow a two-stage clearing protocol, where surrounding non-hollow vegetation is cleared 24 hours prior to the hollow trees to allow fauna time to move.
- A biodiversity offset strategy will be prepared in consultation with OEH, DP&E and DPI-Lands within 12 months of project approval, and will involve:
  - Identifying if suitable credits are available on the market to meet offset requirements.
  - Finding potential offset sites with the biodiversity values required to compensate for the project’s impacts, including possibly within the project site and CAPRA landholdings.
  - In the absence of suitable offset credits or properties, applying the variation criteria rules of the FBA and finding suitable offsets to meet the requirements.
- Weeds will be managed within the project site in accordance with relevant DPI – Lands best practice guidelines.
- The PVP which applies to the broader property of ‘Artesia’ (of which the project site forms a small part) will be amended to exclude the project site.

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## Heritage

- An Aboriginal Heritage Management Plan will be prepared in consultation with OEH and the RAPs prior to construction commencing.
- Surface collection of known Aboriginal objects within the disturbance footprint of the project will be undertaken prior to construction works commencing. All areas within the disturbance footprint (as shown in the layout plan in Appendix A of the Response to Submissions report) that were not surveyed as part of the heritage assessment completed for the EIS will be surveyed, and surface collection of any artefacts found, prior to the commencement of construction activities in conjunction with the surface collection program for the site.
- A keeping place (designated secure area) will be established within the offices on site to store all Aboriginal stone artefacts collected from the project site. A selection of these artefacts will be put on display. All associated reports and records will be stored in close proximity to the artefacts in a bound hard copy and digital form. All materials

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will be held in a locked cabinet (both those objects on display and those in storage).

- The identified Gurri tree (wild orange tree – *Capparis mitchellii*) will be avoided during construction of the site access road. Other Gurri trees identified within the project site will be managed in accordance with the approved Aboriginal Heritage Management Plan and in consultation with the RAPs.

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## **Water Resources**

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### *Construction*

- Effective temporary erosion and sediment control structures, such as hay bales and silt fencing, will be used to prevent soil loss and sediment-laden runoff from leaving the project site.
- All clean surface water from upslope of construction areas will be diverted around areas of disturbance where required.
- Areas disturbed as part of construction activities that are not part of the final footprint of the project will be promptly revegetated.
- Temporary erosion and sediment control structures used during construction will be regularly inspected and maintained.
- Two groundwater monitoring bores will be drilled at the commencement of construction works within the project site to intercept the water table in the Upper Darling Alluvial Groundwater Source, to a minimum depth of 20 m below ground level, to establish groundwater levels and baseline groundwater quality.

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### *Operation*

- An assessment of the impact of the project against the minimal impact considerations in the Aquifer Interference Policy will be undertaken once sufficient baseline data is obtained, and prior to irrigation commencing.
- A 15 m wide vegetative buffer zone consisting of grasses, shrubs and trees will be maintained immediately downslope of the irrigation area to slow down and capture any runoff that occurs from the irrigation area.
- The wastewater treatment ponds will be lined so as to prevent any seepage occurring.
- Storage areas for all liquids will be appropriately bunded.
- Spill kits including absorbing materials will be provided nearby handling and storage areas.
- Water use will be minimised through regular inspections of pipes and connections to ensure there is minimal leakage occurring, use of high impact, low flow nozzles where high pressure is required, dry collection of manure, dry cleaning of equipment prior to wash down; and prioritising the order of washdown procedures eg stands, walls and then the floor.

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## **Waste, wastewater and irrigation**

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- Waste produced by the abattoir will be transported offsite by licensed contractors and disposed of at facilities appropriately licensed to accept such waste. Waste will not be disposed of at the Bourke Shire Council landfill unless an appropriate upgrade of the facility occurs.
- Manure collected from the holding yards will be composted in the designated area as shown in the plans included in Appendix A (as Modified). The manure stockpile area will be designed and constructed with a leachate barrier system in Section 5.2 of the DEC (2004)
- Treated effluent will be irrigated over 38 ha as per the findings of the on-site irrigation study (Envirowest 2016).
- Monitoring of vegetation will be undertaken on an annual basis and will involve visual assessments of crop species and bare areas to provide an indication of the presence



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of soil toxicities and soil degradation.

- A site specific irrigation management plan will be developed for the abattoir in consultation with the EPA prior to irrigation commencing, and will include:
  - a detailed monitoring program for:
    - i) pre-irrigation (baseline) monitoring;
    - ii) commissioning monitoring; and
    - iii) ongoing monitoring during irrigation.
  - contingencies in irrigation management to be implemented if the effluent quality determined during commissioning monitoring differs from that predicted. In this instance nutrient and salt balances will be recalculated, and the planned management of effluent irrigation adjusted accordingly;
  - management and mitigation measures for the range of potential site limitations for irrigation, including saline soils, sodic soils, and low phosphorus sorption capacity;
  - wet weather overflow management measures;
  - the procedures for emptying the standing pond and irrigation pond prior to a major storm event, including responsibilities for management of these ponds;
  - the size of the areas to be planted with summer and winter crops;
  - site specific monitoring triggers for action and specific actions for key risk factors will also be identified as follows:
    - i) the salinity, major ions and sodium absorption rate (SAR) of effluent;
    - ii) salinity and exchangeable sodium percentage of soil at depths;
    - iii) permeability and water logging measures; and
    - iv) measures to account for yield reductions due to salinity and sodicity.
  - design and management of the bund and sediment dam to be constructed to capture runoff from the irrigation area.
- Soil samples will be taken during construction works and further analysed to confirm the phosphorus absorption rates in comparison to the 4,500 kg/ha derived in the irrigation study prepared as part of the EIS.

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### **Greenhouse gas**

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- Regular checks of seals on all refrigerated areas will be undertaken as part of routine site maintenance.
- Where possible, high efficiency lighting will be used.
- The option of installing solar panels at the abattoir will be assessed and determined within three years of commencement of operations.

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### **Socio-economic**

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Thomas Foods International Pty Ltd approach to employment will adopt the following principles:

- a preference for local employment wherever possible; and
- encourage local contractors to tender for work, both during the construction and operations phases. Selection of suppliers will be based on merit, assessed capability and competitive dynamics.

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**End of modification  
(SSD-7268-Mod-2)**